

# MAINE STATE LEGISLATURE

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R. O. S.

L.D. 1658

2 DATE: May 12, 1999

(Filing No. S- 277 )

4  
6 **CRIMINAL JUSTICE**

8 Reported by:

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14 **STATE OF MAINE**  
**SENATE**  
16 **119TH LEGISLATURE**  
**FIRST REGULAR SESSION**

18 **COMMITTEE AMENDMENT "A" to S.P. 578, L.D. 1658, Bill, "An**  
20 **Act to Release Juvenile Crime Records to School Personnel"**

22 Amend the bill by inserting after the title and before the  
24 enacting clause the following:

26 **'Mandate preamble.** This measure requires one or more local  
units of government to expand or modify activities so as to  
necessitate additional expenditures from local revenues but does  
not provide funding for at least 90% of those expenditures.  
Pursuant to the Constitution of Maine, Article IX, Section 21,  
two thirds of all of the members elected to each House have  
determined it necessary to enact this measure.'

32 Further amend the bill in section 1 in paragraph E in the  
34 first line (page 1, line 5 in L.D.) by striking out the  
following: "E" and inserting in its place the following: 'E.'

36 Further amend the bill in section 1 in paragraph E in the  
38 last blocked paragraph in the 2nd line (page 1, line 28 in L.D.)  
by striking out the following: "disseminated" and inserting in  
40 its place the following: 'distributed, except as provided in  
Title 20-A, section 1055, subsection 11'

42 Further amend the bill by inserting after section 1 the  
44 following:

46 **'Sec. 2. 20-A MRSA §1055, sub-§11 is enacted to read:**

48 **'11. Notification teams.** Within 10 days after receiving  
notice from a district attorney of an alleged juvenile offense or  
juvenile offense, pursuant to Title 15, section 3308, subsection  
7, paragraph E, the superintendent shall convene a notification  
50 team. The notification team must consist of the administrator of  
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COMMITTEE AMENDMENT "A" to S.P. 578, L.D. 1658

2 the school building or the administrator's designee, at least one  
3 classroom teacher to whom the student is assigned, a parent or  
4 guardian of the student and a guidance counselor. The  
5 notification team is entitled to receive the information  
6 described in Title 15, section 3308, subsection 7, paragraph E,  
7 subparagraphs (1) to (6). The notification team shall also  
8 determine on the basis of need which school employees are  
9 entitled to receive that information.

10 Confidentiality of this criminal justice information regarding  
11 juveniles must be ensured at all times, and the information may  
12 be released only under the conditions of this subsection. The  
13 superintendent shall ensure that confidentiality training is  
14 provided to all school employees who have access to the  
15 information.'

16  
17 Further amend the bill by inserting at the end before the  
18 summary the following:

20 **FISCAL NOTE**

21 This bill requires District Attorneys to provide juvenile  
22 crime information to superintendents of schools. This bill also  
23 requires school superintendents to convene notification teams and  
24 to provide confidentiality training to school employees who have  
25 access to certain criminal justice information. The additional  
26 costs of these state mandates can not be determined. Pursuant to  
27 the Mandate Preamble, the two-thirds vote of all members elected  
28 to each House exempts the State from the constitutional  
29 requirement to fund 90% of the additional local costs.'

32 **SUMMARY**

33 The amendment directs a superintendent who receives notice  
34 from a district attorney that a juvenile has been charged in a  
35 juvenile petition to create a notification team. A notification  
36 team must include the building administrator, a classroom  
37 teacher, a parent or guardian and a guidance counselor. A  
38 notification team shall identify which school employees will  
39 receive on the basis of need the information provided to the  
40 superintendent and team. The superintendent shall ensure that  
41 all who have access to juvenile criminal justice information  
42 receive confidentiality training.

43 The amendment also adds a mandate preamble and a fiscal note  
44 to the bill.