

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION**

HOUSE AMENDMENT "^A" to COMMITTEE AMENDMENT "A" to H.P. 822,
L.D. 1150, Bill, "An Act to Strengthen the State Forensic Service"

Amend the amendment by striking out all of the last 2 paragraphs before the statement of fact (page 2, lines 28 to 37 in amendment) and inserting in their place the following:

'Further amend the bill by striking out all of section 9 and inserting in its place the following:

'Sec. 9. 34-B MRSA §1212, as amended by PL 1989, c. 487, §§16 and 17, is further amended to read:

§1212. State Forensic Service

1. Establishment and membership. The Commissioner of Mental Health and Mental Retardation shall establish a State Forensic Service and appoint its members. Members shall be psychiatrists and licensed clinical psychologists experienced in forensic service and not directly involved in the treatment of persons committed to the department under Title 15, chapter 5. These psychiatrists and ~~psychelegist~~ psychologists may be employed by the department directly or as independent contractors.

2. Duties. The State Forensic Service shall have the following duties:

A. To perform examinations of the mental condition of a defendant ~~with-reference-to-competency-to-stand-trial-and-eriminal-responsibility-under~~ pursuant to Title 15, section 101 101-B and to do the evaluations or examinations on behalf of any court of record, pursuant to agreement between the commissioner and the jurisdiction requesting that the evaluation be performed;

2 B. To perform examinations of the mental condition of
4 persons committed to the custody of the commissioner under
Title 15, section 103, for the purposes specified in Title
15, section 104-A; and

6
8 C. To perform examinations of the mental condition of
persons pursuant to Title 22, chapter 250.

10 3. Professional education program. The State Forensic
12 Service may establish and maintain a professional education
14 program designed to assist licensed psychologists and
16 psychiatrists in developing expertise in the forensic aspects of
each profession, with emphasis on the assessment of competency,
criminal responsibility and abnormal condition of mind under the
laws of the State.'

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STATEMENT OF FACT

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22 This amendment is presented on behalf of the Committee on
Bills in the Second Reading to correct a technical error. This
24 amendment is necessary to incorporate changes made by a 1989
public law to the Maine Revised Statutes, Title 34-B, section
1212.

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Filed by Rep. Tamaro of Baileyville
Reproduced and distributed under the direction of the Clerk of the
House

1/29/90

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