

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: January 25, 2000

(Filing No. S- 475)

EDUCATION AND CULTURAL AFFAIRS

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to S.P. 951, L.D. 2490, Bill, "An Act to Provide Funding for Background Checks and Fingerprinting for School District Employees and Volunteers"

Amend the bill by striking out the title and substituting the following:

'An Act to Provide Funding for Background Checks and Fingerprinting for School District Employees'

Further amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, commencing July 1, 1999, the certification, authorization, approval and renewal of teachers and educational personnel are subject to the criminal history record check provisions of the Maine Revised Statutes, Title 20-A, section 6103; and

Whereas, this legislation seeks to reimburse school district employees who have paid for such checks; and

Whereas, it is imperative to make these changes as soon as possible; 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,'

COMMITTEE AMENDMENT

R 43.

Further amend the bill in section 1 in subsection 4 in the last line (page 1, line 8 in L.D.) by striking out the following: "State." and inserting in its place the following: 'State for all persons either regularly employed, employed as substitutes or placed under contract by a public school in the 1999-2000 school year. The expense of obtaining the information required to meet the requirements of this section for all persons who begin work in a public school after July 1, 2000 must be paid by the applicants.'

Further amend the bill by inserting after section 2 the following:

'Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1999-00	2000-01
PUBLIC SAFETY, DEPARTMENT OF		
Fingerprint and Background Information - State Expense		

All Other	\$846,475	\$398,713
-----------	-----------	-----------

Appropriates funds for the costs of conducting background checks and fingerprinting for persons regularly employed by a public school for the 1999-2000 school year.

Sec. 4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	2000-01
PUBLIC SAFETY, DEPARTMENT OF	
Bureau of State Police	

All Other	(\$112,700)
-----------	-------------

Deallocates funds that are no longer necessary to reflect the required cost of background checks and fingerprinting for regular

employees of public schools
who are hired after the
1999-2000 school year.

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

Further amend the bill by inserting at the end before the summary the
following:

FISCAL NOTE

1999-00

2000-01

APPROPRIATIONS/ALLOCATIONS

General Fund	\$846,475	\$398,713
Other Funds		(112,700)

REVENUES

Other Funds	(112,700)
-------------	-----------

The Department of Public Safety will require additional General Fund appropriations of \$846,475 and \$398,713 in fiscal years 1999-00 and 2000-01, respectively, for the costs of conducting background checks and fingerprinting for certain persons who are regularly employed by a public school during the 1999-2000 school year. The estimated future costs are \$360,934 and \$387,443 in fiscal years 2001-02 and 2002-03, respectively. These amounts do not include the costs of conducting background checks and fingerprinting for all contracted service providers employed by a public school for the 1999-2000 school year. These amounts can not be determined at this time. Additional General Fund appropriations will be required to cover the costs for this group of individuals.

The Bureau of State Police within the Department of Public Safety will require an Other Special Revenue fund deallocation of \$112,700 in fiscal year 2000-01 to reflect the net reduced cost that will be incurred by new public school employees who will be required to pay for the 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.'

2

SUMMARY

4

6

8

10

12

14

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that the State will pay for the criminal history record check required for any person regularly employed in a public school during the 1999-2000 school year who requires Department of Education certification, authorization or approval. Under this amendment, the State is required to pay for the initial \$49 cost for fingerprinting and conducting the state and federal criminal history record checks, as well as the recurring \$24 fee to the Federal Bureau of Investigation for the criminal history record check.

16

18

20

22

The amendment also provides that all persons who begin work in a public school after July 1, 2000 must pay for the expense of obtaining the information required to meet the provisions of the criminal history record check law. Finally, the amendment changes the title of the bill, adds an appropriation section that appropriates funds to pay for the expenses of the criminal history record checks for the 1999-2000 and 2000-2001 biennium and adds a fiscal note to the bill.

COMMITTEE AMENDMENT