

MAINE STATE LEGISLATURE

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L.D. 1601

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-477)
109TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1375, L.D. 1601, Bill, "AN ACT to Clarify the Provisions Relating to Hearings on Juvenile Crimes and to Establish an Experimental Program for Education and Counseling of Juveniles."

Amend the Bill by striking out all of sections 1 and 2 and inserting in their place the following:

'Sec. 1. 15 MRSA §3308, sub-§2, as enacted by PL 1977, c.520, §1, is amended by inserting at the end the following new sentence:

In the case of a hearing closed to the general public under section 3307, subsection 2, paragraph B, these records shall be open to public inspection as if the hearing had been open if the juvenile and his parents, guardians or legal custodian are offered an opportunity to attend an educational and counseling program under section 3310-A and refused that offer, or they began, but did not complete, that program.'

Further amend the Bill by renumbering section 3
K to be section 2.

Further amend the Bill in section 3 by striking out all of subsection 3 of that part designated "§3310-A." and inserting in its place the following:

'3. Eligibility. The program shall only be open to juveniles who have been adjudicated or informally adjusted more than once prior to the current offense. An offer to participate shall be extended by the court on a finding that the juvenile and his parents will benefit.'

Further amend the Bill in section 3 by striking out at the end of subsection 4 of that part designated "§3310-A." the underlined words "on the parents because they reside outside the State"

Further amend the Bill by striking out all of section 4 and inserting in its place the following:

'Sec. 3. Establishing initial programs. The Chief Justice of the Supreme Judicial Court shall designate, prior to January 1, 1980, 2 juvenile courts to undertake programs under this Act.'

Statement of Fact

The purposes of this amendment are:

1. To provide that records would only be open after a juvenile is found guilty of a juvenile offense. The original bill would have opened the records before the adjudication;
2. To provide that the program is open only to juveniles adjudicated for an offense; and

3. To clarify the provision relating to undue burden covering parental participation.