

# MAINE STATE LEGISLATURE

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R & S.

L.D. 1497

DATE: 3/3/94

(Filing No. S-427 )

**CORRECTIONS**

Reported by: Senator Bustin of Kennebec

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**STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 486, L.D. 1497, "Resolve, to Prevent the Improper Use of Correctional Facilities"

Amend the resolve by striking out the title and substituting the following:

**'Resolve, to Require Further Information from the Department of Mental Health and Mental Retardation about the Plan for Persons in the Criminal Justice System'**

Further amend the resolve in the preamble in the 4th paragraph in the last line (page 1, line 17 in L.D.) by striking out the following: "now, therefore, be it" and inserting in its place the following: 'and'

Further amend the resolve in the preamble by inserting after the 4th paragraph and before section 1 the following:

**'Whereas, the Department of Mental Health and Mental Retardation's document, "Recommendations and Report of the Task Force on Persons with Mental Disorders Involved with the Criminal Justice System," does not address all the issues posed in this resolve and does not supply funding information; now, therefore, be it'**

Further amend the resolve in section 3 in the last 2 lines (page 1, lines 44 and 45 in L.D.) by striking out the following: "February 1, 1994." and inserting in its place the following: 'December 1, 1994; and be it further'

Further amend the resolve by inserting at the end before the statement of fact the following:

**COMMITTEE AMENDMENT**

R.G.S.

2           **'Sec. 4. Preparation of responses; cost estimate. Resolved:** That  
3 the Department of Mental Health and Mental Retardation and the  
4 Department of Corrections shall utilize the document  
5 "Recommendations and Report of the Task Force on Persons with  
6 Mental Disorders Involved with the Criminal Justice System" and  
7 such additional research necessary to formulate responses to the  
8 issues posed in this resolve and that the response must include a  
9 cost estimate required to implement the recommendations.

10

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#### FISCAL NOTE

14           The Department of Mental Health and Mental Retardation and  
15 the Department of Corrections will incur some minor additional  
16 costs to jointly develop and submit the required proposals.  
17 These costs can be absorbed within the respective departments'  
18 existing budgeted resources.'

20

#### STATEMENT OF FACT

22

23           The original resolve requires the Department of Mental  
24 Health and Mental Retardation and the Department of Corrections  
25 to develop a proposal for a secure forensic holding unit for  
26 evaluation of prisoners and to propose alternatives to  
27 incarceration for some persons with mental illness.

28

29           The Joint Select Committee on Corrections finds that the  
30 Department of Mental Health and Mental Retardation's document,  
31 "Recommendations and Report of the Task Force on Persons with  
32 Mental Disorders Involved with the Criminal Justice System,"  
33 January 1993, does not adequately address all the issues posed in  
34 the resolve and does not provide implementing legislation or  
35 funding information. This amendment requires that the issues in  
36 the resolve be specifically addressed and the necessary funding  
information be provided.