

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 305, L.D. 409, Bill, "An Act to Continue Requiring Probable Cause before the Exercise of Protective Custody"

Amend the bill in section 3 by striking out all of paragraph C (page 1, lines 28 to 35 in L.D.) and inserting in its place the following:

'C. Notwithstanding paragraph B, subparagraphs (1) and (2), a person sought to be admitted informally under section 3831 or involuntarily under this section may be held for evaluation and treatment at a hospital pending judicial endorsement of the application and certificate if the endorsement is obtained between the soonest available hours of 7:00 a.m. and 11:00 p.m. + This paragraph is repealed October 1, ~~1995~~ 1997.'

STATEMENT OF FACT

This amendment extends the sunset of the requirement of the judicial endorsement, based on a law enforcement officer finding probable cause, of admission to a hospital for protective custody to October 1, 1997. This change allows the Department of Mental Health and Mental Retardation and other interested groups to review and compile data regarding the requirement that law enforcement officers need probable cause in order to take a person into protective custody.