

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1536, L.D. 2163, Bill, "An Act to Require the State to Be Responsible for the Costs of School Employee Record Checks and Fingerprinting"

Amend the amendment by striking out the substitute title and replacing it with the following:

'An Act Regarding the Responsibility of the State for the Costs of School Employee Record Checks and Fingerprinting and to Require Record Checks and Fingerprinting for Candidates for State Office'

Further amend the amendment by inserting after section 1 the following:

'Sec. 2. 21-A MRSA §26 is enacted to read:

§26. Criminal history record information; conviction data

Beginning July 1, 1999, all candidates for state office are subject to the requirements of this section.

1. Conviction data obtained; reliance. The Secretary of State shall obtain criminal history record information containing a record of conviction data from the Maine Criminal Justice Information System for any candidate seeking election to a state office.

2. Expenses. Notwithstanding Title 26, sections 594 and 629, the expense of obtaining the information required by this section must be paid by the candidate.

3. Criminal record information obtained from the Federal Bureau of Investigation. The Secretary of State shall obtain

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2 other state and national criminal history record information from  
3 the Federal Bureau of Investigation for any candidate seeking  
4 election to a state office.

6 4. Fingerprinting. The candidate shall submit 2  
7 fingerprint cards bearing the legible rolled and flat impression  
8 of the candidate's fingerprints prepared by a state or local  
9 public law enforcement agency to the Secretary of State who shall  
10 forward the fingerprint cards to the Department of Public Safety,  
11 State Bureau of Identification for the purpose of conducting  
12 state and national criminal history record checks.

14 5. Applicant's access to criminal history record check.  
15 The subject of a Federal Bureau of Investigation criminal history  
16 record check may obtain a copy of a criminal history record check  
17 by following the procedures outlined in 28 Code of Federal  
18 Regulations, Sections 16.32 and 16.33. The subject of a state  
19 criminal record check may inspect and review criminal record  
20 information pursuant to Title 16, section 620.'

22 Further amend the amendment by relettering or renumbering  
23 any nonconsecutive Part letter or section number to read  
24 consecutively.


#### FISCAL NOTE

26 The additional costs associated with obtaining criminal  
27 history record information for candidates for state office can be  
28 absorbed by the Department of the Secretary of State utilizing  
29 existing budgeted resources.

32 Conducting fingerprinting and criminal checks for these  
33 candidates will result in future costs and increases of dedicated  
34 revenue to the Department of Public Safety in amounts that can  
35 not be determined at this time.

#### SUMMARY

38 This amendment requires candidates seeking election to a  
39 state office to undergo the same criminal background and  
40 fingerprint checks as are required of education personnel in this  
41 State.

46 SPONSORED BY:   
47 (Representative LANE)

48 TOWN: Enfield  
50