

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 197

H.P. 149

House of Representatives, January 24, 1995

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**An Act to Allow the Suspension of Driving Privileges of Persons  
Bringing Firearms on Public School Property.**

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Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMAIRE of Lewiston.

Cosponsored by Representatives: ADAMS of Portland, BERRY of Livermore, BOUFFARD of Lewiston, CHIZMAR of Lisbon, CLOUTIER of South Portland, DORE of Auburn, ETNIER of Harpswell, FISHER of Brewer, FITZPATRICK of Durham, GERRY of Auburn, GREEN of Monmouth, HATCH of Skowhegan, JONES of Bar Harbor, MITCHELL of Vassalboro, MITCHELL of Portland, O'GARA of Westbrook, POULIOT of Lewiston, POVICH of Ellsworth, RICHARDSON of Portland, RICKER of Lewiston, TREAT of Gardiner, VOLENIK of Sedgwick, WATSON of Farmingdale, WINGLASS of Auburn, Senators: BERUBE of Androscoggin, CLEVELAND of Androscoggin.

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

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

6 **3. Penalty.** A person who violates Possession of a firearm  
8 in violation of this section is guilty of a Class E crime. In  
10 addition to any other authorized sentencing alternative or, in  
12 the case of a juvenile, in addition to any other dispositional  
14 alternative authorized following an adjudication for the juvenile  
16 crime, the driver's license, permit, privilege to operate a motor  
18 vehicle or right to apply for or obtain a license may be  
20 suspended by the court for a period not to exceed one year. The  
22 period imposed may not commence until the person has been  
24 released and discharged from any confinement that may have been  
26 imposed. The Secretary of State may not reinstate the person's  
license, permit, privilege to operate a motor vehicle or right to  
apply for or obtain a license unless the person demonstrates  
that, after having been released and discharged from any  
institutional confinement that may have been ordered, the person  
has served the period of suspension ordered by the court.

26 **STATEMENT OF FACT**

28 This bill creates a sentencing option for the courts in  
30 cases where a person is found guilty of possessing a firearm on  
32 public school property. The court may suspend a violator's  
34 driver's license, permit, privilege to operate a motor vehicle or  
right to apply for or obtain a license for a period not to exceed  
one year. The penalty may be applied to violators who are adults  
or minors. The license suspension is not effective until after  
any period of confinement, if applicable, is served.