

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 602

S.P. 174

In Senate, February 8, 2001

**An Act to Allow for the Taking of Palm Prints, Footprints and
Photographs of a Person Charged with the Commission of a Juvenile
Crime.**

(EMERGENCY)

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator McALEVEY of York.
Cosponsored by Representative POVICH of Ellsworth.

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

Whereas, commencing September 1, 2000, the law enforcement agency that has the primary responsibility for the investigation and prosecution of a juvenile offense has the duty to take the fingerprints of the person charged with the commission of that juvenile crime pursuant to the Maine Revised Statutes, Title 25, section 1542-A, subsection 1, paragraph H; and

Whereas, Title 25, section 1542-A, subsection 2, was not simultaneously amended to allow that law enforcement agency to take palm prints, footprints and photographs whenever fingerprints must be taken under subsection 1, paragraph H; and

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,

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

Sec. 1. 25 MRSA §1542-A, sub-§2, as amended by PL 1999, c. 260, Pt. B, §9 and affected by §18, is further amended to read:

2. Palm prints, footprints and photographs. Whenever fingerprints are to be taken pursuant to subsection 1, paragraph A, B ~~or~~ G or H, palm prints, footprints and photographs may also be taken. Whenever palm prints, footprints or photographs are ordered to be obtained pursuant to subsection 1, paragraph C, D or F or are sought pursuant to paragraph E, the palm prints, footprints or photographs must be taken.

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

SUMMARY

This bill allows the taking of palm prints, footprints and photographs whenever a law enforcement agency is exercising its statutory duty to take the fingerprints of a juvenile charged with the commission of a juvenile crime.