

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1256

6
7 S.P. 408

In Senate, March 17, 1983

8 Referred to the Committee on Judiciary. Sent down for concurrence and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Teague of Somerset.

Cosponsor: Representative Parent of Benton.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Provide Court Jurisdiction
18 over Juvenile Runaways.
19

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

22 Sec. 1. 15 MRSA §3103, sub-§1, ¶E, as amended by
23 PL 1981, c. 679, §4, is further amended to read:

24 E. Offenses involving the operation or attempted
25 operation of a snowmobile or watercraft while
26 under the influence of intoxicating liquor or
27 drugs, as defined in Title 12, section 7801, sub-
28 section 9, and section 7827, subsection 9,
29 respectively; and

30 Sec. 2. 15 MRSA §3103, sub-§1, ¶F, as enacted by
31 PL 1981, c. 679, §5, is further amended to read:

1 F. The criminal violation of operating a motor
2 vehicle under the influence of intoxicating liq-
3 uor or drugs or with an excessive blood-alcohol
4 level, as defined in Title 29, section 1312-B;
5 and

6 Sec. 3. 15 MRSA §3103, sub-§1, ¶G is enacted to
7 read:

8 G. Offenses involving unauthorized absence from
9 the approved residence, as provided in section
10 3509.

11 Sec. 4. 15 MRSA §3501, sub-§1, as enacted by PL
12 1977, c. 520, §1, is repealed and the following
13 enacted in its place:

14 1. Interim care. A juvenile:

15 A. May be taken into interim care by a law
16 enforcement officer without order by the court
17 when the officer has reasonable grounds to
18 believe that the juvenile is abandoned, lost or
19 seriously endangered in his surroundings and that
20 immediate removal is necessary for his protec-
21 tion; and

22 B. Shall be taken into interim care by a law
23 enforcement officer without an order by the court
24 when the officer has reasonable grounds to
25 believe that the juvenile left the care of his
26 parents, guardian or legal custodian without
27 their consent.

28 Sec. 5. 15 MRSA §3501, sub-§9, as amended by PL
29 1977, c. 664, §47, is further amended to read:

30 9. Interim care, identification of juvenile. No
31 fingerprints of a juvenile taken into interim care
32 pursuant to this section may be obtained from the
33 juvenile. Solely for the purpose of restoring a
34 juvenile to his residence, the The juvenile's name,
35 address, photograph and other reasonably necessary
36 information may shall be obtained and may be trans-
37 mitted to any appropriate person or agency for the
38 purpose of restoring a juvenile to the approved resi-
39 dence. This information shall be retained by the law

1 enforcement agency having jurisdiction in the place
2 of residence of the parents, guardian or legal custo-
3 dian until the juvenile reaches the age of 18 or is
4 granted an order of emancipation.

5 Sec. 6. 15 MRSA §3501, sub-§10 is enacted to
6 read:

7 10. Interim care, investigation. An intake
8 worker shall determine:

9 A. The reasons the juvenile left the approved
10 residence;

11 B. The reasons his parents do not want him to
12 remain away from the approved residence;

13 C. Whether there would be any risk to the juve-
14 nille if he returned to the approved residence;
15 and

16 D. Whether the absence was justified pursuant to
17 section 3509.

18 Sec. 7. 15 MRSA §3509 is enacted to read:

19 §3509. Unauthorized absence

20 1. Unauthorized absence. A juvenile is guilty
21 of unauthorized absence if, for the 2nd time, he
22 remains absent, without authority, for more than 24
23 hours from the place of residence approved by the
24 juvenile's parents, guardian or legal custodian and
25 this absence is not justified.

26 2. Justification. An absence may be justified
27 if there would be substantial risk to the juvenile if
28 he had remained at the approved residence.

29 3. Class E crime. Unauthorized absence is a
30 Class E crime.

31 STATEMENT OF FACT

32 This bill requires law enforcement officers to
33 take runaway juveniles into interim care if they

1 believe the juvenile is absent from an approved resi-
2 dence without authorization. While in interim care,
3 an intake worker shall determine the reasons for the
4 juvenile's absence from the approved residence.
5 Records shall be kept.

6 Juveniles who run away for the 2nd time for more
7 than 24 hours without justification shall be guilty
8 of a juvenile crime.

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