

# MAINE STATE LEGISLATURE

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DATE: 5-28-03

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STATE OF MAINE  
SENATE  
121ST LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 667, L.D. 890, Bill, "An Act To Restrict Fingerprinting of Educational Personnel to New Hires"

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

'An Act To Allow for the Public Dissemination of Statistics Regarding Educational Personnel Fingerprinting'

Further amend the amendment by striking out all of sections 1 to 13 in the amendment and inserting in their place the following:

Sec. 1. 20-A MRSA §6103, sub-§3, as amended by PL 1997, c. 452, §3, is repealed.

Sec. 2. 20-A MRSA §6103, sub-§3-A is enacted to read:

3-A. Statistical information. Statistics and other information described in this subsection are public information. Dissemination of statistics and other information pursuant to this subsection must be made in a manner that preserves the confidentiality of the information contained in the criminal history records provided to the commissioner from which these statistics are drawn. The statistics and information may include:

SENATE AMENDMENT

2           A. From the Maine State Police:

4           (1) Information explaining the process used by the  
6           Maine State Police and the Department of Public Safety,  
8           State Bureau of Identification in conducting  
          fingerprinting and state and national criminal history  
          record checks;

10          (2) The number of fingerprints and criminal history  
12          record checks projected to be processed by the Maine  
          State Police; and

14          (3) The number of educational personnel applicants who  
16          have been fingerprinted, the number of criminal history  
18          record checks completed by the Maine State Police and  
          the number of criminal history record checks being  
          processed by the Maine State Police; and

20          B. From the commissioner:

22          (1) Information explaining the process used by the  
24          commissioner in reviewing criminal history record  
26          checks, in applying the statutory standards for  
          potential disqualification and in determining  
          appropriate agency action;

28          (2) The number of applications for certification,  
30          authorization and approval processed by or pending with  
          the department;

32          (3) The number of applications for certification,  
34          authorization and approval projected to be processed by  
          the department;

36          (4) The aggregate number of educational personnel  
38          applicants who have been fingerprinted; and

40          (5) The sum total of educational personnel applicants  
42          for whom the commissioner denied, revoked or suspended  
44          a certificate, authorization or approval or whom the  
          commissioner determined to be ineligible for employment  
          based on the results of a criminal history record check.

46          The commissioner shall adopt or amend rules necessary to carry  
48          out this subsection. Rules adopted pursuant to this subsection  
          are routine technical rules pursuant to Title 5, chapter 375,  
          subchapter 2-A.'

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**SUMMARY**

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This amendment strikes all of Committee Amendment "A" and retains the provisions of the bill that authorize the Maine State Police and the Commissioner of Education to release certain general information relating to fingerprinting and criminal history record checks of educational personnel.

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**FISCAL NOTE REQUIRED**

(See attached)

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SPONSORED BY: 

(Senator P. DAVIS)

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COUNTY: Piscataquis

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**121st Maine Legislature  
Office of Fiscal and Program Review**



**LD 890**

**An Act to Allow for the Public Dissemination of Statistics Regarding  
Educational Personnel Fingerprinting**

**LR 0418(03)**

**Fiscal Note for Senate Amendment " " to Committee Amendment 'A' 24/**

**Sponsor: Sen. Davis**

**Fiscal Note Required: Yes**

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**Fiscal Note**

Minor cost increase - General Fund

**Fiscal Detail and Notes**

Any additional cost to the Department of Education associated with rulemaking can be absorbed utilizing existing budgeted resources.