

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Fingerprinting Law

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

Whereas, school employees have to go through the Maine State Police to be fingerprinted for their employee background checks, and this limited option is expensive and inconvenient to applicants; 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. 20-A MRS §6103, sub-§6, as amended by PL 2005, c. 457, Pt. CC, §3, is further amended to read:

6. Fingerprinting. The applicant shall submit to having fingerprints taken by the Maine State Police, a law enforcement officer of the local area in which the applicant resides or the county sheriff of the county in which the applicant resides. The Maine State Police, the local law enforcement officer or the county sheriff, upon payment by the applicant or any other entity required by law of the expenses specified in subsection 3-A, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Maine State Police, the local law enforcement officer or the county sheriff for purposes of this section must be paid over to the Treasurer of State for deposit in accordance with Title 20-A, section 6103, subsection 10.

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

SUMMARY

This bill changes the law requiring that the Maine State Police take the fingerprints of applicants to a school system by allowing the applicant's municipal law enforcement agency or county sheriff to take the fingerprints and send them on to the State Bureau of Identification.