

MAINE STATE LEGISLATURE

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2/7/08

L.D. 1897

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Date: 2-7-08

(Filing No. S- 415)

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

6

SENATE

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123RD LEGISLATURE

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SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "B" to S.P. 691, L.D. 1897, Bill, "An Act To
10 Allow Blended Sentencing for Certain Juveniles"

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Amend the bill by striking out sections 2 to 7 and inserting the following:

12

'Sec. 2. 34-A MRSA §3802, sub-§1, ¶G, as amended by PL 2007, c. 196, §7, is
13 further amended to read:

14

G. To confine juveniles ordered confined pursuant to Title 12, sections 6004, 8004
15 and 10608 and Title 29-A, section 115; and

16

Sec. 3. 34-A MRSA §3802, sub-§1, ¶H, as enacted by PL 2007, c. 196, §7, is
17 amended to read:

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H. To confine juveniles ordered confined pursuant to Title 15, section 3314,
19 subsection 7; and

20

Sec. 4. 34-A MRSA §3802, sub-§1, ¶I is enacted to read:

21

I. To confine juveniles committed to a juvenile correctional facility pursuant to Title
22 17-A, section 1259.

23

Sec. 5. 34-A MRSA §4102-A, sub-§1, ¶G, as amended by PL 2007, c. 196, §8,
24 is further amended to read:

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G. To confine juveniles ordered confined pursuant to Title 12, sections 6004, 8004
26 and 10608 and Title 29-A, section 115; and

27

Sec. 6. 34-A MRSA §4102-A, sub-§1, ¶H, as enacted by PL 2007, c. 196, §8, is
28 amended to read:

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H. To confine juveniles ordered confined pursuant to Title 15, section 3314,
30 subsection 7; and

31

Sec. 7. 34-A MRSA §4102-A, sub-§1, ¶I is enacted to read:

COMMITTEE AMENDMENT "B" to S.P. 691, L.D. 1897

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I. To confine juveniles committed to a juvenile correctional facility pursuant to Title 17-A, section 1259.'

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SUMMARY

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This amendment makes changes to account for recently enacted law.

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FISCAL NOTE REQUIRED

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(See attached)



123rd MAINE LEGISLATURE

LD 1897

LR 2634(04)

An Act To Allow Blended Sentencing for Certain Juveniles

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Potential future biennium cost increase - General Fund

Correctional and Judicial Impact Statements

This legislation allows blended sentencing for certain juveniles convicted as adults and sentenced to imprisonment if the juvenile has not attained 16 years of age at the time of sentencing. The fiscal impact of allowing sentencing placement to both juvenile (until age 18) and adult correctional facilities will depend on how often this type of sentence occurs and on what the sentence might have been had the current statutes continued unchanged. It appears that the most likely use of the blended sentence would be to add time in an adult facility beyond what might have been a sentence served only in a juvenile facility. An additional cost to the State would be incurred for the additional total time served. However, in the last 5 years there were 60 bind-overs and none of them involved a person under 16 years of age. Therefore, it is not expected that the number of future incarcerations would be significant.