

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

examination if a renewal application is made within 90 days after separation from the United States Armed Forces, under conditions other than dishonorable, by a person who has failed to renew his license because he was on active duty in the Armed Forces; provided that the waiver of examination shall not be granted if the person served more than 4 years in the Armed Forces, except if he is required by some mandatory provision to serve a longer period and he shall submit satisfactory evidence of this mandatory provision to ~~serve a longer period and he shall submit satisfactory evidence of this mandatory provision to the~~ board.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 3, 1986.

CHAPTER 552

H.P. 1259 - L.D. 1769

**AN ACT to Amend the Laws Relating to
Investigative Information of the State
Fire Marshal's Office.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, both the control of public access to and the dissemination of written information, whenever created, in the possession or control of law enforcement units of the office of State Fire Marshal, is inadequate; and

Whereas, this inadequacy constitutes a serious threat both now and in the future to the ability of criminal justice agencies to provide proper protection to persons, places and things; and

Whereas, such a threat is inimical to the paramount interests of the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preser-

vation of the public peace, health and safety; now, therefore,

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

16 MRSA §614, sub-§1, as amended by PL 1983, c. 787, §2, is further amended to read:

1. Limitation on dissemination of intelligence and investigative information. Reports or records in the custody of a local, county or district criminal justice agency, in the custody of the office of State Fire Marshal or in the custody of the criminal law enforcement units of the Department of Marine Resources or the Department of Inland Fisheries and Wildlife containing intelligence and investigative information shall be confidential and shall not be disseminated, if public release or inspection of the report or record may:

- A. Interfere with law enforcement proceedings;
- B. Result in public dissemination of prejudicial information concerning an accused person or concerning the prosecution's evidence that will interfere with the ability of a court to impanel an impartial jury;
- C. Result in public dissemination of information about the private life of an individual in which there is no legitimate public interest and which would be offensive to a reasonable person;
- D. Disclose the identity of a confidential source;
- E. Disclose confidential information furnished only by the confidential source;
- F. Disclose investigative techniques and procedures or security plans and procedures not generally known by the general public; or
- G. Endanger the life or physical safety of law enforcement personnel.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.