

MAINE STATE LEGISLATURE

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L.D. 1979

DATE: 3/29/94

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1450, L.D. 1979, Bill, "An Act to Allow Firearms Dealers, Importers and Manufacturers to Comply with the Brady Handgun Violence Prevention Act"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §455-B is enacted to read:

§455-B. Criminal background check; fee for service

A firearms dealer, importer or manufacturer who requests a chief law enforcement officer to conduct a criminal background check, as required by the Brady Handgun Violence Prevention Act, 18 United States Code, Section 922 (1993), shall pay a \$15 fee for the service. The chief law enforcement officer, or the chief law enforcement officer's designee, shall collect the \$15 fee, \$6 of which is distributed to the State Bureau of Identification and \$9 of which is kept by the law enforcement agency collecting the fee. If the State Police administrative licensing division provides a central telecommunications service and the chief law enforcement officer, or the chief law enforcement officer's designee, elects to use the service, then the chief law enforcement officer, or the chief law enforcement officer's designee, must distribute \$2.25 of the \$9 of the fee the law enforcement agency keeps to the licensing division. The law enforcement agency that conducts the criminal background check retains the remainder of the fee. All fees collected and

HOUSE AMENDMENT

distributed must be used to cover the costs associated with the
performance of the criminal background check.

Sec. 2. Allocation. The following funds are allocated from
Other Special Revenue to carry out the purposes of this Act.

1994-95

PUBLIC SAFETY, DEPARTMENT OF

State Bureau of Identification

Positions	(5.0)
Personal Services	\$159,369
All Other	19,976
TOTAL	\$179,345

Provides funds for one Senior Programmer
Analyst position, one Identification
Specialist II position, one Identification
Specialist I position, 2 Data Entry
Specialist positions and general operating
expenses to perform background investigation
services.

Licensing and Enforcement

Positions	(3.0)
Personal Services	\$90,400
All Other	55,906
TOTAL	\$146,306

Provides funds for 2 Clerk Typist II
positions, one Account Clerk II position and
general operating expenses to assist in the
background check process.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

\$325,651'

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

FISCAL NOTE

1994-95

APPROPRIATIONS/ALLOCATIONS

Other Funds	\$325,651
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2 REVENUES

4 Other Funds \$397,500

6 This bill will increase dedicated revenue to the State
Bureau of Identification within the Department of Public Safety
8 by \$240,000 in fiscal year 1994-95 from the \$6 fee per background
check. The bureau will require an allocation of \$179,345 in
10 fiscal year 1994-95 to establish one Senior Programmer Analyst
position, one Identification Specialist II position, one
12 Identification Specialist I position, 2 Data Entry Specialist
positions and general operation expenses to perform the
14 background investigation services.

16 The Division of Licensing and Enforcement within the
Department of Public Safety will receive additional dedicated
18 revenue of \$157,500 in fiscal year 1994-95 from the \$2.25 fees
paid when the division's central communications service is used
20 and \$6.75 when the division performs the entire background
check. The division will require an allocation of \$146,306 in
22 fiscal year 1994-95 to provide funds for 2 Clerk Typist II
positions, one Account Clerk II position and general operating
24 expenses to assist in the background check process.

26 Local police departments will receive an estimated \$202,500
in fiscal year 1994-95 to cover their costs associated with their
28 involvement in these background checks.

30
32 STATEMENT OF FACT

34 This amendment incorporates the statutory language from
Committee Amendment "A" but also deletes the emergency preamble
36 and the emergency clause from the bill and replaces the
allocation section and fiscal note of the amendment.
38

40
42 SPONSORED BY: Alan J. Clukey
(Representative CLUKEY)

44 TOWN: Houlton
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