

## 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

**Legislative Document** 

No. 352

H.P. 278

House of Representatives, February 8, 2011

An Act To Amend the Laws Governing Criminal History Record Information

(EMERGENCY)

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Heather J.R. PRIEST Clerk

Presented by Representative HASKELL of Portland.

Cosponsored by Senator KATZ of Kennebec and

Representatives: CLARKE of Bath, DION of Portland, NELSON of Falmouth, VALENTINO of Saco.

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, this legislation needs to take effect before the expiration of the 90-day 4 period in order to facilitate the enforcement of licensing laws and rules by the state 5 agency responsible for licensing health and social services agencies and facilities; and 6 Whereas, in the judgment of the Legislature, these facts create an emergency within 7 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, 8 9 therefore. 10 Be it enacted by the People of the State of Maine as follows: 11 **Sec. 1. 16 MRSA §614, sub-§3, ¶B-1** is enacted to read: 12 B-1. The division of licensing and regulatory services within the Department of 13 Health and Human Services when such intelligence and investigative information may relate to enforcement of licensing laws and rules; 14 15 **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect July 1, 2011. 16 17 SUMMARY 18 This bill adds the Department of Health and Human Services, division of licensing and regulatory services to the list of exceptions regarding limitations on the dissemination 19 of intelligence and investigative information prepared by, prepared at the direction of or 20 21 kept in the custody of state entities, including local, county and state law enforcement 22 agencies. 23 The bill allows the Department of Health and Human Services, division of licensing and regulatory services to access reports and records, including police reports, which may 24 25 relate to enforcement of licensing laws and rules. This bill takes effect July 1, 2011.