

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1466

H.P. 1073

House of Representatives, April 2, 2019

**An Act To Allow Community-based Organizations To Participate in
Diversion Projects for Persons with Substance Use Disorder**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.

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

2 **Sec. 1. 25 MRSA §5101, sub-§1**, as amended by PL 2017, c. 407, Pt. A, §104, is
3 further amended to read:

4 **1. Substance Use Disorder Assistance Program.** The Substance Use Disorder
5 Assistance Program, referred to in this chapter as "the program," is established to support
6 persons with presumed substance use disorder by providing grants to municipalities ~~and~~
7 counties and community-based organizations to carry out projects designed to reduce
8 substance use, substance use-related crimes and recidivism. As used in this chapter,
9 "community-based organization" means a nonprofit community organization that
10 provides substance use disorder services to individuals, including, without limitation,
11 substance use assessment, treatment, education and support group service.

12 **Sec. 2. 25 MRSA §5101, sub-§2, ¶A**, as amended by PL 2017, c. 407, Pt. A,
13 §104, is further amended to read:

14 A. Municipal or county governments ~~or~~, regional jails or community-based
15 organizations for projects designed to assist persons with presumed substance use
16 disorder by diverting alleged low-level offenders into community-based treatment
17 and support services. Projects may include, but are not limited to:

18 (1) Referral of program participants to evidence-based treatment programs,
19 including medically assisted treatment; and

20 (2) Provision of case management services to program participants in order to
21 secure appropriate treatment and support services such as housing, health care,
22 job training and mental health services for program participants; and

23 **Sec. 3. 25 MRSA §5101, sub-§3, ¶C**, as enacted by PL 2015, c. 481, Pt. E, §1, is
24 amended to read:

25 C. For diversion projects, a statement of the municipality's ~~or~~, county's or
26 community-based organization's diversion policy, including criteria for selecting
27 participants for the project;

28 **Sec. 4. 25 MRSA §5101, sub-§3, ¶D**, as amended by PL 2017, c. 407, Pt. A,
29 §104, is further amended to read:

30 D. A review of other substance use disorder services available from a
31 community-based organization or in the applicant municipality or county and
32 communities adjacent to the applicant municipality or county and a statement of the
33 unmet needs to be addressed by the project;

34 **Sec. 5. 25 MRSA §5101, sub-§§4 and 5**, as enacted by PL 2015, c. 481, Pt. E,
35 §1, are amended to read:

36 **4. Selection of grant recipients; steering committee.** The Commissioner of Public
37 Safety shall review applications submitted by municipalities ~~and~~, counties and
38 community-based organizations for grants under this chapter. Preference must be given
39 to collaborative approaches that include treatment providers or community-based

1 organizations. The following steering committee shall advise the Commissioner of
2 Public Safety in selecting grant recipients. The steering committee consists of the
3 Commissioner of Corrections or the commissioner's designee and representatives of the
4 following organizations, programs and associations selected by the Commissioner of
5 Public Safety from suggestions provided by the organizations, programs and associations:
6 a statewide organization of police chiefs; a statewide organization of sheriffs; a statewide
7 organization representing physicians; a statewide organization representing prosecutors; a
8 statewide organization representing providers of legal services for the indigent; peer
9 recovery programs; and harm reduction associations.

10 **5. Administration of funds.** The policy board established in this State to carry out
11 the State's responsibilities under the federal Justice Assistance Act of 1984, the federal
12 Anti-Drug Abuse Act of 1986, the federal Anti-Drug Abuse Act of 1988 and the federal
13 Violent Crime Control and Law Enforcement Act of 1994, known as "the Justice
14 Assistance Council," shall administer grant funds appropriated for use under this chapter
15 and disburse the funds to municipalities, counties ~~and~~ regional jails and
16 community-based organizations selected under subsection 4. The department may retain
17 up to 5% of funds to cover administrative expenses.

18 SUMMARY

19 This bill amends the Substance Use Disorder Assistance Program, which is a program
20 that provides grants to municipalities, counties and regional jails to carry out projects
21 designed to reduce substance use, substance use-related crimes and recidivism, to include
22 community-based organizations as entities eligible for grants under the program.
23 "Community-based organization" is defined as a nonprofit community organization that
24 provides substance use disorder services to individuals, including, without limitation,
25 substance use assessment, treatment, education or support group service.