

# MAINE STATE LEGISLATURE

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*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*

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# 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

**LD 1817**

**An Act To Protect Access to Social Security Numbers**

**ONTP**

<u>Sponsor(s)</u> HOTHAM		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1817 proposed to expand the prohibition under current law on use of social security numbers to prohibit all businesses, organizations, government entities and all other entities operating in the State from requesting a person's social security number for any purpose, with exceptions. The bill proposed to allow businesses and the other specified entities to request a person's social security number when necessary to collect or disburse social security funds and when federal law requires the Federal Government to obtain a person's social security number from the business and other specified entities. Under the proposed bill, employers would be permitted to request an employee's social security number without these limitations.

**LD 1837**

**An Act To Protect Retirement Funds**

**ONTP**

<u>Sponsor(s)</u> SMITH W MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1837 proposed to exempt from creditors, including in bankruptcy proceedings, the full value of individual retirement accounts and "Roth individual retirement accounts" established under Section 408A of the United States Internal Revenue Code.

See LD 948 from the First Regular Session.

**LD 1842**

**An Act To Allow Certain End-of-life-care Decision-makers To Consent to Organ and Tissue Donation**

**PUBLIC 587**

<u>Sponsor(s)</u> GROSE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-890
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LD 1842 is a concept draft pursuant to Joint Rule 208. It proposed to set forth standard language to be included in living wills to provide increased guidance and certainty in situations when a patient is terminally ill or when a doctor has determined that all lifesaving means have been exhausted.

**Committee Amendment "A" (H-890)** proposed to replace the bill. It proposed to amend the Uniform Anatomical Gift Act to revise who can make organ donation decisions.