

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)

H. 985

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

L.D. 1902

Date: 4-14-08

(Filing No. H-1007)

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

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION**

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H.P. 1336,
L.D. 1902, Bill, "An Act To Bring Maine into Compliance with Federal Law Regarding
Purchases of Firearms by Persons Found To Be a Danger to Themselves or Others"

Amend the amendment by striking out all of section 22 and inserting the following:

Sec. 22. Implementation. Notwithstanding the Maine Revised Statutes, Title 25, section 1541, subsection 3, paragraph C and Title 34-B, section 3864, subsection 12, a court is not required to transmit to the Department of Public Safety, State Bureau of Identification an abstract of any order for involuntary commitment issued by the court and the commanding officer of the State Bureau of Identification is not required to report to the Federal Bureau of Investigation, National Instant Criminal Background Check System any court's finding described in Title 25, section 1541, subsection 3, paragraph C until the judicial branch and the Department of Public Safety receive sufficient funding for the implementation of Title 25, section 1541, subsection 3, paragraph C and Title 34-B, section 3864, subsection 12.

Sec. 23. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Initiative: Allocates funds for one-time contractual services for computer programming.

FEDERAL EXPENDITURES FUND	2007-08	2008-09
All Other	\$0	\$155,000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$155,000

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2007-08	2008-09
--------------------------	----------------	----------------

HOUSE AMENDMENT

R. S.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H.P. 1336, L.D. 1902

1			
2	FEDERAL EXPENDITURES FUND	\$0	\$155,000
3			
4	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$155,000

5 **PUBLIC SAFETY, DEPARTMENT OF**
6 **State Police 0291**

7 Initiative: Allocates funds for development of a new computer system to transmit
8 information to the Federal Government.

9	FEDERAL EXPENDITURES FUND	2007-08	2008-09
10	All Other	\$0	\$48,000
11			
12	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$48,000

13	PUBLIC SAFETY, DEPARTMENT OF		
14	DEPARTMENT TOTALS	2007-08	2008-09
15			
16	FEDERAL EXPENDITURES FUND	\$0	\$48,000
17			
18	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$48,000

19	SECTION TOTALS	2007-08	2008-09
20			
21	FEDERAL EXPENDITURES FUND	\$0	\$203,000
22			
23	SECTION TOTAL - ALL FUNDS	\$0	\$203,000

24 **Sec. 24. Effective date.** That section of this Act that enacts the Maine Revised
25 Statutes, Title 15, section 393, subsection 4-A takes effect July 31, 2009.'

26 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
27 or section number to read consecutively.

28 **SUMMARY**

29 This amendment provides an effective date of July 31, 2009 for the provisions that
30 provide a mechanism for relief for persons who have been committed pursuant to the
31 emergency so-called "blue-paper" process under the Maine Revised Statutes, Title 34-B,
32 section 3863. It also provides that notwithstanding the Maine Revised Statutes, Title 25,

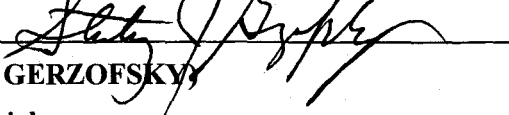
H. 3. 5.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H.P. 1336, L.D. 1902

1 section 1541, subsection 3, paragraph C and Title 34-B, section 3864, subsection 12, a
2 court is not required to transmit to the Department of Public Safety, State Bureau of
3 Identification an abstract of any order for involuntary commitment issued by the court
4 and the commanding officer of the State Bureau of Identification is not required to report
5 to the Federal Bureau of Investigation, National Instant Criminal Background Check
6 System any court's finding described in Title 25, section 1541, subsection 3, paragraph C
7 until the judicial branch and the Department of Public Safety receive sufficient funding
8 for the implementation of Title 25, section 1541, subsection 3, paragraph C and Title 34-
9 B, section 3864, subsection 12. This amendment also adds an appropriations and
10 allocations section.

11
12
13
14
15

FISCAL NOTE REQUIRED
(See attached)

SPONSORED BY: 
(Representative GERZOFSKY)
TOWN: Brunswick

HOUSE AMENDMENT



123rd MAINE LEGISLATURE

LD 1902

LR 2640(06)

An Act To Bring Maine into Compliance with Federal Law Regarding Purchases of Firearms by Persons Found To Be a Danger to Themselves or Others

Fiscal Note for House Amendment "A" to Committee Amendment "B"

Sponsor: Rep. Gerzofsky of Brunswick

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	(\$225,335)	\$0	\$0
Highway Fund	\$0	(\$68,187)	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	(\$225,335)	\$0	\$0
Highway Fund	\$0	(\$68,187)	\$0	\$0
Federal Expenditures Fund	\$0	\$203,000	\$0	\$0

Fiscal Detail and Notes

This amendment changes the effective date of the application for relief process to July 31, 2009 and conditions the court's and Department of Public Safety's transmission of data to the federal government upon receipt of federal funds covering computer programming costs. These changes eliminate the General Fund appropriation of \$40,125 and Highway Fund allocation of \$68,187 to the Department of Public Safety in fiscal year 2008-09, and add a one-time Federal Expenditures Fund allocation of \$48,000 for computer development costs. It also reduces the General Fund appropriation to the Judicial Department by \$185,210 in fiscal year 2008-09 and adds a federal allocation of \$155,000 in fiscal year 2008-09 for one-time computer programming services.