

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

(Filing No. H-647)

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P.
368, L.D. 1204, Bill, "AN ACT Amending Laws Relating to Hospitaliza-
tion of the Mentally Ill."

Amend said Amendment by striking out all of the 3rd
paragraph and inserting in place thereof the following:

'Any law enforcement officer in the State having reasonable
grounds to believe, based upon his personal observation, that
a person's actions are such that he presents a threat of imminent
and substantial physical harm to himself or to other persons, may
take such person into protective custody and, in any such case,
shall deliver such person forthwith for examination by an available
licensed physician as provided for in section 2333.'

Amendment

Further amend said / by striking out all of the first
4 lines of the 4th paragraph and inserting in place thereof
the following:

'In the event that a certificate relating to the person's
likelihood of serious harm shall not be executed by the examiner
under section 2333, the officer shall release the person from
protective custody, and, with'

Statement of Fact

This amendment eliminates:

1. The necessity for going to the nearest physician,
as the nearest physician to a person in a rural area is not always
a physician whose office is located in the population center nearest
to that person;

2. The requirement that a law enforcement officer make a preliminary judgment that a person is mentally ill. This change permits the officer merely to judge that the person's actions pose a threat of physical harm to himself or others; and

3. The reference to "licensed psychologist" in the first paragraph of section 2332-A.

Filed by Mr. Burns of Anson.

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