

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

R.C.S.

L.D. 1400

DATE: 5-6-99

(Filing No. H-475)

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1002, L.D. 1400, Bill, "An Act to Amend Juvenile Corrections Laws and to Establish a Juvenile Records Repository"

Amend the bill in Part B by striking out all of sections 6 and 7 and inserting in their place the following:

'Sec. B-6. 25 MRSA §1542-A, sub-§1, ¶F, as amended by PL 1999, c. 110, §5, is further amended to read:

F. Whose fingerprints have been ordered by a court; ~~or~~

Sec. B-7. 25 MRSA §1542-A, sub-§1, ¶G, as enacted by PL 1999, c. 110, §6, is amended to read:

G. Who is a teacher or educational personnel applicant subject to Title 20-A, section 6103+; or

Sec. B-8. 25 MRSA §1542-A, sub-§1, ¶H is enacted to read:

H. Charged with the commission of a juvenile crime.'

Further amend the bill in Part B by striking out all of sections 10 and 11 and inserting in their place the following:

'Sec. B-10. 25 MRSA §1542-A, sub-§3, ¶G is enacted to read:

G. The law enforcement agency that has primary responsibility for the investigation and prosecution of the

R. of S.

HOUSE AMENDMENT "A" to H.P. 1002, L.D. 1400

2 juvenile offense shall take or cause to be taken the  
3 fingerprints of the person named in subsection 1, paragraph  
4 H. If the juvenile is arrested, fingerprints must be taken  
5 prior to that person's being released from custody. If a  
6 juvenile court proceeding is commenced against a person  
7 without a juvenile arrest having been made, fingerprints  
8 must be taken within 5 days of the filing of the petition at  
9 a time and place specified by the responsible agency after  
10 consulting with the juvenile caseworker. The juvenile shall  
11 appear at the specified time and place and shall submit to  
12 the process.

13 **Sec. B-11. 25 MRSA §1542-A, sub-§4**, as amended by PL 1999, c.  
14 110, §8, is further amended to read:

15 **4. Duty to submit to State Bureau of Identification.** It is  
16 the duty of the law enforcement agency taking the fingerprints as  
17 required by subsection 3, paragraphs A and B and G to transmit  
18 forthwith to the State Bureau of Identification the criminal  
19 fingerprint record. Fingerprints taken pursuant to subsection 1,  
20 paragraph C, D, E or F or pursuant to subsection 5 may not be  
21 submitted to the State Bureau of Identification unless an express  
22 request is made by the commanding officer of the State Bureau of  
23 Identification. Fingerprints taken pursuant to subsection 1,  
24 paragraph G must be transmitted forthwith to the State Bureau of  
25 Identification to enable the bureau to conduct state and national  
26 criminal history record checks for the Department of Education.  
27 The bureau shall retain the fingerprints, except as provided  
28 under Title 20-A, section 6103, subsection 9.'

29 Further amend the bill in Part B by striking out all of  
30 section 14 and inserting in its place the following:

31 **'Sec. B-14. 25 MRSA §1542-A, sub-§6**, as enacted by PL 1987, c.  
32 512, §3, is amended to read:

33 **6. Palm prints, footprints and photographs.** Whenever  
34 fingerprints are taken pursuant to subsection 5, paragraph -A, B  
35 or C, palm prints, footprints and photographs may also be taken.  
36 In addition, palm prints, footprints or photographs may also be  
37 taken for any law enforcement purpose when a person voluntarily  
38 submits to them.

39 **Sec. B-15. 25 MRSA §1542-A, sub-§8**, as amended by PL 1999, c.  
40 110, §9, is further amended to read:

41 **8. Fingerprint record forms.** Fingerprints taken pursuant to  
42 subsection 1, paragraphs A, B as to a person arrested as a  
43 fugitive from justice and D and subsection 5, paragraphs B, C  
44 and D must be taken on a form furnished by the State Bureau of  
45

HOUSE AMENDMENT "A" to H.P. 1002, L.D. 1400

2 Identification, such form to be known as the Criminal Fingerprint  
 Record. Fingerprints taken pursuant to subsection 1, paragraphs  
 4 E, F and G must be taken on a form furnished by the bureau, such  
 form to be known as the Noncriminal Fingerprint Record.  
 6 Fingerprints taken pursuant to subsection 5, ~~paragraph A~~ 1,  
paragraphs B as to a person taken into custody for a juvenile  
 8 crime pursuant to a uniform interstate compact on juveniles and H  
 must be taken on a form furnished by the State Bureau of  
 Identification, such form to be known as the Juvenile Crime  
 10 Fingerprint Record. Fingerprints taken pursuant to subsection 1,  
~~paragraphs~~ paragraph C or F must be taken upon the form  
 12 appropriate for that purpose.'

14 Further amend the bill by relettering or renumbering any  
 nonconsecutive Part letter or section number to read  
 16 consecutively.

**SUMMARY**

20 This amendment is being presented on behalf of the Committee  
 22 on Bills in the Second Reading to prevent a conflict by  
 incorporating a change made to the Maine Revised Statutes, Title  
 24 25, section 1542-A, subsection 1, paragraphs F and G; subsection  
 3, paragraph F; subsection 4; and subsection 8 in Public Law  
 26 1999, chapter 110.

30 SPONSORED BY:   
 (Representative CAMERON)

TOWN: Rumford