

# MAINE STATE LEGISLATURE

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S.  
D. OF R.

STATE OF MAINE (Filing No. S-235)  
SENATE  
110TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 93, L.D. 209, Bill, "AN ACT to Clarify Sentencing Disposition of Juvenile Offenders."

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

'Sec. 1. 15 MRSA §3314, sub-§1, ¶C, as amended by PL 1977, c. 664, §36, is further amended to read:

C. The court may commit a juvenile to the Department of Mental Health and Corrections for placement in a group home or residential facility or to the Department of Human Services for placement in a foster home, group care home or halfway house residential facility, or to either department for the provision of services to a juvenile in his own home or for any other placement the department deems appropriate.

Sec. 2. 15 MRSA §3314, sub-§1, ¶D, as amended by PL 1979, c. 512, §6, is further amended to read:

D. The court may commit a person over the age of 18 years to the Department of Mental Health and Corrections if he is adjudicated as having committed a juvenile crime prior to attaining 18 years of age or upon revocation of probation for placement in a foster-home, group care home or <sup>halfway house</sup> residential facility, or for the provision of services to that person in his own home.

D. OF R.

Sec. 3. 15 MRSA §3317, as amended by PL 1977, c. 664, §41-A, is further amended to read:

§3317. Disposition after return to juvenile court

In instances of commitment of a juvenile to the Department of Mental Health and Corrections, the Department of Human Services or the Maine / <sup>youth</sup> Youth Center, the commissioner of either department or the superintendent of the youth center thereof following such the commitment may for good cause petition the juvenile court having original jurisdiction in the case for a judicial review of the disposition, including extension of the period of commitment. In all cases in which a juvenile is returned to a juvenile court ~~from the Maine Youth Center,~~ the juvenile court may make any of the dispositions otherwise provided in section 3314.

Statement of Fact

This amendment leaves the responsibility for making the initial determination as to how or where a juvenile offender should be placed with the courts. It also replaces incorrect references to types of placement facilities with the proper terminology.

Reported by the Committee on Judiciary.  
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