

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 609

H. P. 502

House of Representatives, February 16, 1979

On Motion of Mr. Hobbins of Saco, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hanson of Kennebunkport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Allow Officers to Summons Persons who have Attained their 15th Birthday to Court for Liquor Law or Certain Drug Violations without Going Through an Intake Bureau and to Repeal the Requirement that Verbatim Records be Kept for Certain Juvenile Hearings.

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

Sec. 1. 15 MRSA § 3103, sub-§ 1, ¶ B, as amended by PL 1977, c. 664, § 11, is further amended to read:

B. The possession of a useable amount of marijuana, as provided in Title 22, section 2383 **for that juvenile who has not attained his 15th birthday**;

Sec. 2. 15 MRSA § 3103, sub-§ 1, ¶ C, as amended by PL 1977, c. 664, § 11, is further amended to read:

C. Offenses involving intoxicating liquor, as provided in Title 28, section 303 **for that juvenile who has not attained his 15th birthday**;

Sec. 3. 15 MRSA § 3307, sub-§ 3, as amended by PL 1977, c. 664, § 29, is repealed.

Sec. 4. 28 MRSA § 2, sub-§ 11, as amended by PL 1977, c. 23, § 1, is further amended to read:

11. Minor. "Minor" shall mean a person who has **attained his 15th birthday but not attained his 20th birthday**.

STATEMENT OF FACT

The purposes of this bill are:

1. To permit law enforcement officers to summons a minor to court for a liquor law violation without going through the Juvenile Intake Bureau. A violation of the liquor law or possession of less than 1½ ounces of marijuana by a juvenile who has not attained his 15th birthday would be considered as a juvenile crime; and
2. To repeal the provision requiring that a verbatim record be made at all detention, bind-over, adjudicatory and dispositional hearings for juveniles. Making these recordings is a time-consuming process and results in a duplication of effort. If the case against a juvenile is appealed to Superior Court, the hearing will be recorded at that level.