

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1017

H.P. 754 House of Representatives, March 30, 1987
Reference to the Committee on Legal Affairs suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative REEVES of Pittston.
Cosponsored by Senator USHER of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Prevent the Use of Undercover
2 Police Agents and to Regulate the Use
3 of Undercover Police Agents in Labor
4 Relations Matters.
5

6 Be it enacted by the People of the State of Maine as
7 follows:

8 26 MRSA c. 7, sub-c. X is enacted to read:

9 SUBCHAPTER X

10 UNDERCOVER INVESTIGATIVE ACTIVITY

11 §873. Prohibition; undercover investigative activity

12 1. Investigative agent; prohibited actions. No
13 person acting as an undercover or undisclosed inves-

1 tigative agent on behalf of, or at the request of,
2 any law enforcement agency of the State may:

3 A. Receive any money or valuable consideration
4 of any kind from any employer, employer associa-
5 tion or labor organization; or

6 B. Provide any information regarding any person
7 to any employer, employer association or labor
8 organization, unless that information establishes
9 a violation of the criminal law.

10 2. Employer; employer organization; labor orga-
11 nization; prohibited actions. No person acting on
12 behalf of any employer, employer organization or la-
13 bor organization may:

14 A. Pay any money or valuable consideration of
15 any kind to any person acting as an undercover or
16 undisclosed investigative agent of any law en-
17 forcement agency of the State; or

18 B. Receive, obtain or solicit any information
19 from any undercover or undisclosed investigative
20 agent of any law enforcement agency of the State,
21 unless that information establishes a violation
22 of the criminal law.

23 3. Violation. Any person who violates this sec-
24 tion is guilty of a Class D crime.

25 STATEMENT OF FACT

26 The purpose of this bill is to prohibit payment
27 to undercover law enforcement operatives with nonpub-
28 lic funds.

29 The integrity and impartiality of such operatives
30 is enhanced by prohibiting the communication to 3rd
31 parties of information of a noncriminal nature re-
32 ceived during the course of a criminal investigation.

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