

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2171

S.P. 923

In Senate, January 18, 2024

An Act Establishing Concurrent Jurisdiction with the Federal Courts in Certain Juvenile Matters

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator STEWART of Aroostook.

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

2 **Sec. 1. 1 MRSA §11** is amended to read:

3 **§11. State processes executed in places ceded**

4 Civil, criminal, juvenile and military processes, lawfully issued by an officer of the
5 State, may be executed in places ceded to the United States, over which a concurrent
6 jurisdiction has been reserved for such purpose.

7 **Sec. 2. 15 MRSA §3101, sub-§2, ¶F** is enacted to read:

8 F. The jurisdiction of the Juvenile Court is concurrent with that of a federal court
9 sitting in the State over proceedings involving an alleged violation of federal law
10 committed by a juvenile on a military installation of the United States Department of
11 Defense if:

12 (1) The United States Attorney for the District of Maine or the federal court waives
13 exclusive jurisdiction; and

14 (2) The violation of federal law is also a crime, juvenile crime or infraction under
15 the laws of the State.

16 **Sec. 3. 17-A MRSA §10-A, sub-§3** is enacted to read:

17 3. When concurrent jurisdiction has been established pursuant to Title 15, section
18 3101, subsection 2, paragraph F, the court has exclusive original jurisdiction over a case
19 involving a juvenile who is alleged to have committed a crime, juvenile crime or infraction
20 as the result of an act committed within the boundaries of a military installation that is a
21 crime, juvenile crime or infraction under the laws of the State.

22 **SUMMARY**

23 This bill provides that the jurisdiction of the Juvenile Court is concurrent with that of
24 a federal court sitting in the State over proceedings involving a violation of federal law
25 committed by a juvenile on a military installation of the United States Department of
26 Defense if the United States Attorney for the District of Maine or the federal court waives
27 exclusive jurisdiction and the violation of federal law is also a crime, juvenile crime or
28 infraction under state law. It also provides that when concurrent jurisdiction has been
29 established, the state court has exclusive original jurisdiction over a case involving a
30 juvenile who is alleged to have committed a crime, juvenile crime or infraction as the result
31 of an act committed within the boundaries of a military installation that is a crime, juvenile
32 crime or infraction under state law.