

MAINE STATE LEGISLATURE

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L.D. 1978

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-652)
110TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 2007, L.D. 1978, Bill,
"AN ACT Concerning Revisions in the Maine Juvenile Code."

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Amend the bill in section 7 by striking out all of
paragraph B and inserting in its place the following:

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'B. The law enforcement officer shall take the juve-
nile to the ~~intake worker~~ Department of Human Services
or to the ~~placement~~ location specified by the ~~intake~~
~~worker~~ department without unnecessary delay.'

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Further amend the bill by striking out all of section 9
and inserting in its place the following:

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'Sec. 9. 15 MRSA §3501, sub-§8, as enacted by PL 1977,
c., 520, §1, is repealed and the following enacted in its
place:

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8. Interim care, voluntary services. The Department
of Human Services shall inform the juvenile and his family,
guardian or legal custodian of social services and encourage
them to voluntarily accept social services.'

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Further amend the bill in section 12 in that part des-
ignated "§3506-A." in subsection 1, in the 4th and 5th lines
(page 4, lines 5 and 6 in L.D.) by striking out the under-
lined words "district in which he legally" and inserting in
their place the underlined words and punctuation 'division
in which his parents, guardian or custodian'

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Further amend the bill in section 12 in that part des-
ignated "§3506-A." by striking out all of subsection 4.

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Further amend the bill in section 12 in that part des-
ignated "§3506-A." by striking out all of subsection 6 and
inserting in its place the following:

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'6. Denial of petition. If the court determines that

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2 the criteria established in subsection 4 are not met, the
3 court shall deny the petition and may recommend that the
4 Department of Human Services provide continuing services and
5 counseling to the family.'

6 Further amend the bill in section 12 in that part des-
7 ignated "§3506-A." by striking out all of subsection 8.

8 Further amend the bill in section 12 in that part des-
9 ignated "§3506-A" by renumbering the subsections to read
10 consecutively.

11 Further amend the bill by striking out all of section
12 13.

13 STATEMENT OF FACT

14 This amendment makes the following changes.

15 1. In describing one option a law enforcement officer
16 has when taking a juvenile who is abandoned, lost or a run-
17 away into interim care, current law states that the officer
18 may take the juvenile to a specified placement. "Placement"
19 generally denotes a place provided by the Department of
20 Human Services or other agency. The amendment replaces the
21 word "placement" with the word "location," indicating more
22 precisely that it may be suggested that a juvenile be taken
23 to his home, a relative's home or other nonagency place.

24 2. Section 9 is rewritten to make it clear that the
25 Department of Human Services need not necessarily offer
26 social services to the family, but that the department
27 should inform the family of available social services.

28 3. The bill is amended to require the juvenile seeking
29 emancipation to bring his petition in the District Court
30 division where his parents or other guardian resides, rather
31 than where the juvenile may be residing.

32 4. Subsection 4 is deleted from section 12 of the bill
33 because a court may provide on its own for appropriate
34 investigations of petitions for emancipation. There seemed
35 no need to single out the Department of Human Services and
36 specify by statute the time period within which an investi-

1 COMMITTEE AMENDMENT "A" to H.P. 2007, L.D. 1978

2 gation must be accomplished.

3 5. The subsection in section 12 of the bill concerning
4 denial of an emancipation petition is amended to make it
5 clear that the court must deny the petition, unless the
6 juvenile makes the showings required in the subsection con-
7 cerning the order of emancipation.

8 6. The bill is amended by striking out subsection 8 in
9 section 12 concerning the effect of emancipation. That sub-
10 section seemed an incomplete statement and the effect of
11 emancipation is best described by case law.

12 7. Section 13 is deleted from the bill because current
13 law, including the provisions of the Child and Family Ser-
14 vices and Child Protection Act in Title 22, chapter 1071,
15 sufficiently involves the Department of Human Services in
16 assisting runaways.

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Reported by the Committee on Judiciary.
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of the House.

3/15/82

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