

	L.D. 2490		
2	DATE: 2 11 2000 (Filing No. 5-484)		
4			
6	Reproduced and distributed under the direction of the Secretary of the Senate.		
8	STATE OF MAINE		
10	SENATE		
12	119TH LEGISLATURE SECOND REGULAR SESSION		
14	SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P.		
16	951, L.D. 2490, Bill, "An Act to Provide Funding for Background Checks and Fingerprinting for School District Employees and		
18	Volunteers"		
20	Amend the amendment by striking out the substitute title and replacing it with the following:		
22			
24	'An Act Regarding Background Checks and Fingerprinting' Amend the amendment in the emergency preamble by striking		
26	out all of the 2nd and 3rd paragraphs (page 1, lines 36 to 47 in amendment) and inserting in their place the following:		
28	'Whereas, commencing July 1, 2000, the certification,		
30	authorization, approval and renewal of teachers and educational personnel are subject to the criminal history record check		
32	provisions of the Maine Revised Statutes, Title 20-A, section 6103; and		
34	Whereas, this legislation seeks to limit the application of		
36	that law to newly hired personnel and to reimburse those who have already paid for fingerprinting and background checks; and		
38	Further amend the amendment on page 2 by inserting after the		
40	first paragraph (page 2, line 7 in amendment) the following:		
42	'Further amend the bill by inserting before section 1 the following:		
44	'Sec. 1. 20-A MRSA §6103, first ¶, as amended by PL 1999, c.		
46	35, §1, is further amended to read:		

Page 1-LR3301(11)

fr.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 951, L.D. 2490

Beginning July 1, 2000, certification, authorization and renewal <u>approval</u> under chapters 501 and 502 <u>for personnel hired</u> <u>on or after that date</u> are subject to the provisions of this section. Fingerprinting-of-immediately-affected-applicants-for eertification,-authorization-or-renewal,-conducting-of-the-needed state-and-national-criminal-history-record-checks-by-the-State Bureau-of-Identification-and-forwarding-of-the-results-by-the bureau-to-the-department-must-begin-on-September-1,-1999,

Sec. 2. 20-A MRSA §6103, 2nd ¶, as enacted by PL 1999, c. 35, §2, is repealed.' '

Further amend the amendment by striking out all of sections 14 2 to 6 and inserting in their place the following:

16

22

32

34

2

4

б

8

10

12

\*\*\*\*

'Sec. 2. 25 MRSA §1541, sub-§8 is enacted to read:

 18 8. Carrying balance. Any unencumbered balance from funds appropriated from the General Fund to accomplish the purpose of
 20 Title 20-A, section 6103 may not lapse but must be carried forward to be used for the same purpose.

Sec. 3. Payment for certification, authorization or approval. The
Commissioner of Public Safety, upon receipt of proof determined to be adequate by the commissioner, shall reimburse those
persons, including contracted services providers, schools and school districts, who have paid for the fingerprinting and
conducting of the needed state and national criminal history record checks by the Department of Public Safety, Bureau of State
Police, State Bureau of Identification, as required by the Maine Revised Statutes, Title 20-A, section 6103.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

 36
 **1999-00** 2000-01
 **38** PUBLIC SAFETY, DEPARTMENT OF
 **40** Fingerprint and Background Information - Reimbursement
 **42** All Other \$175,000
 **44** Appropriates funds to provide

46 rebates to certain
individuals and schools who
48 have already paid for a

Page 2-LR3301(11)

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 951, L.D. 2490 criminal history record check 2 pursuant to the Maine Revised Statutes, Title 20-A, section 4 6103. 6 **Fingerprint and Background Information - State Expense** 8 All Other \$279,300 10 Appropriates funds for the 12 costs of conducting background checks and 14 fingerprinting for persons newly employed by a public 16 school beginning on July 1, 2000. 18 DEPARTMENT OF PUBLIC SAFETY 20 TOTAL \$175,000 \$279,300 Sec. 5. Allocation. 22 The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act. 24 1999-00 2000-01 26 **PUBLIC SAFETY, DEPARTMENT OF** 28 **Bureau of State Police** 30 All Other (\$410,000) (\$392,000) 32 Deallocates funds that are no 34 longer necessary to reflect the cost of background checks 36 and fingerprinting.' 38 Further amend the amendment by inserting after the emergency clause the following: 40 'Further amend the bill by relettering or renumbering any 42 nonconsecutive Part letter or section number to read consecutively.' 44 **FISCAL NOTE** 46 1999-00 2000-01 48 **APPROPRIATIONS/ALLOCATIONS** 

Page 3-LR3301(11)

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 951, L.D. 2490

2	General Fund	\$175,000	\$279,300
	Other Funds	(410,000)	(392,000)
4			

REVENUES

Other Funds

6 8

34

36

(\$410,000) (\$392,000)

The amendment includes a General Fund appropriation of 10 \$175,000 in fiscal year 1999-00 to the Department of Public Safety to cover the cost of reimbursing certain school employees 12 who have paid for the costs of fingerprinting and background checks. The amendment also includes a General Fund appropriation 14 of \$279,300 to the Department of Public Safety in fiscal year 2000-01 for the costs of fingerprinting and background checks for The estimated future costs are also 16 new school employees. \$279,300 per year beginning in fiscal year 2001-02. These 18 amounts do not include the costs of conducting background checks and fingerprinting for all contracted service providers employed 20 by a public school. These amounts can not be determined at this time. Additional General Fund appropriations will be required to 22 cover the costs for this group of individuals.

The amendment also includes Other Special Revenue fund deallocations of \$410,000 and \$392,000 in fiscal years 1999-00 and 2000-01, respectively, for the Bureau of State Police within the Department of Public Safety to reflect the net reduced cost of background checks and fingerprinting. The department will also experience a corresponding loss of dedicated revenues from a decrease in the total amount of fees collected for the costs of conducting background checks and fingerprinting.

## SUMMARY

Like the bill as amended by Committee Amendment "A," this amendment requires the State to pay the costs of the fingerprinting and background checks and reimburses those who have already paid for the fingerprinting and criminal history record checks. This amendment also limits application of the

Page 4-LR3301(11)

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 951, L.D. 2490 fingerprinting and background check requirement to personnel 2 hired on or after July 1, 2000. 4 б SPONSORED BY: Th 8 (Senator HARRIMAN) 10 COUNTY: Cumberland 12

Page 5-LR3301(11)

