

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
One Hundred and Seventh Legislature  
AT THE FIRST SPECIAL SESSION  
January 19, 1976 to April 29, 1976  
AND THE SECOND SPECIAL SESSION  
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

Sec. 64. 34 MRSA § 11 is enacted to read:

§ 11. Posting of political material in institutions

The chief administrative officer of each state hospital or institution, the Warden of the State Prison and the Superintendents of the Men's Correctional Center and the Women's Correctional Center shall each provide in at least one accessible area in each such institution an appropriate space for the posting of written political material sent for such purpose to that officer, warden or superintendent by candidates for state office or federal office in this State. Written political material means flyers, handbills or other nonperiodical publications, which shall be subject to the restrictions set forth in Title 21, chapter 35.

No more than one such item shall be posted in one place on behalf of any one such candidate. Such material shall be removed after the elections for which it is intended for use. If there is a voting place within the institution, such posting space shall not be located within 250 feet of the entrance to the voting place. The posting of material pursuant to this section shall not be considered a violation of Title 21, section 1575-A or of Title 21, section 1579, subsection 17-A.

Sec. 65. PL 1975, c. 684 is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except that section 25 shall take effect January 1, 1977.

Effective April 14, 1976

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## CHAPTER 762

### AN ACT to Permit Local Plumbing Inspectors to Approve Repairs to Existing Septic Systems.

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

Sec. 1. 22 MRSA § 42, sub-§ 3, as last repealed and replaced by PL 1973, c. 521, § 1, is amended by adding at the end 2 new sentences to read:

The rules and regulations adopted by the department shall provide with respect to the repair and replacement of any part or parts of existing subsurface sewage disposal systems, serving family dwellings inhabited by no more than 2 individual families, a local option permitting the municipal plumbing inspector to waive the site evaluation requirements provided that the waiver will not result in violations of other regulations or ordinances adopted pursuant to the Plumbing Code. The local option shall not apply to disposal systems located within 100 feet of any pond or river subject to shoreland zoning controls.

Sec. 2. 30 MRSA § 3221, sub-§ 1, ¶ B, is enacted to read:

B. The municipal officers of any municipality may after public hearing, adopt a local waiver option as provided in Title 22, section 42, subsection 3, and they shall notify the department in writing of the date of its adoption. Any person aggrieved by the granting of a waiver under the local option may appeal to the municipality and request a public hearing on the issue of whether or not the waiver shall be permitted.

Effective July 29, 1976

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## CHAPTER 763

### AN ACT Repealing the Expungement Law and Providing for the Control of Access to and Disclosure of Criminal History Record Information.

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

Sec. 1. 15 MRSA § 2161-A, as enacted by PL 1973, c. 691, is repealed.

Sec. 2. 16 MRSA c. 3, sub-c. VI, as enacted by PL 1969, c. 460, and as last amended by PL 1975, c. 623, §§ 18-A and 18-B, is repealed.

Sec. 3. 16 MRSA c. 3, sub-c. VII, is enacted to read:

#### SUBCHAPTER VII

#### CRIMINAL HISTORY RECORD INFORMATION

##### § 601. Definitions

As used in this subchapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. Administration of criminal justice. "Administration of criminal justice" means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage and dissemination of criminal history record information.

2. Criminal history record information. "Criminal history record information" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, complaints, indictments, informations and any disposition arising therefrom, sentencing, correctional supervision and release. The term does not include identification information such as fingerprints, palm prints or photograph records to the extent that such information does not indicate involvement of the individual in the criminal justice system. The term does not include records of civil violations.

3. Criminal justice agency. "Criminal justice agency" means those agencies at all levels of Federal or State Government which perform as their principal function, activities relating to crime prevention, including research