

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 2024

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H.P. 1504

House of Representatives, March 17, 2022

**An Act To Allow County and Regional Communications Centers To  
Request Polygraph Examinations for Employees and Applicants for  
Employment**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Clerk of the House on March 15, 2022. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT  
Clerk

Presented by Representative TALBOT ROSS of Portland.  
Cosponsored by Senator DIAMOND of Cumberland and  
Representatives: COREY of Windham, FAY of Raymond.

1           **Emergency preamble.** Whereas, acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas**, under current law, employees of or applicants for employment with law  
4 enforcement agencies, including as emergency services dispatchers for those agencies, are  
5 subject to polygraph examinations; and

6           **Whereas**, other public safety dispatchers, such as for fire or emergency medical  
7 services, are not subject to polygraph examinations, despite having access to confidential  
8 records such as investigative and criminal intelligence information; and

9           **Whereas**, to ensure that such information is not misused, it is necessary to correct this  
10 disparity as soon as possible; and

11          **Whereas**, in the judgment of the Legislature, these facts create an emergency within  
12 the meaning of the Constitution of Maine and require the following legislation as  
13 immediately necessary for the preservation of the public peace, health and safety; now,  
14 therefore,

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

16          **Sec. 1. 32 MRSA §7364, sub-§3**, as enacted by PL 2013, c. 316, §3 and affected  
17 by §5, is amended to read:

18          **3. Exception.** This section does not apply to employees of or applicants for  
19 employment with law enforcement agencies or county and regional communications  
20 centers. As used in this subsection, "county and regional communications centers" means  
21 publicly owned and publicly operated entities that dispatch emergency services, but does  
22 not include an entity operated by or under the control of a law enforcement agency.

23          **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
24 takes effect when approved.

25 **SUMMARY**

26          Under current law, law enforcement employees and applicants for positions with law  
27 enforcement agencies are subject to polygraph examinations as a condition of obtaining or  
28 holding employment; this includes persons who operate as dispatchers. Other emergency  
29 service dispatch employees or applicants for employment as emergency service dispatch  
30 employees are not subject to polygraph examinations, even though those employees may  
31 have access to confidential information.

32          This bill allows county and regional communications centers, which are dispatch  
33 centers for all emergency services, to require employees and applicants for employment to  
34 submit to a polygraph examination.