

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 861

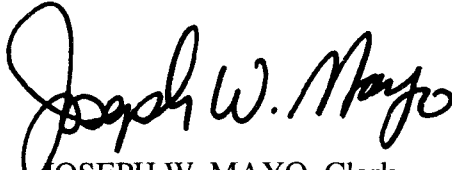
H.P. 621

House of Representatives, February 2, 1999

**An Act to Create a Seamless Treatment Plan for the Adult Offender with
Substance Abuse Problems.**

(EMERGENCY)

Reference to the Committee on Criminal Justice suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative BAKER of Bangor.
Cosponsored by Senator MILLS of Somerset and
Representatives: BRAGDON of Bangor, BROOKS of Winterport, DESMOND of Mapleton,
MUSE of South Portland, POVICH of Ellsworth, SAXL of Bangor, SKOGLUND of St.
George, WILLIAMS of Orono.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** substance abuse is a serious problem that affects
the majority of adults who become part of the population of the
Department of Corrections; and

8
10 **Whereas,** comprehensive substance abuse treatment may help
reduce the rate of recidivism for many prisoners; and

12 **Whereas,** creating and implementing a comprehensive substance
abuse treatment plan as soon as possible is in the best interest
of those in the custody of the Department of Corrections, as well
as the public; and

16
18 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

22 **Be it enacted by the People of the State of Maine as follows:**

24
26 **Sec. 1. Comprehensive substance abuse treatment program for adult
offenders in the Department of Corrections.** The Department of
Corrections and the Department of Mental Health, Mental
Retardation and Substance Abuse Services, Office of Substance
Abuse shall take action to create, implement and operate a
comprehensive residential substance abuse treatment program for
adults committed to the custody of the Department of
Corrections. The program must include uniform clinical
assessment of prisoners to identify substance abuse problems, to
ensure access to the program that facilitates participation of
the prisoner and the prisoner's family and to provide a system to
monitor treatment progress and a follow-through mechanism to
ensure treatment completion. In formulating its treatment
program, the department may consider other states' model
programs, including the State of New York Department of
Correctional Services "Stay'n Out" therapeutic community program.

42 **Sec. 2. Report.** The Department of Corrections and the
Department of Mental Health, Mental Retardation and Substance
Abuse Services, Office of Substance Abuse shall present a
proposal to implement and fund the comprehensive substance abuse
treatment program to the Joint Standing Committee on Criminal
Justice by May 1, 1999. The proposal must also include a plan
for annual reporting to the Joint Standing Committee on Criminal
Justice on the progress in implementing and providing substance
abuse treatment programs.

2 The bill also directs county jail administrators and the
Department of Mental Health, Mental Retardation and Substance
4 Abuse Services, Office of Substance Abuse to create, implement
and operate the same type of comprehensive substance abuse
6 program for inmates in county jails. County jail administrators
and the Department of Mental Health, Mental Retardation and
8 Substance Abuse Services, Office of Substance Abuse also must
report to the Joint Standing Committee on Criminal Justice
10 regarding the progress of substance abuse treatment programs.