

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 255

H. P. 193

House of Representatives, February 3, 1977

Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Tozier of Unity.

Cosponsor: Mr. Connors of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Concerning Prosecution of Fish and Wildlife Law Violators Who are 16 Years of Age or Older.

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

Sec. 1. 15 MRSA § 2552, 2nd ¶, as repealed and replaced by PL 1975, c. 731, § 15, is amended to read:

Juvenile courts shall have no jurisdiction over offenses in which any juvenile is charged with the violation of any provision of Title 29, Title 28, chapter 25 and Title 38, chapter 1, subchapter VI, and ~~Title 12, chapters 304 and 308~~ or over any other traffic law or ordinance, if such offense is a misdemeanor or traffic infraction, except that juvenile courts shall have exclusive, original jurisdiction over offenses in which any juvenile is charged with a violation of Title 29, section 1312 and ~~Title 12, section 1978, subsection 2, or of Title 12, section 2073, subsection 2.~~

Sec. 2. 15 MRSA § 2552, as last amended by PL 1975, c. 731, § 15, is further amended by adding at the end the following new paragraph:

Juvenile courts shall have no jurisdiction over offenses in which any juvenile, who is 16 or 17 years of age, is charged with the violation of any provision relating to inland fish and wildlife contained in Title 12, chapters 301 through 337.

STATEMENT OF FACT

The purpose of this bill is to provide that any juvenile who is 16 or 17 and who has been charged with the violation of any provisions relating to

snowmobiles or watercraft, including driving a snowmobile or watercraft while under the influence, shall be treated as an adult in the courts. The present law provides that any juvenile, regardless of age, who has been charged with the violation of any provisions relating to snowmobiles or watercraft (Title 12, chapters 304 and 308), except for driving a snowmobile or watercraft while under the influence of liquor or drugs, is treated as an adult in the courts.

In addition, this bill provides that any juvenile who is 16 or 17 years of age and who has been charged with the violation of any other provision in Title 12, chapters 301 through 337 (i.e., the Fish and Wildlife Statutes) will be treated as an adult in the courts.