

# MAINE STATE LEGISLATURE

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R.S.

L.D. 1360

DATE: June 13, 1995

(Filing No. S- 261 )

JUDICIARY

Reported by: Senator MILLS of Somerset for the Committee.

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STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 501, L.D. 1360, Bill, "An Act Concerning the Judicial Endorsement of Persons Held for Evaluation Treatment"

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

'An Act Concerning Judicial Endorsement for Persons Transported and Held for Evaluation and Treatment'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 34-B MRSA §3863, sub-§3, ¶C, as amended by PL 1995, c. 62, §3, is further amended to read:

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 transported to a hospital and 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if the endorsement is obtained between the soonest available hours of 7:00 a.m. and 11:00 p.m. This paragraph-is-repealed-October-1,-1997.'

STATEMENT OF FACT

This amendment revises the language concerning the status of persons law enforcement officers identify as needing mental health evaluations between the time the law enforcement officer picks them up and the time a judge endorses the certificate authorizing temporary detention for the purpose of evaluation and

COMMITTEE AMENDMENT

**RDR**  
COMMITTEE AMENDMENT "A" to S.P. 501, L.D. 1360

2 treatment. This amendment authorizes the law enforcement officer  
to transport the person to a hospital, and that hospital can hold  
4 the person for evaluation and treatment until a judge endorses  
the admittance to the hospital. "Hospital" is defined in the  
6 Maine Revised Statutes, Title 34-B, section 3801 to mean a state  
mental health institution or a nonstate mental health institution.

8 This amendment also removes the sunset that was enacted by  
the 116th Legislature and that was already extended by this  
10 Legislature.