

MAINE STATE LEGISLATURE

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M A J O R I T Y
LEGAL AFFAIRS

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

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 bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

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

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 1450, L.D. 1979.

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

	1993-94	1994-95
PUBLIC SAFETY, DEPARTMENT OF		
State Bureau of Identification		
10		(5.0)
12		\$159,369
14		19,976
	\$46,000	
16	<u>\$46,000</u>	<u>\$179,345</u>

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

Licensing and Enforcement

30		(3.0)
32		\$90,400
34		55,906
	\$9,120	
	15,575	
36	<u>\$24,695</u>	<u>\$146,306</u>

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

DEPARTMENT OF PUBLIC SAFETY
TOTAL

<u>\$70,695</u>	<u>\$325,651'</u>
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50 Further amend the bill by inserting at the end before the
statement of fact the following:

FISCAL NOTE

	1993-94	1994-95
APPROPRIATIONS/ALLOCATIONS		
Other Funds	\$70,695	\$325,651
REVENUES		
Other Funds	\$99,375	\$397,500

This bill will increase dedicated revenue to the State Bureau of Identification within the Department of Public Safety by \$60,000 in fiscal year 1993-94 and \$240,000 in fiscal year 1994-95 from the \$6 fee per background check. The bureau will require an allocation of \$46,000 in fiscal year 1993-94 and \$179,345 in fiscal year 1994-95 to establish one Senior Programmer Analyst position, one Identification Specialist II position, one Identification Specialist I position, 2 Data Entry Specialist positions and general operation expenses to perform the background investigation services.

The Division of Licensing and Enforcement within the Department of Public Safety will receive additional dedicated revenue of \$39,375 in fiscal year 1993-94 and \$157,500 in fiscal year 1994-95 from the \$2.25 fees paid when the division's central communications service is used and \$6.75 when the division performs the entire background check. The division will require an allocation of \$24,695 in fiscal year 1993-94 and \$146,306 in fiscal year 1994-95 to provide funds for 2 Clerk Typist II positions, one Account Clerk II position and general operating expenses to assist in the background check process.

Local police departments will receive an estimated \$50,625 in fiscal year 1993-94 and \$202,500 in fiscal year 1994-95 to cover their costs associated with their involvement in these background checks.

STATEMENT OF FACT

This amendment makes minor technical corrections to the bill and is the majority report of the Joint Standing Committee on Legal Affairs.

The amendment also adds an allocation section and a fiscal note to the bill.