

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1429

S.P. 469

In Senate, May 4, 1987

Reference to the Committee on Judiciary suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator GAUVREAU of Androscoggin.

Cosponsored by Representative WARREN of Scarborough,
Representative MARSANO of Belfast, Representative COTE of
Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Amend the Maine Juvenile Code to
2 Provide Greater Flexibility in
3 Sentencing Juvenile Offenders.
4

5 Be it enacted by the People of the State of Maine as
6 follows:

7 15 MRSA §3314, sub-§1, ¶H, as amended by PL 1985,
8 c. 715, §1, is further amended to read:

9 H. The court may commit the juvenile to the
10 Maine Youth Center and order that the sentence be
11 suspended except or may commit the juvenile for a
12 period of detention which shall not exceed 30
13 days, with or without an underlying suspended
14 sentence to the Maine Youth Center, which
15 detention may be served intermittently as the
16 court may order and which shall be ordered served

1 in a county jail designated by the Department of
2 Corrections as a place for the secure detention
3 of juveniles, or in a nonsecure group care home
4 or halfway house. When the detention is ordered
5 served in a county jail, the juvenile may be de-
6 tained only in that part of the jail which meets
7 the requirements of section 3203-A, subsection 7,
8 paragraph A. The court may order such a sentence
9 to be served as a part of and with a period of
10 probation, which shall be subject to such provi-
11 sions of Title 17-A, section 1204 as the court
12 may order and which shall be administered pursu-
13 ant to Title 34, chapter 121, subchapter V-A.
14 Revocation of probation shall be governed by the
15 procedure contained in subsection 2.

16 STATEMENT OF FACT

17 Currently, the Juvenile Court may impose incar-
18 ceration of up to 30 days in a county jail facility
19 only if an underlying commitment to the Maine Youth
20 Center is ordered. This bill would allow the Juve-
21 nile Court the added option of imposing a county jail
22 sentence of up to 30 days without requiring an under-
23 lying sentence to the Maine Youth Center.

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