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Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 418, L.D. 573, “An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers”

Amend the bill in section 1 in subsection 4 in paragraph A by inserting after subparagraph (2) the following:

'(3) "Employment records" means personnel, employment and any other records pertaining to an applicant's employment and job performance with the employing agency but does not include any internal investigative records of the employing agency relating to the applicant.'

Amend the bill in section 1 in subsection 4 in paragraph A by renumbering the subparagraphs to read consecutively.

Amend the bill in section 1 in subsection 4 by striking out all of paragraph B (page 1, lines 20 to 30 in L.D.) and inserting the following:

'B. The applicant shall sign a request that an employing agency release all employment records to a hiring agency. For the purposes of the employment application, the request form must include a waiver of any rights that the applicant has to the privacy of the employment records. The request form must be signed by the applicant and the signature must be witnessed. The board shall adopt rules establishing a standard request and waiver form. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.'

Amend the bill in section 1 in subsection 4 by striking out all of paragraph C (page 1, lines 31 to 34 in L.D.) and inserting the following:

'C. An employing agency that receives a request pursuant to paragraph B shall promptly release all employment records to the hiring agency.'

Amend the bill in section 1 in subsection 4 in paragraph E in the 2nd and 3rd lines (page 1, lines 39 and 40 in L.D.) by striking out the following: "personnel and"

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment removes internal investigation records from the records subject to release pursuant to a waiver when certain law enforcement and correctional officers apply for employment with a law enforcement agency, correctional facility or county or regional jail.