## MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

### SECOND REGULAR SESSION-1992

#### Legislative Document

No. 2004

S.P. 805

In Senate, January 8, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Joint Select Committee on Corrections suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator BUSTIN of Kennebec

#### STATE OF MAINE

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

An Act to Divert Juvenile Offenders from Secure Detention.



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

34-A MRSA §1210, sub-§6-A, as enacted by PL 1989, c. 887, §9, is amended to read:

Funds to be used for community corrections programs. Thirty Fifty percent of all funds claimed by each county for reimbursement under this section must be retained by the department until the county demonstrates that the retained funds will be used for community corrections programs, as described in subsection 1, paragraph B, that are developed as part of a comprehensive local plan approved by the commissioner. Two-thirds One-half of the retained funds must be retained until the county demonstrates that the funds will be used for adult programs, and 1/3 1/2 of the retained funds must be retained until the county demonstrates that the funds will be used for diversion programs. All funds retained department under this subsection not released by the end of the year may not lapse, but must be carried forward into subsequent years, with each county's funds carried over for that county. Funds not expended by any county after 3 years from the date the county's claim is approved by the department will be placed by the department in a pool from which supplementary funds will periodically be made available to all counties on a competitive basis. Annually, by September 1st, the commissioner shall submit to the committee of the Legislature having jurisdiction over corrections matters a report of the activity in the prior fiscal year of the funds retained under this subsection, including the following:

A. The amount retained from each county;

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- B. The amount of any funds that have been carried over from previous fiscal years for each county;
- 36 C. The amount released to each county; and
- D. The specific programs for which funds were released for each county, including an indication of whether each program serves juveniles or adults.

STATEMENT OF FACT

This bill increases the set aside for juvenile diversion programs from 10% of the amount claimed by each county to 25%. The bill also provides that funds not spent by any county within 3 years must be made available to other counties on a competitive basis for use in their own diversion programs.