

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 857

7 H.P. 587

House of Representatives, February 28, 1985

8 On Motion of Representative Kane of S. Portland, referred to the  
9 Committee on Judiciary. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Rotondi of Athens.

11 Cosponsored by Representative Jacques of Waterville, Representative  
Mayo of Thomaston and Representative Melendy of Rockland.

12 STATE OF MAINE  
13

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

17 AN ACT to Amend the Definition of Juvenile  
18 Crime in the Maine Juvenile Code.  
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 un-  
26 der the influence of intoxicating liquor or  
27 drugs, as defined in Title 12, section 7801, sub-  
28 section 9, and section 7827, subsection 9, re-  
29 spectively, and offenses involving failing to aid  
30 an injured person or to report a hunting accident  
31 as defined in Title 12, section 7406, subsection  
32 15; and

33 Sec. 2. 15 MRSA §3103, sub-§1, ¶F, as amended by  
34 PL 1983, c. 818, §2, is further amended to read:

1 F. The criminal violation of operating a motor  
2 vehicle under the influence of intoxicating li-  
3 quor or drugs or with an excessive blood-alcohol  
4 level, as defined in Title 29, section 1312-B ~~or~~  
5 ~~operating a motor vehicle while the right to op-~~  
6 ~~erate is revoked,~~ as defined in Title 29, section  
7 2298 and offenses defined in Title 29 as Class B  
8 or C crimes.

9 STATEMENT OF FACT

10 This bill makes it clear that Class B and Class C  
11 crimes in the Revised Statutes, Titles 12 and 29 are  
12 juvenile crimes. Offenses such as failure to aid an  
13 injured person and running a roadblock were inadver-  
14 tently left out of previous changes. Under the current  
15 law, a juvenile who commits a murder must be bound  
16 over before he can be treated as an adult, whereas a  
17 juvenile who fails to report a hunting accident,  
18 passes a roadblock, operates after revocation or  
19 fails to stop for a police officer can only be  
20 treated as an adult. This is contrary to the policy  
21 of the Maine Juvenile Code which provides for flexi-  
22 bility in the handling of juvenile cases.

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