

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1756

S.P. 604

In Senate, January 10, 2012

An Act To Establish a Separate State Council for Juveniles under the Interstate Compact for Juveniles

Submitted by the Department of Corrections pursuant to Joint Rule 204.

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.

Secretary of the Senate

Presented by Senator MASON of Androscoggin.

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

2 **Sec. 1. 34-A MRSA §9921**, as enacted by PL 2003, c. 706, Pt. B, §9, is amended
3 to read:

4 **§9921. State Council for Adult Offender Supervision established**

5 The State Council for ~~Juvenile and~~ Adult Offender Supervision, referred to in this
6 section as "the council," is established to provide oversight and guidance to the State's
7 participation in the Interstate Compact for Adult Offender Supervision ~~and the Interstate~~
8 ~~Compact for Juveniles.~~

9 **1. Membership.** The council consists of ~~at least 8~~ 7 members as follows:

10 A. ~~One member of the~~ The Senate, appointed by the President of the Senate chair of
11 the joint standing committee of the Legislature having jurisdiction over criminal
12 justice and public safety matters or the chair's designee;

13 B. ~~One member of the~~ The House of Representatives, appointed by the Speaker of
14 the House chair of the joint standing committee of the Legislature having jurisdiction
15 over criminal justice and public safety matters or the chair's designee;

16 C. Three members who are appointed by the ~~Governor~~ commissioner for a term of 4
17 years, or until a successor is appointed, and who are eligible for reappointment at the
18 discretion of the ~~Governor~~ commissioner:

19 (1) One prosecutor;

20 (2) One representative of a statewide association representing victims of crime;
21 and

22 (3) One representative representing law enforcement;

23 D. The compact ~~administrators~~ administrator for the Interstate Compact for Adult
24 Offender Supervision ~~and the Interstate Compact for Juveniles~~, who may be
25 ~~designees~~ a designee appointed by the ~~Commissioner of Corrections~~ commissioner to
26 administer the Interstate Compact for Adult Offender Supervision ~~and the Interstate~~
27 ~~Compact for Juveniles; and~~

28 E. The Associate Commissioner for Adult Services or the associate commissioner's
29 designee; ~~and.~~

30 F. ~~The Associate Commissioner for Juvenile Services or the associate~~
31 ~~commissioner's designee.~~

32 The council shall invite the Chief Justice of the Supreme Judicial Court to designate a
33 trial judge to act as advisor to the council.

34 **Sec. 2. 34-A MRSA §9922** is enacted to read:

1 **§9922. State Council for Juvenile Supervision established**

2 The State Council for Juvenile Supervision, referred to in this section as "the
3 council," is established to provide oversight and guidance to the State's participation in
4 the Interstate Compact for Juveniles.

5 **1. Membership.** The council consists of 7 members as follows:

6 A. The Senate chair of the joint standing committee of the Legislature having
7 jurisdiction over criminal justice and public safety matters or the chair's designee;

8 B. The House chair of the joint standing committee of the Legislature having
9 jurisdiction over criminal justice and public safety matters or the chair's designee;

10 C. Three members who are appointed by the commissioner for a term of 4 years, or
11 until a successor is appointed, who are eligible for reappointment at the discretion of
12 the commissioner and who are members of the Juvenile Justice Advisory Group
13 appointed by the Governor under section 1209:

14 (1) One prosecutor;

15 (2) One representative of a statewide association representing victims of crime;
16 and

17 (3) One representative representing law enforcement;

18 D. The compact administrator for the Interstate Compact for Juveniles, who may be
19 a designee appointed by the commissioner to administer the Interstate Compact for
20 Juveniles; and

21 E. The Associate Commissioner for Juvenile Services or the associate
22 commissioner's designee.

23 The council shall invite the Chief Justice of the Supreme Judicial Court to designate a
24 trial judge to act as advisor to the council.

25 **Sec. 3. Maine Revised Statutes headnote amended; revision clause.** In the
26 Maine Revised Statutes, Title 34-A, chapter 9, subchapter 8, in the subchapter headnote,
27 the words "state council" are amended to read "state councils" and the Revisor of Statutes
28 shall implement this revision when updating, publishing or republishing the statutes.

29 **SUMMARY**

30 This bill amends the combined interstate compacts for the supervision of juveniles
31 and adult offenders, as adopted by the State, to establish a separate state council for
32 juveniles as required by the Interstate Compact for Juveniles. These compacts apply to
33 the supervision of juveniles and adult offenders who are on probation, as well as others,
34 and who wish to move from the state in which they were sentenced to another state.
35 Under current law, there is a single state council for adult offender and juvenile
36 supervision. The State Council for Juvenile Supervision includes membership appointed
37 to the Juvenile Justice Advisory Group in order to ensure coordination and
38 communication of policies and protocols affecting juvenile justice practices.