

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

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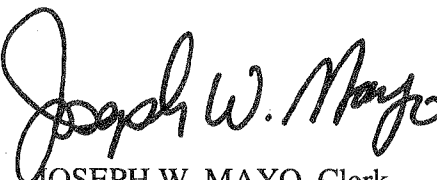
H.P. 233

House of Representatives, January 21, 1997

**An Act to Make Unlawful Possession of Firearms for Nonviolent
Juvenile Offenses Either a Crime or a Juvenile Offense Depending upon
the Age of the Violator.**

Reported by Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2.

Reference to the Joint Standing Committee on Criminal Justice suggested and printing ordered under Joint Rule 218.


JOSEPH W. MAYO, Clerk

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

Sec. 1. 15 MRSA §393, sub-§8, as enacted by PL 1977, c. 225, §2, is amended to read:

8. **Penalty.** A violation of subsection 1 or a violation of subsection 1-A by a person at least 18 years of age is a Class C crime.

Sec. 2. 15 MRSA §3103, sub-§1, ¶E, as amended by PL 1995, c. 679, §15, is further amended to read:

E. Offenses involving hunting or the operation or attempted operation of a watercraft, ATV or snowmobile while under the influence of intoxicating liquor or drugs, as defined in Title 12, section 7406, subsection 3; Title 12, section 7801, subsection 9; Title 12, section 7827, subsection 9; and Title 12, section 7857, subsection 10, respectively, and offenses involving failing to aid an injured person or to report a hunting accident as defined in Title 12, section 7406, subsection 15; and

Sec. 3. 15 MRSA §3103, sub-§1, ¶F, as amended by PL 1995, c. 65, Pt. A, §46 and affected by §153 and Pt. C, §15, is further amended to read:

F. The criminal violation of operating a motor vehicle under the influence of intoxicating liquor or drugs or with an excessive blood-alcohol level, as defined in Title 29-A, section 2411, and offenses defined in Title 29-A as Class B or C crimes; and

Sec. 4. 15 MRSA §3103, sub-§1, ¶G is enacted to read:

G. A violation of section 393, subsection 1-A.

SUMMARY

The Maine Revised Statutes, Title 15, section 393, subsection 1-A prohibits certain juveniles or certain former juveniles who have reached the age of 18 years from owning, possessing or controlling a firearm for a specified period. Currently, a violation of the conduct prohibited by subsection 1-A is not a crime if committed by an adult nor a juvenile offense if committed by a juvenile. This bill corrects the deficiency.