

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Date: (Filing No. S-)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 365, L.D. 1039, Bill, “An Act To Amend the Polygraph Examiners Act”

Amend the bill in section 3 in subsection 4 by striking out all of the last 4 lines (page 2, lines 6 to 9 in L.D.) and inserting the following:

'Nothing in this chapter prohibits the use of statements or disclosures voluntarily made by the subject of a polygraph examination from being used in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.'

Amend the bill by inserting after section 3 the following:

'Sec. 4. 32 MRSA §7367 is enacted to read:

§7367. Examination considered complete

A person to whom a polygraph examination is administered is considered to have taken the polygraph examination if the person participates to any extent in the formalities of the pre-test phase of the polygraph examination.'

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

SUMMARY

This amendment specifies that a person to whom a polygraph examination is administered is considered to have taken the polygraph examination if the person participates to any extent in the formalities of the pre-test phase of the polygraph examination. It also makes clear that nothing prohibits the use of any statements or disclosures voluntarily made in a polygraph examination in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.

COMMITTEE AMENDMENT