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STATE AND LOCAL GOVERNMENT

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

COMMITTEE AMENDMENT " " to H.P. 1109, L.D. 1608, Bill, "An Act To Support Employment Opportunity in Maine"

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

'Sec. 1. 5 MRSA §7051, sub-§3-A is enacted to read:

3-A. Credit history inquiries; prohibition. The State may not seek to obtain or inquire about the credit history of a prospective employee or require that a prospective employee provide a credit history as a condition of state employment, except when:

A. The position of employment involves a fiduciary responsibility to the State, including, but not limited to, the authority to manage accounts, issue payments, collect debts, transfer money or enter into contracts, when the amount of money or value of assets involved is \$10,000 or more;

B. The position of employment is a law enforcement position; or

C. The State is otherwise required by federal law to obtain a credit history.

For the purposes of this subsection, "state employment" means employment in the legislative, executive or judicial branch of State Government. State employment does not include employment in a quasi-independent state entity or public instrumentality of the State or in a school administrative unit, municipality, county or other political subdivision of the State.'

SUMMARY

This amendment is the majority report of the committee. The amendment provides 3 exceptions from the provision in the bill that prohibits the State from seeking to obtain or inquire about the credit history of a prospective employee or require that a prospective employee provide a credit history as a condition of employment when: the position involves a fiduciary responsibility to the State, the position is a law enforcement position or the State is otherwise required by federal law to obtain a credit history. The

COMMITTEE AMENDMENT

1 amendment also clarifies the definition of state employment to include employment in the
2 legislative, executive or judicial branch of State Government but not include other
3 governmental or quasi-governmental entities.