

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JUNE 1987

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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Sponsor: WHITMORE, Gauvreau, Strout, D., Manning
Committee Report: New Draft of LD 1572

SUMMARY: The new draft amends various provisions of the
Maine Juvenile Code to clarify the handling of juvenile
offenders. The bill:

amends the definition of "secure detention facility" so
that it encompasses only a facility, or sections of a
facility, which are by their physical structure
constructed, equipped, and operated to restrict
substantially the ability of an individual to leave at
will;

establishes a process for a judicial determination as
to whether a juvenile bound over to be tried as an
adult should be held in an adult or juvenile section of
a facility;

provides a process for transfer of a bound-over
juvenile placed in a juvenile section of a facility to
be moved to an adult section if the juvenile's behavior
presents an imminent danger of harm to himself or
others;

clarifies that it is the responsibility of the law
enforcement officer who arrests a juvenile to obtain
permission from a juvenile caseworker to detain the
juvenile;

permits a law enforcement officer to release a juvenile
who accepts services to a public or private agency
which serves juveniles when the juvenile's legal
custodian is not available;

provides for a temporary emergency detention of a
juvenile without a caseworker's permission when a law
enforcement officer believes this is necessary to
protect the juvenile from imminently causing bodily
harm to others or to himself; and

prohibits the transfer of bound-over juveniles held at
the Maine Youth Center to an adult facility, such as
the Maine Correctional Center or Maine State Prison,
other than a jail.