

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1092

H.P. 766

House of Representatives, March 21, 2017

**An Act To Exempt United States Military Recruiters from Paying
Fees for Criminal History Record Checks**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MADIGAN of Waterville.
Cosponsored by Senator CYRWAY of Kennebec and
Representatives: AUSTIN of Skowhegan, BERRY of Bowdoinham, FARRIN of
Norridgewock, GROHMAN of Biddeford, GUERIN of Glenburn, NADEAU of Winslow,
PERKINS of Oakland.

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

2 **Sec. 1. 25 MRSA §1541, sub-§6**, as amended by PL 2015, c. 267, Pt. SSS, §4, is
3 further amended to read:

4 **6. Establishment of fees.** The State Bureau of Identification may charge a fee to
5 individuals, nongovernmental organizations, governmental organizations that are engaged
6 in licensing and governmental organizations that are not a governmental entity of the
7 State, a county of the State or a municipality of the State or that are not persons
8 conducting recruitment services for the Armed Forces of the United States for each
9 criminal history record check requested for noncriminal justice purposes pursuant to Title
10 16, chapter 7. The requestor shall provide a name and date of birth for each record being
11 requested. A request made pursuant to 5 United States Code, Section 9101 must be
12 accompanied by fingerprints. A governmental organization that is engaged in licensing
13 may charge an applicant for the cost of the criminal history record check. The
14 commissioner shall establish a schedule of fees that covers the cost of providing these
15 services. One dollar of each fee generated under this subsection must be deposited to the
16 Other Special Revenue Funds account within the Bureau of State Police to offset the cost
17 of maintenance and replacement of both hardware and software associated with the
18 criminal history record check system. The remaining revenues generated from these fees
19 must be credited to the General Fund.

20 Notwithstanding any other provision of law, the full fee charged for fingerprint-supported
21 criminal history record checks fees as collected pursuant to Title 20-A, section 6103,
22 subsection 3-A must be deposited in the State Police program, Other Special Revenue
23 Funds account for the purpose of funding the costs of the Department of Public Safety to
24 administer the criminal history record check program. Notwithstanding any provision of
25 law, all fees associated with any criminal history record check requirements established
26 after July 1, 2015 must be deposited in a dedicated revenue account for the purposes of
27 paying costs incurred by the Department of Public Safety, State Bureau of Identification
28 to conduct such checks.

29 **SUMMARY**

30 This bill provides an exemption to recruiters for the Armed Forces of the United
31 States from the fee charged by the State Bureau of Identification for criminal history
32 record checks.