

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

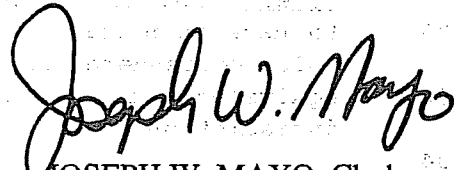
No. 898

H.P. 660

House of Representatives, March 15, 1993

An Act Concerning Juvenile Offenders.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Representative: LARRIVEE of Gorham, Senator: BUSTIN of Kennebec.

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

2
3 Sec. 1. 15 MRSA §393, sub-§1, as amended by PL 1989, c. 917,
4 §1, is further amended to read:

6 1. **Possession prohibited.** No A person who has been
7 convicted of any crime, under the laws of the United States, the
8 State of Maine or any other state, that is punishable by one year
9 or more imprisonment or any other crime that was committed with
10 the use of a dangerous weapon or of a firearm against a person,
11 except for a violation of former Title 12, chapter 319,
12 subchapter III, and no a person who has been adjudicated in the
13 State or adjudicated under the law laws of the United States or
14 any other state jurisdiction to have engaged ~~in conduct as a~~
15 ~~juvenile that, if committed by an adult, would have been a~~
16 ~~disqualifying conviction under this subsection,~~ committed, as a
17 juvenile, a crime with the use of a dangerous weapon or of a
18 firearm against a person may not own, or have in that person's
19 possession or under that person's control any firearm, unless
20 such a that person has obtained a permit under this section. A
21 person who has been adjudicated in the State or adjudicated under
22 the laws of the United States or any other state jurisdiction to
23 have engaged in conduct as a juvenile that, if committed by an
24 adult, would have been punishable by one year or more
25 imprisonment, but that was not a crime committed with a dangerous
26 weapon or with a firearm against a person, may not own or have in
27 that person's possession or control any firearm for a period of 3
28 years or until that person reaches 18 years of age, whichever is
29 later. For the purposes of this subsection, a person is deemed
30 to have been convicted upon the acceptance of a plea of guilty or
31 nolo contendere or a verdict or finding of guilty, or the
32 equivalent in a juvenile case, by a court of competent
33 jurisdiction.

34 Sec. 2. 25 MRSA §2003, sub-§1, ¶D, as amended by PL 1989, c.
35 917, §8, is further amended by amending subparagraph (5),
36 division (c) to read:

37 (c) Have you ever been convicted of a crime
38 described in division (a) or have you within the
39 past 5 years been adjudicated as having committed
40 a juvenile offense as described in division (b)?
41

42
43
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45 **STATEMENT OF FACT**

46
47 This bill distinguishes those juveniles that commit crimes
48 with a firearm or other dangerous weapon from juvenile felons
49 whose crimes did not involve a threat with a weapon against
50

2 another person. It provides that persons whose juvenile crimes
are not committed with the use of a weapon are treated, with
4 respect to gun ownership, in a manner consistent with other
provisions of state law. A juvenile committing a felony would
not be permitted to own or use a firearm for at least 3 years.
6 The earliest the prohibition would be lifted is when the person
becomes 18 years of age and the latest is when the person becomes
8 21 years of age. A juvenile committing any crime with the use of
a weapon would not be able to own or use a firearm without going
10 through the elaborate permitting process required for adults.

12 This bill also changes a question on the concealed firearms
permit application form to make it consistent with other
14 questions on the form.