

# 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)



L.D. 1090

DATE: 6-7-01

(Filing No. H-70 )

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to S.P. 322, L.D. 1090, Bill, "An Act to Repeal the Requirement that School Employees be Fingerprinted"

Amend the bill by inserting after section 13 the following:

**Sec. 14. Reinstatement of certification.** No later than 10 days after the effective date of this Act, the Commissioner of Education shall reinstate the certification, authorization, approval or renewal under the Maine Revised Statutes, Title 20-A, chapter 501 or 502 that was denied to a person solely on the basis of that person's refusal to comply with the requirements of Title 20-A, former section 6103.

A person who was fingerprinted and who was denied certification, authorization, approval or renewal under Title 20-A, chapter 501 or 502 pursuant to Title 20-A, former section 6103 may receive certification, authorization, approval or renewal if that person, in addition to meeting any other requirements prescribed by law, receives permission for certification, authorization, approval or renewal from the Commissioner of Education. Upon a request for certification, authorization, approval or renewal by such a person, the Commissioner of Education shall hold a hearing after which the commissioner, in the commissioner's discretion, shall determine whether to grant the request.'

**FISCAL NOTE**

2  
4  
6  
8  
10  
12

The requirement that the Department of Education shall hold certain hearings upon request will have a fiscal impact upon the department beginning in fiscal year 2001-02. The specific impact can not be determined as the department is not able to indicate the potential number of affected individuals. If the number of requested hearings is significant and the costs can not be absorbed within current budgeted resources, the department will submit a request for additional General Fund appropriations in the Second Regular Session of the 120th Legislature.

14

**SUMMARY**

16  
18  
20  
22  
24

This amendment requires the Commissioner of Education to reinstate the certification of educational personnel who were denied certification solely because they refused to comply with the requirement that they be fingerprinted. It also provides that the Commissioner of Education must determine, after a hearing, whether to grant certification to a person who was fingerprinted and who was denied certification on the basis of the laws that required fingerprinting of educational personnel.

26  
28  
30  
32

SPONSORED BY: *A. Skoglund*  
(Representative SKOGLUND)

TOWN: St. George