

MAINE STATE LEGISLATURE

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Date: 6/6/11

L.D. 1040
(Filing No. H-532)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 774, L.D. 1040, Bill, "An Act To Amend the Maine Juvenile Code"

Amend the bill in section 2 by striking out all of §3206 (page 1, lines 22 to 29 in L.D.) and inserting the following:

'§3206. Detention of juveniles

A person under 18 years of age who is arrested for a crime defined under Title 12 or Title 29-A that is not a juvenile crime as defined in section 3103 is not subject to chapter 105-A and may not be detained unless a juvenile community corrections officer has been notified within 2 hours after the person's arrest and the juvenile community corrections officer or attorney for the State has approved the detention. Section 3203-A, subsection 7, paragraphs A and B governing the facilities in which juveniles may be detained apply to any detention of such a juvenile following arrest and section 3203-A, subsection 7, paragraph C applies to the decision whether to release or further detain the juvenile.

Amend the bill in section 4 in subsection 7 in the 3rd line (page 2, line 3 in L.D.) by striking out the following: "shall" and inserting the following: 'may'

SUMMARY

This amendment gives the prosecuting attorney for the State the ability to overrule a juvenile community corrections officer regarding detention decisions for motor vehicle and fish or game violations, which is consistent with the process for other juvenile detention situations.

The amendment also allows, but does not require, the Juvenile Court to enter a default judgment when a juvenile fails to respond to a summons alleging a juvenile crime that would be a civil violation if committed by an adult.

COMMITTEE AMENDMENT