

# MAINE STATE LEGISLATURE

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Date:

2/27/12

(Filing No. H-729)

## JUDICIARY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1250, L.D. 1698, Bill, "An Act To Establish Veterans Treatment Courts"

Amend the bill in the emergency preamble in the 7th paragraph in the 3rd line (page 1, line 25 in L.D.) by inserting after the following: "possible" the following: ', if involved in the criminal justice system,'

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 4 MRSA c. 8-B is enacted to read:

## CHAPTER 8-B

## VETERANS TREATMENT COURTS

## §433. Veterans treatment courts

**1. Definition.** As used in this section, unless the context otherwise indicates, "veterans treatment court" means a specialized sentencing docket in select criminal cases in which the defendant is a veteran or member of the United States Armed Forces to enable veterans agencies and social services agencies to provide treatment for that defendant. The court does not provide treatment but contracts or collaborates with experienced and expert treatment providers.

**2. Chief Justice may establish.** The Chief Justice of the Supreme Judicial Court may establish veterans treatment courts for veterans and members of the United States Armed Forces. The Supreme Judicial Court may adopt administrative orders and court rules of practice and procedure as necessary.

**3. Federal funding; contracts; cooperative agreements.** The State Court Administrator, district attorneys, the Department of the Attorney General, the Department of Corrections, the Department of Defense, Veterans and Emergency Management, the Department of Public Safety, the Department of Health and Human Services and private service agencies may seek federal funding as it becomes available for the establishment, maintenance and expansion of veterans treatment courts and for the provision by

## COMMITTEE AMENDMENT

1 participating agencies of treatment to participating veterans. The Administrative Office  
2 of the Courts may enter into contracts and cooperative agreements with the departments  
3 and agencies to provide treatment and other social services to participants. The  
4 departments and agencies shall collaborate and, to the extent possible, provide financial  
5 and other assistance to the judicial branch in order to establish and maintain veterans  
6 treatment courts.'

## 7 SUMMARY

8 This amendment revises the emergency preamble to clarify that the bill provides help  
9 for veterans who are involved in the criminal justice system.

10 The Chief Justice of the Supreme Judicial Court may establish veterans treatment  
11 courts, which are specialized sentencing dockets in select criminal cases in which the  
12 defendant is a veteran or a member of the United States Armed Forces. The specialized  
13 dockets will enable veterans agencies and social service agencies to provide treatment for  
14 that defendant. The Supreme Judicial Court may adopt administrative orders and court  
15 rules of practice as necessary.

16 The State Court Administrator as well as other state departments and social service  
17 agencies may seek federal funding for the veterans treatment courts. The treatment is not  
18 provided by the courts but by participating social service agencies and government  
19 departments.

20 The bill as amended is presented in the memory of former Army Ranger Justin  
21 Crowley-Smilek of Farmington, a decorated combat veteran who received both the  
22 National Defense Service Medal and the Joint Service Achievement Medal and who  
23 served his country in Afghanistan.

## 24 FISCAL NOTE REQUIRED

25 (See attached)



Approved: 02/21/12 *MAC*

# 125th MAINE LEGISLATURE

LD 1698

LR 2435(02)

## An Act To Establish Veterans Treatment Courts

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Judiciary

Fiscal Note Required: Yes

*"A" (H-729)*

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### Fiscal Note

Potential cost increase - Federal Expenditures Fund  
Potential revenue increase - Federal Expenditures Fund  
Minor cost increase - General Fund

#### Fiscal Detail and Notes

This bill authorizes various state agencies to pursue federal funding to establish, maintain and expand veterans treatment courts. The permissive language of the bill does not require the Judicial Department to establish the veterans treatment courts. It is unlikely the Judicial Department will move forward with this initiative without having secured adequate federal funding. Therefore, no significant General Fund costs are anticipated.