

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 480, L.D. 1482, Bill, "An Act to Expand the Duties of the Violations Bureau and Enhance the Enforcement of Civil Violations"

Amend the bill by striking out the title and substituting the following:

**'Resolve, to Establish a Plan to Enhance the Enforcement of Civil and Criminal Violations'**

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**'Sec. 1. Plan; joint responsibility. Resolved:** That the Secretary of State, the Chief Justice of the Supreme Judicial Court, the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Marine Resources, the Commissioner of Human Services, the Commissioner of Public Safety and the Governor, referred to as the "planning task force," shall jointly develop a plan to enhance the enforcement of civil and criminal violations and the collection of fines, penalties, forfeitures and other charges. The plan must implement a central credentialing registry and may include an expansion of the jurisdiction of the District Court Violations Bureau. The plan must include the following elements:

- 1. Prohibition of the renewal or reissuance of any license, certification or registration by any department or agency of the State if the applicant has not paid in full all fines, penalties, forfeitures, fees, assessments or any other charges imposed by a court in this State;

**COMMITTEE AMENDMENT**

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2. A single, current database of all persons who have not paid in full any fines, penalties, forfeitures, fees, assessments or any other charges imposed by a court in this State, including:

A. An update process to ensure accuracy and timeliness of information to the greatest extent possible; and

B. A means for each department and agency that issues licenses, certification or registrations to obtain information in the database within the time period that meets that department's or agency's needs;

3. Revision of license, certification and registration applications that includes appropriate questions to be answered by the applicant to provide the information necessary for the department or agency to determine whether the applicant has paid in full all fines, penalties, forfeitures, fees, assessments or any other charges imposed by a court in this State;

4. The ability and capacity to compare applications with the database;

5. Revision of the Uniform Summons and Complaint and the Violation Summons and Complaint consistent with the remainder of the plan;

6. Coordination with existing or planned information systems within departments and agencies. The plan must include consideration of the use of federal resources to implement information systems, including child support collections; and

7. A method of identifying violations that are currently crimes that would be more appropriately classified as civil violations; and be it further

**Sec. 2. Additional elements. Resolved:** That the plan may include any other elements the planning task force determines appropriate including but not limited to an analysis of the benefits and disadvantages of expanding the jurisdiction of the District Court Violations Bureau to include all civil violations; and be it further

**Sec. 3. Cooperation. Resolved:** That other state departments and agencies shall provide assistance as requested by the planning task force; and be it further

**Sec. 4. Participants. Resolved:** That each member of the planning task force may designate an individual within that member's department or office to serve on the planning task force as that member's designee. The planning task force may request

2 additional state employees, policymakers and legislators to  
participate in carrying out this resolve; and be it further

4 **Sec. 5. Drafting assistance. Resolved:** That the Legislative  
Council shall provide assistance in drafting legislation to  
6 implement the planning task force's recommendations; and be it  
further

8  
10 **Sec. 6. Report. Resolved:** That the planning task force shall  
submit a report, including any implementing legislation, to the  
joint standing committee of the Legislature having jurisdiction  
12 over judiciary matters and to the Legislative Council of the  
119th Legislature by December 15, 1998.'

14  
16 Further amend the bill by inserting at the end before the  
summary the following:

18  
20 **FISCAL NOTE**

22 The additional workload and administrative costs associated  
with membership on the planning task force can be absorbed within  
the budgeted resources of the several departments and agencies  
24 designated to serve on the task force.

26 The additional costs associated with providing drafting  
assistance to the task force can be absorbed by the Legislature  
28 utilizing existing budgeted resources.'

30  
32 **SUMMARY**

34 This amendment replaces the bill. It creates a planning  
task force to develop a plan to enhance the enforcement of  
criminal and civil violations and the collection of fines and  
36 other charges imposed by a court. The plan will include a  
central credentialing registry and may include the expansion of  
38 the jurisdiction of the District Court Violations Bureau to  
include all civil violations.

40  
42 The planning task force will consist of the Chief Justice,  
the Governor, the Secretary of State, the Commissioner of Inland  
Fisheries and Wildlife, the Commissioner of Marine Resources, the  
44 Commissioner of Human Services and the Commissioner Public  
Safety, or their designees.

46  
48 The planning task force will report back to the Legislature  
by December 15, 1998.

50 The amendment also adds a fiscal note to the bill.