

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1702

H.P. 1161

House of Representatives, April 25, 1991

Submitted by the Department of Corrections pursuant to Joint Rule 24.  
Reference to the Joint Select Committee on Corrections suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GREENLAW of Standish.  
Cosponsored by Representative BAILEY of Farmington and Representative PENDLETON of Scarborough.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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An Act to Clarify the Role of the Maine Youth Center.

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

2                   Sec. 1. 34-A MRSA §3802, sub-§2, as enacted by PL 1983, c.  
4                   459, §6, is amended to read:

6                   2. **Accomplishment.** To accomplish the purposes set out in  
8 subsection 1, the disciplines of education, casework, group work,  
9 psychology, psychiatry, medicine, nursing, vocational training  
10 and religion as they are related to human relations and  
11 personality development shall must be employed. Security  
12 measures, whether in the form of physically restrictive  
13 construction or intensive staff supervision, when appropriate,  
14 must be taken to accomplish these purposes.

16                   Sec. 2. 34-A MRSA §3805, as amended by PL 1983, c. 581, §§47  
17 and 59, is further amended to read:

18                   **§3805. Commitment**

20                   1. **Eligibility.** Only a juvenile, as defined in Title 15,  
21 section 3003, subsection 14, who is 11 years of age or older at  
22 the time of ~~the court's disposition of the case~~ detention or  
23 commitment may be detained at or committed to the center pursuant  
24 to this subchapter and Title 15, Part 6.

26                   2. **Limitations.** No person may be detained at or committed  
27 to the center who is blind or who is a proper subject for any  
28 state institution administered by the Department of Mental Health  
29 and Mental Retardation.

30                   3. **Certification.** When a person is detained at or  
31 committed to the center, the court making the detention or  
32 commitment shall certify on the mittimus the person's birthplace,  
33 parentage and legal residence.

36                   .

38                   **STATEMENT OF FACT**

40                   This bill clarifies the role of the Maine Youth Center in 2  
41 ways. The Maine Revised Statutes, Title 34-A, section 3802,  
42 subsection 2 is amended to clarify that security measures may be  
43 imposed to accomplish rehabilitation and Title 34-A, section 3805  
44 is amended to reflect that the Maine Youth Center is not  
45 appropriate for the holding of young or mentally disabled  
46 juveniles.