

Date: (Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 144, L.D. 376, Bill, “An Act To Provide a Source of Funding for Drug Abuse Resistance Education”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 4 MRSA §1057-B is enacted to read:

§1057-B. DARE Fund established

1. Fund established. There is established a fund to be known as the DARE Fund. This fund must be maintained by the Treasurer of State for the purposes of funding DARE programs in schools and the expenses of administration of the DARE Fund. As used in this subsection, "DARE" means an educational program taught by law enforcement officers to students in kindergarten to grade 12 that targets prevention of substance abuse, violence or high-risk behavior and teaches students good decision-making skills to help them to lead safe and healthy lives.

2. Surcharge imposed. A surcharge of \$10 must be added to every fine, forfeiture or penalty imposed by any court in this State for unlawful possession of a scheduled drug under Title 17-A, chapter 45. A surcharge imposed under this subsection is considered a part of the fine, forfeiture or penalty. Surcharges collected pursuant to this subsection must be deposited monthly in the DARE Fund.

3. Reimbursements to school administrative units. Monthly, the Treasurer of State shall retain 1% of the funds in the DARE Fund to cover the expense of administration of the fund and shall transfer all remaining funds from the DARE Fund to the Department of Education to reimburse school administrative units for the expense of providing DARE programs for the benefit of the students in the school administrative unit.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

COMMITTEE AMENDMENT

1 **DARE Education Reimbursement Fund N188**

2 Initiative: Allocates funds to reimburse school districts for the cost of providing DARE
3 programs to students.

4	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
5	All Other	\$12,420	\$28,319
6			
7	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$12,420</u>	<u>\$28,319</u>

8	EDUCATION, DEPARTMENT OF		
9	DEPARTMENT TOTALS	2015-16	2016-17
10			
11	OTHER SPECIAL REVENUE FUNDS	\$12,420	\$28,319
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>\$12,420</u>	<u>\$28,319</u>

14 **TREASURER OF STATE, OFFICE OF**
15 **Administration - Treasury 0022**

16 Initiative: Establishes the DARE Fund within the Office of Treasurer of State.

17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
18	All Other	\$125	\$286
19			
20	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$125</u>	<u>\$286</u>

21	TREASURER OF STATE, OFFICE OF		
22	DEPARTMENT TOTALS	2015-16	2016-17
23			
24	OTHER SPECIAL REVENUE FUNDS	\$125	\$286
25			
26	DEPARTMENT TOTAL - ALL FUNDS	<u>\$125</u>	<u>\$286</u>

27	SECTION TOTALS	2015-16	2016-17
28			
29	OTHER SPECIAL REVENUE FUNDS	\$12,545	\$28,605
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31	SECTION TOTAL - ALL FUNDS	<u>\$12,545</u>	<u>\$28,605</u>
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SUMMARY

This amendment is the minority report of the committee. The amendment replaces the bill, which proposes to require funds generated by forfeited firearms that are auctioned to federally licensed firearms dealers or the public to be used to fund drug abuse resistance education programs. The amendment imposes a surcharge of \$10 on all fines imposed by a court under the Maine Revised Statutes, Title 17-A, chapter 45, the laws on illegal possession of drugs. The amendment requires that the revenues from the surcharges be deposited in the DARE Fund to be used to fund DARE programs in schools. "DARE" is defined as an educational program taught by law enforcement officers to students in kindergarten to grade 12 that targets prevention of substance abuse, violence or high-risk behavior and teaches students good decision-making skills to help them to lead safe and healthy lives. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)