

LD 2169

BILL
#4

ERRORS BILL § 31

LAW AMENDED: 25 MRSA §1542-A, sub-§1, ¶R

General Subject: State Bureau of Identification, duty to take finger prints, subject

Type of correction (conflict, reference, other): conflict

Category (technical, substantive): technical

Is amendment to Errors Bill needed? no
(If so, draft/mark up and explain below)

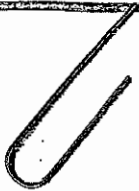
Prepared by: sas
Date: 7.21.20
File name: G:\COMMITTEES\JUD\Errors Bill 2020\Sec 31.docx

EXPLANATION

25 MRSA §1542-A, sub-§1, ¶R was amended by PL 2019, c.343 (LD 1001), PL 2019, c. 399 (LD 1892), PL 2019 c. 402 (LD 1901) and PL 2019 c. 416 (LD 1340). Chapters 343 and 416 both include “; or” at the end of the paragraph, whereas chapters 399 and 402 include only a semicolon.

This amendment corrects the conflict by repealing the paragraph and replacing it with the version included in chapters 399 and 402.

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1 ✓ **Sec. 43. 25 MRSA §1542-A, sub-§1, ¶R**, as amended by PL 2019, c. 343, Pt. G,
2 §5, c. 399, §3, c. 402, §3 and c. 416, §3, is repealed and the following enacted in its place:

3 R. Who is required to have a criminal background check under Title 22, section
4 8302-A or 8302-B;

5 **SUMMARY**

6 Section ?? corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and
7 416, which affected the same provision of law, by repealing the provision and replacing it
8 with the chapters 399 and 402 version.

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ERRORS BILL § 32

LAW AMENDED: 25 MRSA §1542-A, sub-§1, ¶S

General Subject: State Bureau of Identification, duty to take finger prints, subject

Type of correction (conflict, reference, other): conflict

Category (technical, substantive): technical

Is amendment to Errors Bill needed? no
(If so, draft/mark up and explain below)

Prepared by: sas

Date: 7.21.20

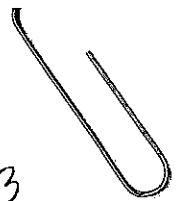
File name: G:\COMMITTEES\JUD\Errors Bill 2020\Sec 32

EXPLANATION

25 MRSA §1542-A, sub-§1, ¶S was amended by PL 2019, c.343 (LD 1001), PL 2019, c. 399 (LD 1892), PL 2019 c. 402 (LD 1901) and PL 2019 c. 416 (LD 1340). Chapters 399 and 402 both enact the paragraph, whereas chapters 343 and 416 reallocate the paragraph.

This amendment corrects the conflict by repealing the paragraph and replacing it with the version included in chapters 399 and 402.

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1 ✓ Sec. 44. 25 MRSA §1542-A, sub-§1, ¶S, as enacted by PL 2019, c. 399, §4 and
2 c. 402, §4 and reallocated by c. 343, Pt. G, §4 and c. 416, §2, is repealed and the
3 following enacted in its place:

4 S. Who is required to have a criminal history record check under Title 22, section
5 2425-A, subsection 3-A;

6 **SUMMARY**

7 Section ?? corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and
8 416, which affected the same provision of law, by repealing the provision and replacing it
9 with the chapters 399 and 402 version and making a technical correction.

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ERRORS BILL §§ 33, 34, and 35

LAW AMENDED: 25 MRSA §1542-A, sub-§1, ¶¶ T, U and V

General Subject: State Bureau of Identification, duty to take finger prints, subject

Type of correction (conflict, reference, other): conflict

Category (technical, substantive): technical

Is amendment to Errors Bill needed? no
(If so, draft/mark up and explain below)

Prepared by: sas

Date: 7.21.20

File name: G:\COMMITTEES\JUD\Errors Bill 2020\Sec 33, 34 and 35

EXPLANATION

25 MRSA §1542-A, sub-§1, ¶¶ T, U and V were amended by PL 2019, c.343 (LD 1001), PL 2019, c. 399 (LD 1892), PL 2019 c. 402 (LD 1901) and PL 2019 c. 416 (LD 1340). These bills enacted similar but not identical provisions using different combinations of lettering and formatting.

This amendment corrects the conflict by repealing the three paragraphs and replacing them with language encompassing all of the changes while avoiding conflicts.

✓ SP2

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2 ✓ 34 Sec. 45. 25 MRSA §1542-A, sub-§1, ¶T, as enacted by PL 2019, c. 399, §4, c.
402, §4 and c. 416, §4, is repealed and the following enacted in its place:

3 T. Who is required to have a criminal history record check under Title 22, section
4 8110;

5 35 ✓ 2A? Sec. 46. 25 MRSA §1542-A, sub-§1, ¶U is enacted to read:

6 U. Who is required to have a criminal history record check under Title 19-A, section
7 2111;

8 36 ✓ Sec. 47. 25 MRSA §1542-A, sub-§1, ¶V is enacted to read:

9 35 ✓ V. Who is employed or may be offered employment by the Office of the State
10 Auditor as required under Title 5, section 247.

11 SUMMARY

12 Sections ?? to ?? correct a lettering problem created by Public Law 2019, chapters
13 399, 402 and 416, which enacted 3 substantively different provisions with the same
14 paragraph letter and make technical changes.

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ERRORS BILL § 36

LAW AMENDED: 25 MRSA §1542-A, sub-§3, ¶O

General Subject: State Bureau of Identification, duty to take finger prints, responsibility

Type of correction (conflict, reference, other): conflict

Category (technical, substantive): technical

Is amendment to Errors Bill needed? no
(If so, draft/mark up and explain below)

Prepared by: sas

Date: 7.21.20

File name: G:\COMMITTEES\JUD\Errors Bill 2020\Sec 36

EXPLANATION

25 MRSA §1542-A, sub-§3, ¶O was amended by PL 2019, c.343 (LD 1001), PL 2019, c. 399 (LD 1892), PL 2019 c. 402 (LD 1901) and PL 2019 c. 416 (LD 1340). Chapters 399 and 402 enacted identical language at paragraph O, whereas chapters 343 and 416 repealed the paragraph.

This amendment corrects the conflict by repealing the paragraph and replacing it with the language in chapters 399 and 402.

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Sec. 48: 25 MRSA §1542-A, sub-§3, ¶O, as repealed by PL 2019, c. 343, Pt. G, §8 and c. 416, §5, and repealed and replaced by c. 399, §5 and c. 402, §5, is repealed and the following enacted in its place:

O. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph P at the request of that person and upon payment of the expenses by that person as required by Title 32, section 2571-A.

SUMMARY

Section ?? corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and 416, which affected the same provision of law by repealing the provision and replacing it with the chapters 399 and 402 version.

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ERRORS BILL §§ 37, 38 and 39

LAW AMENDED: 25 MRSA §1542-A, sub-§3, ¶¶ S, T and U

General Subject: State Bureau of Identification, duty to take finger prints, responsibility

Type of correction (conflict, reference, other): conflict

Category (technical, substantive): technical

Is amendment to Errors Bill needed? no
(If so, draft/mark up and explain below)

Prepared by: sas

Date: 7.21.20

File name: G:\COMMITTEES\JUD\Errors Bill 2020\Sec 37, 38 and 39

EXPLANATION

25 MRSA §1542-A, sub-§3, ¶¶S, T and U were amended by PL 2019, c. 399 (LD 1892), PL 2019 c. 402 (LD 1901) and PL 2019 c. 416 (LD 1340). These bills enacted three substantively different provisions using the same paragraph letter.

This amendment corrects the conflict by repealing paragraph S and replacing it with paragraphs S, T and U, with language encompassing all of the changes while avoiding conflicts.

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Sec. 50. 25 MRSA §1542-A, sub-§3, ¶S, as enacted by PL 2019, c. 399, §6, c. 402, §6 and c. 416, §7, is repealed and the following enacted in its place:

S. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph T at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 8110.

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Sec. 51. 25 MRSA §1542-A, sub-§3, ¶T is enacted to read:

T. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph U at the request of that person or the Department of Health and Human Services pursuant to Title 19-A, section 2111.

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Sec. 52. 25 MRSA §1542-A, sub-§3, ¶U is enacted to read:

U. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph V at the request of that person or the Office of the State Auditor and upon payment by the Office of the State Auditor of the fee established in Title 5, section 247, subsection 3.

SUMMARY

Sections ?? to ?? correct a lettering problem created by Public Law 2019, chapters 399, 402 and 416, which enacted 3 substantively different provisions with the same paragraph letter and correct cross-references.

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ERRORS BILL § 40

LAW AMENDED: 25 MRSA §1542-A, sub-§4

General Subject: State Bureau of Identification, fingerprints

Type of correction (conflict, reference, other): conflict

Category (technical, substantive): technical

Is amendment to Errors Bill needed? no
(If so, draft/mark up and explain below)

Prepared by: sas

Date: 7.21.20

File name: G:\COMMITTEES\JUD\Errors Bill 2020\Sec 40

EXPLANATION

25 MRSA §1542-A, sub-§4 was amended by PL 2019, c. 343 (LD 1001), PL 2019, c. 399 (LD 1892), PL 2019 c. 402 (LD 1901) and PL 2019 c. 416 (LD 1340). These bills enacted related but different provisions using the same subsection.

This amendment corrects the conflict by repealing the subsection and replacing it with language incorporating the changes made by all four laws.

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Sec. 53. 25 MRSA §1542-A, sub-§4, as repealed and replaced by PL 2019, c. 343, Pt. G, §10, c. 399, §7, c. 402, §7 and c. 416, §8, is repealed and the following enacted in its place:

4. Duty to submit to State Bureau of Identification. It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services. Fingerprints taken pursuant to subsection 1, paragraph P must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Licensure in Medicine, established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph Q must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks under Title 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R, T or U must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Health and Human Services. Fingerprints taken pursuant to subsection 1, paragraph V must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Office of the State Auditor.

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SUMMARY

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Section ?? corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and 416, which affected the same provision of law, by incorporating the changes made by all 4 laws.

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