

# 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.

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

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE

SECOND SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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**CHAPTER 135**

H.P. 1627 - L.D. 2295

**AN ACT Establishing a Commission to Implement  
Computerization of Criminal History  
Record Information.**

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

Whereas, the State Bureau of Identification maintains criminal history record information; and

Whereas, this information is not stored in a computer system; and

Whereas, the manual search for criminal history record information upon the request of, among others, judges and bail commissioners is impossible to complete in a timely fashion; and

Whereas, the inability of the State to provide timely criminal history record information is detrimental to the criminal justice system and the public; and

Whereas, the State must begin as soon as possible to computerize maintenance of criminal history record information; 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 preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Commission created.** There is established the Commission to Implement the Computerization of Criminal History Record Information.

**Sec. 2. Appointment.** The commission shall consist of 12 members, as follows: Two Senators, appointed by the President of the Senate; 2 Representatives, appointed by the Speaker of the House of Representatives; the Attorney General or his designee; the Commissioner of Public Safety or his designee;

the Director of the State Bureau of Identification or his designee; the State Court Administrator or his designee; a member of the Maine Prosecutors Association and a member of the Maine Chiefs of Police Association, each to be jointly appointed by the Speaker of the House of Representatives and the President of the Senate from lists of members selected and proposed by the president of the respective organizations; the Commissioner of Corrections or his designee; and the Director of the Bureau of Central Computer Services or his designee. The Warden of the Maine State Prison shall advise the commission upon request. The commission shall ask the Chief Justice of the Supreme Judicial Court to appoint a judge or justice to serve as an advisor to the commission.

Each person required to make an appointment or appointments under this section shall inform the Executive Director of the Legislative Council upon making the appointment or appointments. The commission shall select a chairman from among its members.

Sec. 3. Duties. The commission shall investigate and prepare recommendations to automate and computerize the State's criminal history record information data system. The commission shall investigate and recommend:

1. The types of data to be included in a computerized criminal history record information data system, the entities to provide data to that system and the entities to be served by and connected to that system;

2. Appropriate computer hardware and software for establishment of a computerized criminal history record information data system;

3. Qualified personnel to enter, maintain, retrieve and delete data from a computerized criminal history record information data system; and

4. A method to verify accurate data entry into a computerized criminal history record information data system and to maintain security for that system.

Sec. 4. Report. The commission shall present its report and recommendations, together with any recommended legislation, to the Second Regular Session of the 113th Legislature by January 15, 1988.

Sec. 5. Assistance. The commission may contract with an independent computer consultant for assist-

ance. The participating groups and agencies may utilize available funds to pay the cost of these consultant services.

Sec. 6. Compensation. The members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 5, section 12002, for days of attendance at commission meetings. If the commission meets on a day when the Legislature is in session, the members of the commission who are Legislators shall receive only one legislative per diem on that day. All members of and advisors to the commission who are not executive department employees or employees of the Department of the Attorney General shall receive expenses as defined in the Maine Revised Statutes, Title 5, section 12002, upon application to the Executive Director of the Legislative Council for those expenses.

Sec. 7. Convening of commission. The Executive Director of the Legislative Council shall call the commission together for its first meeting no later than July 7, 1986.

Sec. 8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

LEGISLATURE

Commission to Implement  
 Computerization of  
 Criminal History Record  
 Information

|                   |              |
|-------------------|--------------|
| Personal Services | \$ 800       |
| All Other         | <u>2,000</u> |
| TOTAL             | \$2,800      |

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

Effective June 3, 1986.