

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1065

S.P. 388

In Senate, March 28, 1995

An Act to Clarify Detention Responsibilities.

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.
Cosponsored by Senator: O'DEA of Penobscot, Representatives: CLUKEY of Houlton,
TOWNSEND of Portland.

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

4 **Sec. 1. 34-A MRSA §4110**, as amended by PL 1993, c. 354, §15,
is further amended to read:

6 **§4110. State responsible for detention**

8 Notwithstanding any other provision of law, on the date that
10 the Northern Maine Regional Juvenile Detention Facility begins
operating, the State is responsible for all physically
12 restrictive juvenile detention statewide, except that the
detention provided under Title 15, section 3203-A, subsection 1
14 remains the responsibility of the counties. This provision does
not apply to a juvenile who is held in an adult section of a jail
pursuant to court order under Title 15, section 3101, subsection
16 4, paragraph E-1, Title 15, section 3203-A, subsection 7
paragraph C or D or Title 15, section 3205, subsection 2.

18
20 **STATEMENT OF FACT**

22 This bill reflects the original intention of the Legislature
that the State become responsible for physically restrictive
24 juvenile detention when the Northern Maine Regional Juvenile
Detention Facility begins operation. Its purpose is to make it
26 explicit that when a court has determined that a juvenile is to
be detained as an adult, the detention will, as it is now, remain
28 the responsibility of the counties, since the Department of
Corrections, unlike the counties, does not operate adult
30 detention facilities.