

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1386

H.P. 978

House of Representatives, March 13, 2007

**An Act To Make Criminal Background Checks and Department of
Health and Human Services Child Protective Substantiation Checks
on Volunteers More Affordable**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WALCOTT of Lewiston.
Cosponsored by Representatives: BURNS of Berwick, CAMPBELL of Newfield, CANAVAN
of Waterville, CONNOR of Kennebunk, DUNN of Bangor, GROSE of Woolwich, HARLOW
of Portland, WAGNER of Lewiston.

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

2 **Sec. 1. 22 MRSA §4008, sub-§6, ¶G** is enacted to read:

3 G. The department may not charge a fee in excess of \$3 for a check to determine
4 whether a person is named in the department's records if the requestor is a nonprofit
5 corporation and the person is a volunteer who may be working with a minor for the
6 nonprofit corporation.

7 **Sec. 2. 25 MRSA §1541, sub-§6,** as amended by PL 2003, c. 451, Pt. S, §1, is
8 further amended to read:

9 **6. Establishment of fees.** The State Bureau of Identification may charge a fee to
10 individuals, nongovernmental organizations, governmental organizations that are engaged
11 in licensing and governmental organizations that are not a governmental entity of the
12 State, a county of the State or a municipality of the State for each criminal history record
13 check requested for noncriminal justice purposes pursuant to Title 16, chapter 3,
14 subchapter 8. The requestor shall provide a name and date of birth for each record being
15 requested. A request made pursuant to 5 United States Code, Section 9101 must be
16 accompanied by fingerprints. A governmental organization that is engaged in licensing
17 may charge an applicant for the cost of the criminal history record check. The
18 commissioner shall establish a schedule of fees that covers the cost of providing these
19 services. Revenues generated from these fees must be credited to the General Fund. The
20 State Bureau of Identification may not charge a fee in excess of \$3 for a criminal history
21 record check of a person if the requestor is a nonprofit corporation and the person is a
22 volunteer who may be working with a minor for the nonprofit corporation.

23

SUMMARY

24 This bill limits to \$3 the fee that the Department of Health and Human Services may
25 charge for a check of its records to see if a person is named as substantiated child abuser
26 and that the Department of Public Safety, State Bureau of Identification may charge for a
27 criminal history record check of a person if the requestor is a nonprofit corporation and
28 the person is a volunteer who may be working with a minor for the nonprofit corporation.