

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

Date:

(Filing No. S- )

**JUDICIARY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 35, L.D. 27, “An Act To Provide an Immediate Opportunity To Appeal for a Juvenile Bound Over into Criminal Court”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 15 MRSA §3402, sub-§1, ¶B,** as amended by PL 1997, c. 645, §11, is further amended to read:

B. An order of disposition, or of any subsequent order modifying disposition, for an abuse of discretion; ~~and~~

**Sec. 2. 15 MRSA §3402, sub-§1, ¶D,** as amended by PL 2005, c. 488, §2, is further amended to read:

D. A detention order entered pursuant to section 3203-A, subsection 5 or any refusal to alter a detention order upon petition of the juvenile pursuant to section 3203-A, subsection 11, for abuse of discretion, provided that the appeal must be handled expeditiously; ~~and~~

**Sec. 3. 15 MRSA §3402, sub-§1, ¶H** is enacted to read:

H. An order binding a juvenile over for prosecution as an adult, which may be taken following issuance of the bind-over order, or, at the election of the appellant, following a judgment of conviction as an adult, but not both.

**Sec. 4. 15 MRSA §3402, sub-§2-A,** as enacted by PL 2015, c. 100, §3, is repealed.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment replaces the bill. The bill revised the timing of a juvenile's appeal of the bind-over decision from after conviction as an adult to immediately after the Juvenile Court's bind-over decision.

