

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 381

H.P. 256

House of Representatives, February 12, 2013

**An Act To Allow a Court To Order a Person Who Violates a
Municipal Ordinance To Perform Community Service Work**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DION of Portland.
Cosponsored by Representative CHIPMAN of Portland, Senator GERZOFSKY of Cumberland and Representatives: FARNSWORTH of Portland, MARKS of Pittston, RUSSELL of Portland, STUCKEY of Portland, Senator: HASKELL of Cumberland.

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

2 **Sec. 1. 17-A MRSA §1345**, as amended by PL 1995, c. 502, Pt. F, §17, is further
3 amended to read:

4 **§1345. Community service work**

5 **1.** An offender convicted of a Class D or Class E crime or adjudicated as having
6 violated a municipal ordinance may be sentenced or otherwise ordered to perform a
7 specified number of hours of community service work for the benefit of the State, a
8 county, a municipality, a school administrative district or other public entity, a charitable
9 institution or other entity approved by the court.

10 **2.** An offender who has been sentenced or otherwise ordered to perform community
11 service work and fails to complete the work within the time specified by the court must
12 be returned to the court for further disposition.

13 **3.** ~~The~~ Neither the judicial branch nor the Department of Corrections is ~~not~~
14 responsible for supervision of community service work pursuant to this section. A court
15 may not order an offender to perform community service work unless an organized
16 community service work program exists in the offender's community.

17 **4.** An offender adjudicated as having violated a municipal ordinance may be ordered
18 to perform community service work pursuant to this section only if the municipality has a
19 community service work program established by ordinance that provides oversight of the
20 community service order and ensures meaningful compliance with the community service
21 requirements.

22 **SUMMARY**

23 This bill makes the following changes to the laws governing community service
24 work.

25 1. It provides that an offender adjudicated as having violated a municipal ordinance
26 may be ordered to perform community service work.

27 2. It provides that the judicial branch is not responsible for supervision of community
28 service work.

29 3. It provides that an offender adjudicated as having violated a municipal ordinance
30 may be ordered to perform community service work only if the municipality has
31 established a community service work program that provides oversight of the community
32 service order and ensures meaningful compliance with the community service
33 requirements.