

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1280**

H. P. 1039

House of Representatives, March 24, 1977

On motion of Mr. Spencer of Standish, referred to the Committee on Judiciary. Sent up for concurrence and ordered.

EDWIN H. PERT, Clerk

Presented by Mr. Devoe of Orono.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Clarify the Criminal History Record Disclosure Law.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Central Police Recruitment and Testing Service was established in 1974 under the auspices of the Maine Municipal Association and in cooperation with the Maine Criminal Justice Planning and Assistance Agency, the Maine Criminal Justice Academy and the Maine Chief of Police Association; and

Whereas, the purpose of this service is to provide a systematic recruitment and testing program available to all municipal and county police departments at reasonable cost and capable of identifying qualified law enforcement candidates in a rapid and efficient manner; and

Whereas, it has been recently noted that the enactment of Public Law 1975, chapter 763 in the 1st Special Session of the 107th Legislature, inadvertently limited access by the service to background information on potential candidates, and this limitation is resulting in costly delays that could be avoided if the law were amended; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**16 MRSA § 604, sub-§ 1, ¶ D, 1st sentence**, as enacted by PL 1975, c. 763, § 3, is amended to read:

Persons and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement or to conduct investigations determining the employment suitability of prospective law enforcement officers.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

#### STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.