

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 505

H. P. 459

House of Representatives, January 29, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative D. Brown of Livermore Falls.

Cosponsor: Representative Tuttle of Sanford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Make Operating a Vehicle under the Influence of Intoxicating Liquor or Drugs an Adult Crime Regardless of the Age of the Operator of the Vehicle.

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

15 MRSA § 3103, sub-§ 1, as last amended by PL 1979, c. 681, § 6, is further amended to read:

1. **Definition.** The term "juvenile crime," as used in this Part, means the following offenses:

A. Conduct which, if committed by an adult, would be defined as criminal by Title 17-A, the Maine Criminal Code, or by any other criminal statute outside that code, including any rule or regulation under a statute, except for ~~those the~~ provisions of Titles 12 and 29 ~~not specifically included in paragraph E~~ ;

B. The possession of a useable amount of marijuana, as provided in Title 22, section 2383;

C. Offenses involving intoxicating liquor, as provided in Title 28, section 303;
and

D. If a juvenile is adjudicated to have committed an action described in paragraph B or C, willful refusal to pay a resulting fine or willful violation of the terms of a resulting probation ~~÷and~~ .

~~E. Offenses involving the operation or attempted operation of any motor vehicle, snowmobile or watercraft while under the influence of intoxicating liquor or drugs, as defined in Title 29, section 1312, and in Title 12, section 2073, subsection 2, and section 7827, subsection 9, respectively~~

STATEMENT OF FACT

The purpose of this bill is to require that juveniles charged with operating under the influence of intoxicating liquor or drugs be tried as adults rather than handled through the juvenile intake system.