

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

June 2012

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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Judiciary

LD 1659

An Act To Facilitate Recovery of Debts Owed to the State for Indigent Legal Services

PUBLIC 547

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASTINGS	OTP-AM	S-455

The purpose of this bill is to aid the Maine Commission on Indigent Legal Services in the collection of amounts owed to the commission for legal services. This bill authorizes the Judicial Department to disclose social security numbers and financial information to agencies or departments of the State, including the Maine Commission on Indigent Legal Services, and to private collection agencies working under contract for the State for the purpose of collection of the amounts owed.

Committee Amendment "A" (S-455)

This amendment amends the laws governing the Maine Commission on Indigent Legal Services to define "case information" and to provide for the sharing of information by the Judicial Department with the commission. The information to be shared is necessary for the commission to keep track of the assignment of attorneys to indigent defendants and to collect reimbursement when the court orders the defendant to reimburse some or all of the cost of the representation. The information shared with the commission remains confidential, except that the names of criminal defendants and juvenile crime defendants charged with offenses that if committed by an adult would constitute murder or a Class A, Class B or Class C crime are not confidential.

The amendment provides that if a person receives social security numbers or other financial information for the purpose of collecting amounts owed to the State or any agency or department of the State, that person must keep the information confidential and use it only for the purposes for which it was disclosed and not further disclose it.

Enacted Law Summary

Public Law 2011, chapter 547 will aid the Maine Commission on Indigent Legal Services in the collection of amounts owed to the commission for legal services. The Judicial Department is authorized to disclose social security numbers and financial information to agencies or departments of the State, including the Maine Commission on Indigent Legal Services, and to private collection agencies working under contract for the State for the purpose of collection of the amounts owed.

Chapter 547 defines "case information" and provides for the sharing of information by the Judicial Department with the commission. The information shared with the commission remains confidential, except that the names of criminal defendants and juvenile crime defendants charged with offenses that if committed by an adult would constitute murder or a Class A, Class B or Class C crime are not confidential.

Chapter 547 provides that if a person receives social security numbers or other financial information for the purpose of collecting amounts owed to the State or any agency or department of the State, that person must keep the information confidential and use it only for the purposes for which it was disclosed and not further disclose it.