

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 94

H.P. 90

House of Representatives, January 11, 2001

**An Act to Implement the Minority Recommendations Relating to
Criminal and Juvenile Law of the Joint Study Committee to Study Bomb
Threats in Maine Schools.**

(EMERGENCY)

Reported by Representative BULL for the Joint Study Committee to Study Bomb Threats
in Maine Schools pursuant to Joint Study Order H.P. 1938.

Reference to the Joint Standing Committee on Criminal Justice suggested and printing
ordered under Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 Whereas, the number and frequency of school bomb threats
throughout the State during recent months have increased
significantly; and

8
10 Whereas, bomb threats occurred at schools in 14 of the
State's 16 counties during the 1999-2000 school year; and

12 Whereas, school bomb threats represent a significant danger
to the health and safety of the students and staffs of schools
throughout the State; and

14
16 Whereas, significant public resources are expended in
responding to school bomb threats, particularly by schools and by
municipalities; and

18
20 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

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24
26 **Be it enacted by the People of the State of Maine as follows:**

28 **Sec. 1. 15 MRSA §3314, sub-§3-B** is enacted to read:

30 3-B. License suspension for making bomb threat to school.
32 If a juvenile violates Title 17-A, section 209, 210 or 509 and is
34 adjudicated pursuant to this chapter to have committed a juvenile
 crime involving making a bomb threat to a school, the court may:

36 A. Suspend that juvenile's driver's license or permit to
 operate a motor vehicle;

38 B. Prohibit that juvenile's right to operate a motor
 vehicle or right to apply for and obtain a driver's license;

40 C. Prohibit the issuance or renewal of an occupational,
42 business, trade or professional license to that juvenile; or

44 D. Prohibit the issuance or renewal of a hunting, fishing,
46 boating or other recreational license to that juvenile.

48 The court may issue an order to prevent the issuance or renewal
50 of licenses under this subsection. The court shall give notice
 of suspension and take physical custody of a driver's license or
 permit to operate as provided in Title 29-A. The court shall

2 immediately forward the driver's license and a certified abstract
3 of suspension to the Secretary of State. The court also shall
4 give notice of the order to prevent the issuance or renewal of
5 licenses under this subsection to the Commissioner of Inland
6 Fisheries and Wildlife and the Commissioner of Marine Resources.

7 Licenses or permits suspended, revoked or denied issuance under
8 this subsection may be suspended, revoked or denied for a period
9 not to exceed 3 years.

10 **Sec. 2. 17-A MRSA §1152, sub-§2-D** is enacted to read:

11 2-D. As part of a sentence for a person who is 18 years of
12 age or older and under 20 years of age and is convicted of
13 violating section 209, 210 or 509 and the crime involved making a
14 bomb threat to a school, the court may:

15 A. Suspend that person's driver's license or permit to
16 operate a motor vehicle;

17 B. Prohibit that person's right to operate a motor vehicle
18 or right to apply for and obtain a driver's license;

19 C. Prohibit the issuance or renewal of an occupational,
20 business, trade or professional license to that person; or

21 D. Prohibit the issuance or renewal of a hunting, fishing,
22 boating or other recreational license to that person.

23 The court may issue an order to prevent the issuance or renewal
24 of licenses under this subsection. The court shall give notice
25 of suspension and take physical custody of a driver's license or
26 permit to operate as provided in Title 29-A. The court shall
27 immediately forward the driver's license and a certified abstract
28 of suspension to the Secretary of State. The court also shall
29 give notice of the order to prevent the issuance or renewal of
30 licenses under this subsection to the Commissioner of Inland
31 Fisheries and Wildlife and the Commissioner of Marine Resources.

32 Licenses or permits suspended, revoked or denied issuance under
33 this subsection may be suspended, revoked or denied for a period
34 not to exceed 3 years.

35 **Emergency clause.** In view of the emergency cited in the
36 preamble, this Act takes effect when approved.

SUMMARY

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4 This bill is the minority report of the Joint Study
Committee to Study Bomb Threats in Maine Schools. It amends both
6 the Maine Juvenile Code and the Maine Criminal Code. The bill
allows the court to suspend, revoke or deny issuance of driver's
8 licenses and permits and occupational and recreational licenses
to persons up to and including 19 years of age who are
10 adjudicated or convicted of crimes involving making a bomb threat
to a school. Licenses suspended, revoked or denied issuance
12 under this bill may be suspended, revoked or denied for a period
not to exceed 3 years.