

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1017

S. P. 596

New Draft of S. P. 596, L. D. 568, reported by six members of the Committee on Judiciary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Providing for Sentences and the Imposition Thereof.

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

Section 1 of chapter 147 of the revised statutes is hereby amended to read as follows:

'Sec. 1. No person to be punished until convicted; sentence to imprisonment and fine; costs. No person shall be punished for an offense until convicted thereof in a court having jurisdiction of the person and case. When no punishment is provided by statute, a person convicted of an offense shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months. **When it is provided that he shall be punished by imprisonment and fine or by fine and costs, and in addition thereto, imprisonment, a justice of the superior court presiding at a regular term thereof may in his discretion, after imposing sentence of fine and costs and imprisonment, place him on probation as to such imprisonment in accordance with the provisions of this chapter on condition that he pay the fine and costs, and in default of such payment, impose a sentence of imprisonment for not more than 6 months. Nothing in this section shall be construed in any way to affect the right of the court to place the respondent on probation as to both fine and costs and imprisonment. In all cases where a fine is imposed he may be sentenced to pay the costs of prosecution, and for violations of sections 6 to 13 of chapter 47, and of sections 7, 12, 13, 33 and 38 of chapter 137, he shall be sentenced to pay such costs.'**