

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1312

H.P. 949

House of Representatives, March 4, 1997

An Act to Strengthen Parental Responsibility for Juveniles.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LINDAHL of Northport.
Cosponsored by Representatives: BROOKS of Winterport, WHEELER of Eliot, Senators:
LONGLEY of Waldo, O'GARA of Cumberland.

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

2
4 **Sec. 1. 15 MRSA §3314, sub-§5**, as enacted by PL 1987, c. 400, §3, is amended to read:

6 **5. Support orders.** Whenever the court commits a juvenile
8 to the Department of Human Services, to the Department of
10 Corrections or to a relative or other person, the court may order
12 either or both parents of the juvenile to pay a reasonable amount
of support for the juvenile. ~~A parent may not be required to pay
support for a juvenile during any period when the juvenile
resides in the Maine Youth Center or a county jail.~~

14 **Sec. 2. 15 MRSA §3314, sub-§7** is enacted to read:

16 **7. Disposition for violation of Title 17-A, sections 805**
18 **and 806.** When a juvenile has been adjudicated of having
20 committed a violation of Title 17-A, section 805 or 806, the
court shall enter a dispositional order containing one or more of
the following alternatives.

22 A. The court, when appropriate, may order a juvenile who is
24 found to have committed criminal mischief on private
property to write a formal apology to the victim or victims
of the criminal mischief.

26 B. The court, when appropriate, may order a juvenile who is
28 found to have committed criminal mischief on public property
to write a report on the history and significance of that
30 property to the community or on another topic, as determined
by the court.

32 C. The court, when appropriate, may order a juvenile who is
34 found to have committed criminal mischief to contribute to
the restoration of the property or to the restitution to the
36 victim or victims of the criminal mischief by payment in
money, by property repairs, by service to the injured party,
38 or by service to the community.

40 D. Notwithstanding any other provision of this part or
42 Title 14, the court may order the parent of a juvenile found
to have committed criminal mischief to submit restitution to
44 the victim or victims by payment in money if the juvenile is
in the custody of and residing with that parent and if the
46 court finds that the criminal mischief was a direct result
of the parent's having neglected to exercise reasonable
supervision and control of the juvenile's conduct. For the
48 purposes of this section, liability for compensation is
limited to \$10,000.

2 This bill further allows the court to order a parent of a
4 juvenile found to have committed criminal mischief to submit
6 restitution up to \$10,000 to the victim if the juvenile is in the
8 custody of and residing with the parent and if the court finds
that the criminal mischief was a direct result of the parent's
failure to reasonably supervise and control the juvenile's
conduct.

10 The bill also provides that a parent or person who knowingly
12 contributes to the commission of a juvenile crime is guilty of a
14 Class E crime, for which such a person may be released on
16 probation or otherwise subject to conditions. It allows the
court to issue a warrant commanding the appearance of a parent,
guardian or other person having custody or control of a juvenile
found to have committed more than one juvenile crime.