

MAINE STATE LEGISLATURE

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Legislative Document

No. 200

H.P. 171

House of Representatives, January 16, 2007

An Act To Provide Additional Background Information to the Probate Court

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HAYES of Buckfield.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: CLEARY of Houlton, FAIRCLOTH of Bangor, HOTHAM of Dixfield,
MILLETT of Waterford, SIROIS of Turner, SYKES of Harrison.

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

2 **Sec. 1. 16 MRSA §613, sub-§3**, as enacted by PL 1979, c. 433, §2, is amended to
3 read:

4 **3. Under specific agreements.** Any person with a specific agreement with a
5 criminal justice agency to provide services required for the administration of criminal
6 justice or to conduct investigations determining the employment suitability of prospective
7 law enforcement officers. The agreement ~~shall~~ must specifically authorize access to data,
8 limit the use of the data to purposes for which given, insure security and confidentiality of
9 the data consistent with this subchapter and provide sanctions for any violations; ~~and~~

10 **Sec. 2. 16 MRSA §613, sub-§4**, as enacted by PL 1979, c. 433, §2, is amended to
11 read:

12 **4. Research activities.** Any person for the express purpose of research, evaluation or
13 statistical purposes or under an agreement with the criminal justice agency. The
14 agreement ~~shall~~ must specifically authorize access to data, limit the use of data to
15 research, evaluation or statistical purposes, insure the confidentiality and security of the
16 data consistent with this subchapter and provide sanctions for any violations; and

17 **Sec. 3. 16 MRSA §613, sub-§5** is enacted to read:

18 **5. Probate courts.** A court of probate as established under Title 4, chapter 7 if the
19 court determines nonconviction data is necessary in the determination of a matter brought
20 before it.

21 **SUMMARY**

22 This bill allows probate courts to access nonconviction data from a criminal justice
23 agency.