

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 888

H.P. 615

House of Representatives, March 5, 2013

**An Act To Provide Funding to the Judicial Branch to Facilitate
Reporting to the National Instant Criminal Background Check
System**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAVIS of Sangerville.
Cosponsored by Senator THOMAS of Somerset and
Representatives: AYOTTE of Caswell, LONG of Sherman, MARKS of Pittston, SHAW of
Standish, WILSON of Augusta, Senator: BURNS of Washington.

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

2 **Sec. 1. Appropriations and allocations.** The following appropriations and
3 allocations are made.

4 **JUDICIAL DEPARTMENT**

5 **Courts - Supreme, Superior and District 0063**

6 Initiative: Provides funding for the Judicial Department to enable it to transmit to the
7 Department of Public Safety, State Bureau of Identification information concerning court
8 orders for involuntary commitment in order for that information to be transmitted to the
9 Federal Bureau of Investigation, National Instant Criminal Background Check System
10 pursuant to the Maine Revised Statutes, Title 25, section 1541, subsection 3, paragraph C
11 and Title 34-B, section 3864, subsection 12.

| | | | |
|----|---------------------|------------------|-----------------|
| 12 | | | |
| 13 | GENERAL FUND | 2013-14 | 2014-15 |
| 14 | All Other | \$200,000 | \$10,000 |
| 15 | | | |
| 16 | GENERAL FUND TOTAL | <u>\$200,000</u> | <u>\$10,000</u> |

17 **PUBLIC SAFETY, DEPARTMENT OF**

18 **State Police 0291**

19 Initiative: Provides funding for the Department of Public Safety, State Bureau of
20 Identification to enable it to transmit to the Federal Bureau of Investigation, National
21 Instant Criminal Background Check System information concerning court orders for
22 involuntary commitment.

| | | | |
|----|---------------------|-----------------|----------------|
| 23 | | | |
| 24 | GENERAL FUND | 2013-14 | 2014-15 |
| 25 | All Other | \$25,000 | \$7,000 |
| 26 | | | |
| 27 | GENERAL FUND TOTAL | <u>\$25,000</u> | <u>\$7,000</u> |

28 **SUMMARY**

29 Public Law 2007, chapter 670 directs a court to transmit to the Department of Public
30 Safety, State Bureau of Identification information on any order for involuntary
31 commitment issued by the court and requires the commanding officer of the State Bureau
32 of Identification to transmit that information to the Federal Bureau of Investigation,
33 National Instant Criminal Background Check System for firearms background check
34 purposes. However, the court and the State Bureau of Identification are not required to
35 transmit such information until sufficient funding is available to cover the costs
36 associated with the reporting requirements. Public Law 2007, chapter 670 provided one-
37 time funding to the Judicial Department and the State Bureau of Identification for such
38 purposes but funding has not been available in subsequent years.

1 This bill provides a General Fund appropriation to the Judicial Department of
2 \$200,000 in fiscal year 2013-14 and \$10,000 in fiscal year 2014-15 and to the
3 Department of Public Safety, State Bureau of Identification of \$25,000 in fiscal year
4 2013-14 and \$7,000 in fiscal year 2014-15 to fund costs associated with the transmission
5 of information to the Federal Bureau of Investigation, National Instant Criminal
6 Background Check System on court orders for involuntary commitment.