

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Judiciary*

*July 2006*

**Members:**

*Sen. Barry J. Hobbins, Chair*

*Sen. Lynn Bromley*

*Sen. David R. Hastings III*

*Rep. Deborah L. Simpson, Chair*

*Rep. Sean Faircloth*

*Rep. Stan Gerzofsky*

*Rep. Marilyn E. Canavan*

*Rep. Mark E. Bryant*

*Rep. Michael Edward Dunn*

*Rep. Roger L. Sherman*

*Rep. Roderick W. Carr*

*Rep. Joan Bryant-Deschenes*

*Rep. Joan M. Nass*

**Staff:**

*Margaret J. Reinsch, Senior Analyst*

*Office of Policy and Legal Analysis*

*13 State House Station*

*Augusta, ME 04333*

*(207) 287-1670*

# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second Regular Session

#### Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP.....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

## *Joint Standing Committee on Judiciary*

may allow disclosure. The content of the complaint and any resulting investigation are confidential, except that the State Auditor shall publish a report of each complaint alleging fraud, waste, inefficiency or abuse within 120 days of receiving the complaint. In addition, the State Auditor must submit an annual summary of the complaints made to the hotline or other referral service. Chapter 682 requires coordination between the State Auditor and the director of the Office of Program Evaluation and Governmental Accountability, and specifically gives the director access to confidential information to be shared by the State Auditor. The provisions relating to the State Auditor are repealed July 1, 2009.

Chapter 682 requires (in unallocated law) that the State Auditor, the director of the Office of Program Evaluation and Governmental Accountability and the Attorney General jointly establish criteria for the referral of complaints and the coordination of response.

**LD 1743**

**An Act To Allow the Department of Health and Human Services  
To Locate Parents Who Are Delinquent in Child Support  
Payments through Information Related to Cellular Telephones**

**PUBLIC 566  
EMERGENCY**

<u>Sponsor(s)</u> PLOWMAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-535
------------------------------	--	-----------------------------------	--	------------------------------------

LD 1743 proposed to require a wireless service provider to provide at the department's request information to the Department of Health and Human Services on an owner of a cellular telephone who is a delinquent child support obligor after the department has exhausted all other avenues in attempting to locate the person.

**Committee Amendment "A" (S-535)** proposed to replace the bill with language based on the current law that authorizes the Department of Health and Human Services to conduct a data match with financial institutions for the purpose of locating child support obligors.

### *Enacted law summary*

Public Law 2005, chapter 566 is based on the current law that authorizes the Department of Health and Human Services to conduct a data match with financial institutions for the purpose of locating child support obligors.

Chapter 566 allows the department to submit a list of child support obligors to wireless service providers to be used to conduct computerized matches with the wireless service providers' account holders. The wireless service providers must provide in return lists of the matched names, plus the birth dates, social security numbers, addresses and employers of those matched, if that information is available. The department may submit the list for matching no more often than once every calendar quarter.

To cover the costs of carrying out the requirements of this section, a wireless service provider may assess a reasonable fee to the department not to exceed the actual costs incurred by the wireless service provider.

Public Law 2005, chapter 566 was enacted as an emergency measure effective April 11, 2006.