

# MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 376, L.D. 521, Bill, "An Act to Encourage Collaboration and Cooperation among Agencies in the Interests of Juveniles within the Juvenile Court System"

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

Sec. 1. 15 MRSA §3308, sub-§7, ¶B, as amended by PL 1993, c. 354, §6, is further amended to read:

B. Nothing in this section precludes dissemination of any information contained in the records of juvenile court proceedings or other records described in subsection 5 by one criminal justice agency to another criminal justice agency for the purpose of the administration of criminal justice, the administration of juvenile criminal justice and for criminal justice agency employment, as long as:

(1) The person concerning whom the records are sought has been convicted of a crime as an adult;

(2) The person concerning whom the records are sought has been adjudicated as having committed a juvenile crime that, if committed by an adult, would be defined as a Class A, B or C crime by Title 17-A, the Maine Criminal Code, or by any other criminal statute outside that code;

(3) The person concerning whom the records are sought has been adjudicated as having committed a juvenile crime with the use of a dangerous weapon, as defined in Title 17-A, section 2, subsection 9;

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2 (4) The person concerning whom the records are sought  
4 has been adjudicated as having committed 2 or more  
6 juvenile crimes that, if committed by an adult, would  
8 be defined as Class D or Class E crimes by Title 17-A,  
the Maine Criminal Code, or by any other criminal  
statute outside that code; or

10 (5) The person seeking the records is the prosecuting  
12 attorney in any proceeding and the person concerning  
whom the records are sought is a defendant in that  
proceeding.

14 **Sec. 2. 15 MRSA §3308, sub-§7, ¶B-1** is enacted to read:

16 B-1. Nothing in this section precludes dissemination of any  
18 information in the records of court proceedings and in the  
other records described in subsection 5, if:

20 (1) The juvenile has been adjudicated as having  
22 committed a juvenile crime;

24 (2) The information is disseminated by and to persons  
who directly supervise or report on the health,  
26 behavior or progress of the juvenile, the  
superintendent of the juvenile's school and the  
28 superintendent's designees, criminal justice agencies  
or agencies that are or might become responsible for  
30 the health or welfare of the juvenile as a result of a  
court order or by agreement with the Department of  
32 Corrections or the Department of Human Services; and

34 (3) The information is relevant to and disseminated  
for the purpose of creating or maintaining an  
36 individualized plan for the juvenile's rehabilitation.

38 Any information received under this paragraph is  
confidential and may not be further disseminated, except as  
40 otherwise provided by law.

42 **Sec. 3. 34-A MRSA §3003, sub-§1, ¶D**, as amended by PL 1995, c.  
368, Pt. R, §9, is further amended to read:

44 D. To any criminal justice agency if necessary to carry out  
46 the administration of criminal justice, the administration  
of juvenile criminal justice or for criminal justice agency  
48 employment; and

