

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1436

S.P. 473

In Senate, March 25, 2003

An Act To Clarify That an Individual Requestor of a State Bureau of Identification Record Check Must Pay a Fee

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered
printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator STRIMLING of Cumberland.
Cosponsored by Representative JODREY of Bethel.

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

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Sec. 1. 25 MRSA §1541, sub-§6, as amended by PL 2001, c. 552, §1, is further amended to read:

6. Establishment of fees. The State Bureau of Identification may charge a fee to individuals, nongovernmental organizations, 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 each criminal history record check requested for noncriminal justice purposes pursuant to 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 criminal history record check. The commissioner shall establish a schedule of fees that covers the cost of providing these services. Revenues generated from these fees must be credited to the General Fund and the Highway Fund in an amount consistent with currently budgeted allotments and allocations.

SUMMARY

The Department of Public Safety, State Bureau of Identification has historically charged individuals, as well as organizations, to conduct criminal history record checks. This bill clarifies the language of the enabling statute to reflect that practice by adding individuals to the list of entities that may be charged a fee.