

# MAINE STATE LEGISLATURE

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ROS

L.D. 1989

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CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1486, L.D. 1989, Bill, "An Act Regarding Criminal History Record Checks"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 25 MRSA §1541, sub-§6, as amended by PL 1999, c. 401, Pt. W, §1, is further amended to read:

6. Establishment of fees. The State Bureau of Identification may charge a fee to nongovernmental organizations and governmental organizations that are engaged in licensing and governmental organizations that are not a governmental entity of the State, a county of the State or a municipality of the State for services--provided each criminal history record check requested for noncriminal justice purposes pursuant to this chapter Title 16, chapter 3, subchapter VIII. The requestor shall provide a name and date of birth for each record being requested. A request made pursuant to 5 United States Code, Section 9101 must be accompanied by fingerprints. A governmental organization that is engaged in licensing may charge an applicant for the cost of the State--Bureau--of--Identification--services criminal history record check. The commissioner shall establish a schedule of fees that covers the cost of providing these services. Revenues generated from this-fee these fees must be credited to the General Fund and the Highway Fund in an amount consistent with currently budgeted allotments and allocations.

Sec. 2. 25 MRSA §1549, as amended by PL 1993, c. 235, §1, is further amended to read:

COMMITTEE AMENDMENT



R.S.

COMMITTEE AMENDMENT "A" to H.P. 1486, L.D. 1989

2           3. It clarifies that criminal history record checks  
4 requested pursuant to 5 United States Code, Section 9101 must be  
accompanied by fingerprints.

6           4. It authorizes a law enforcement agency that takes  
7 fingerprints and palm prints for noncriminal justice purposes to  
8 submit the fingerprints or palm prints directly to the State  
9 Bureau of Identification when required by statute or when the  
10 person requesting that the fingerprints or palm prints be taken  
11 asks the law enforcement agency to do so.

12           5. It specifies that a law enforcement agency that takes  
13 fingerprints or palm prints, upon request, for a criminal history  
14 record check for noncriminal justice purposes may not maintain  
15 any demographic information that is taken or collected in the  
16 process of taking the fingerprints or palm prints.

18           6. It also adds a fiscal note.