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Date: (Filing No. H-)

STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 221, L.D. 288, Bill, “An Act To Prohibit Any Questions Regarding Criminal History on State Employment Applications”

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

'An Act To Limit Questions Regarding Criminal History on State Employment Applications'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 5 MRSA §792 is enacted to read:

§792. Application forms for employment

An application form for employment for a position in State Government may not include any questions regarding an applicant's criminal history except when, due to the nature and requirements of the position, a person who has a criminal history record may be disqualified from eligibility for the position. For purposes of this section, "position in State Government" means a position in the legislative, executive or judicial branch of State Government or a position with a quasi-independent state entity or public instrumentality of the State. "Position in State Government" does not include a position in a school administrative unit, municipality, county or other political subdivision of the State.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Information Services 0155

Initiative: Provides a one-time General Fund appropriation of \$108,568 for required computer modifications.

COMMITTEE AMENDMENT

1	GENERAL FUND	2017-18	2018-19
2	All Other	\$108,568	\$0
3			
4	GENERAL FUND TOTAL	\$108,568	\$0
5			

6 **SUMMARY**

7 The amendment replaces the bill. Like the bill, the amendment prohibits the State
8 from including questions about criminal history on its employment application forms.
9 The amendment provides an exception to that prohibition when, due to the nature and
10 requirements of the position, a person who has a criminal history record may be
11 disqualified from eligibility, such as for a law enforcement officer, corrections officer,
12 child protective and adult protective services caseworker or child development services
13 worker. The amendment applies to state employment positions in the legislative,
14 executive or judicial branches of State Government and positions with quasi-independent
15 state entities or public instrumentalities of the State; it does not apply to positions in
16 school administrative units, municipalities, counties or other political subdivisions of the
17 State.

18 This amendment also provides funding to the Department of Administrative and
19 Financial Services for computer modifications made necessary by the amendment.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**