

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1863

DATE: 3/22/94

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MINORITY  
LEGAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1375, L.D. 1863, Bill, "An Act Concerning Possession of Firearms by Minors on or near Public School Property"

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

'An Act Concerning Possession of Firearms on or near Public School Property'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 20-A MRSA §6552, sub-§3, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

3. Penalty. A person who violates Possession of a firearm in violation of this section is guilty of a Class E crime. In addition to any other authorized sentencing alternative or, in the case of a juvenile, in addition to any other dispositional alternative authorized following an adjudication for the juvenile crime, the driver's license, permit, privilege to operate a motor vehicle or right to apply for or obtain a license may be suspended by the court for a period not to exceed one year. The period imposed may not commence until the person has been released and discharged from any confinement that may have been imposed. The Secretary of State may not reinstate the person's license, permit, privilege to operate a motor vehicle or right to

COMMITTEE AMENDMENT

RWS

2 apply for or obtain a license unless the person demonstrates  
3 that, after having been released and discharged from any  
4 institutional confinement that may have been ordered, the person  
5 has served the period of suspension ordered by the court.'

6 Further amend the bill by inserting at the end before the  
7 statement of fact the following:

8

**FISCAL NOTE**

10

11 The Bureau of Motor Vehicles within the Department of the  
12 Secretary of State will incur some minor additional costs to  
13 suspend the driving privileges of certain persons, if the courts  
14 invoke this additional sentencing option. These costs can be  
15 absorbed within the Bureau of Motor Vehicles' existing budgeted  
16 resources. The collection of reinstatement fees from persons  
17 with these suspensions will result in insignificant increases of  
18 Highway Fund revenue.'

20

**STATEMENT OF FACT**

22

23 This amendment replaces the original bill and creates a  
24 sentencing option for the courts in cases where a person is found  
25 guilty of possessing a firearm on public school property. The  
26 court may suspend a violator's driver's license, permit,  
27 privilege to operate a motor vehicle or right to apply for or  
28 obtain a license for a period not to exceed one year. The  
29 penalty may be applied to violators who are adults or minors.  
30 The license suspension is not effective until after any period of  
31 confinement, if applicable, is served. This amendment also adds  
32 a fiscal note to the bill and is the minority report.