

# MAINE STATE LEGISLATURE

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Minority

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE**

**SENATE**

**128TH LEGISLATURE**

**FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 213, L.D. 651, Bill, "An Act To Expand Substance Abuse Prevention Projects"

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

**'An Act To Expand Substance Use Disorder Prevention Projects'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. **25 MRSA §5101**, as enacted by PL 2015, c. 481, Pt. E, §1, is amended to read:

**§5101. Substance Use Disorder Prevention Assistance Program**

**1. Substance Use Disorder Prevention Assistance Program.** The Substance Abuse Use Disorder Prevention Assistance Program, referred to in this chapter as "the program," is established to support persons with presumed substance use disorders by providing grants to municipalities and counties to carry out projects designed to reduce substance abuse, substance abuse-related crimes and recidivism.

**2. Eligibility; program targets; projects.** Grants may be awarded to:

A. Municipal or county governments or regional jails for projects designed to assist persons with presumed substance use disorders by diverting alleged low-level offenders into community-based treatment and support services. Projects may include, but are not limited to:

(1) Referral of program participants to evidence-based treatment programs, including medically assisted treatment; and

(2) Provision of case management services to program participants in order to secure appropriate treatment and support services such as housing, health care, job training and mental health services for program participants; and

**COMMITTEE AMENDMENT**

3.018

COMMITTEE AMENDMENT "A" to S.P. 213, L.D. 651

1 B. County governments or regional jails for projects in county or regional jails  
2 designed to assist persons with presumed substance use disorders. Projects may  
3 include, but are not limited to:

4 (1) Provision of evidence-based treatment programs, including medically  
5 assisted treatment, to jail inmates; and

6 (2) Provision of case management or other support services to program  
7 participants to assist in transition from jail upon release.

8 **3. Requirements.** A grant application for a project described in subsection 2 must  
9 include the following:

10 A. A statement of purpose and measurable goals for the project and use for the  
11 funds;

12 B. The elements of the project, which must include the targeted population, the  
13 nature of services or assistance to be provided and expected outcomes;

14 C. For diversion projects, a statement of the municipality's or county's diversion  
15 policy, including criteria for selecting participants for the project;

16 D. A review of other substance abuse services available in the applicant municipality  
17 or county and communities adjacent to the applicant municipality or county and a  
18 statement of the unmet needs to be addressed by the project;

19 E. A review of efforts to collaborate among relevant law enforcement agencies,  
20 treatment providers, harm reduction services, recovery support services and other  
21 community resources and a summary of collaborative approaches included in the  
22 project, if any; and

23 F. A summary of data to be collected to assess the effectiveness of the project and  
24 the methodology that will be used to make that assessment. The data to be collected  
25 must include measurements of the long-term health, treatment and criminal justice  
26 involvement outcomes for participants and must be included in reports filed under  
27 subsection 6 as part of a rigorous evaluation process.

28 **4. Selection of grant recipients; steering committee.** The Commissioner of Public  
29 Safety shall review applications submitted by municipalities and counties for grants under  
30 this chapter. Preference must be given to collaborative approaches that include treatment  
31 providers or community-based organizations. The following steering committee shall  
32 advise the Commissioner of Public Safety in selecting grant recipients. The steering  
33 committee consists of the Commissioner of Corrections or the commissioner's designee  
34 and representatives of the following organizations, programs and associations selected by  
35 the Commissioner of Public Safety from suggestions provided by the organizations,  
36 programs and associations: a statewide organization of police chiefs; a statewide  
37 organization of sheriffs; a statewide organization representing physicians; a statewide  
38 organization representing prosecutors; a statewide organization representing providers of  
39 legal services for the indigent; peer recovery programs; and harm reduction associations.

40 **5. Administration of funds.** The policy board established in this State to carry out  
41 the State's responsibilities under the federal Justice Assistance Act of 1984, the federal  
42 Anti-Drug Abuse Act of 1986, the federal Anti-Drug Abuse Act of 1988 and the federal

# COMMITTEE AMENDMENT

1 Violent Crime Control and Law Enforcement Act of 1994, known as "the Justice  
 2 Assistance Council," shall administer grant funds appropriated for use under this chapter  
 3 and disburse the funds to municipalities, counties and regional jails selected under  
 4 subsection 4. The department may retain up to 5% of funds to cover administrative  
 5 expenses.

6 **6. Reports.** A recipient of a grant under subsection 4 shall report to the  
 7 Commissioner of Public Safety annually on the anniversary date of the grant award  
 8 regarding the status of the project for which the grant was awarded. The report must  
 9 include a description of how the grant funds were spent, the results of the project and any  
 10 recommendations for modification of the project, including any available information  
 11 concerning the project's effectiveness in reducing substance abuse and recidivism.

12 **Sec. 2. Maine Revised Statutes headnote amended; revision clause.** In the  
 13 Maine Revised Statutes, Title 25, Part 13, in the Part headnote, the words "substance  
 14 abuse assistance" are amended to read "substance use disorder prevention assistance" and  
 15 the Revisor of Statutes shall implement this revision when updating, publishing or  
 16 republishing the statutes.

17 **Sec. 3. Maine Revised Statutes headnote amended; revision clause.** In the  
 18 Maine Revised Statutes, Title 25, chapter 601, in the chapter headnote, the words  
 19 "substance abuse assistance program" are amended to read "substance use disorder  
 20 prevention assistance program" and the Revisor of Statutes shall implement this revision  
 21 when updating, publishing or republishing the statutes.

22 **Sec. 4. Appropriations and allocations.** The following appropriations and  
 23 allocations are made.

24 **PUBLIC SAFETY, DEPARTMENT OF**  
 25 **Administration - Public Safety 0088**

26 Initiative: Provides funds for the Substance Use Disorder Prevention Assistance Program.

|    |                     |                    |                    |
|----|---------------------|--------------------|--------------------|
| 27 | <b>GENERAL FUND</b> | <b>2017-18</b>     | <b>2018-19</b>     |
| 28 | All Other           | \$1,200,000        | \$1,200,000        |
| 29 |                     |                    |                    |
| 30 | GENERAL FUND TOTAL  | <u>\$1,200,000</u> | <u>\$1,200,000</u> |
| 31 |                     |                    |                    |

32 **SUMMARY**

33 This amendment is the minority report of the committee. This amendment replaces  
 34 the bill and changes the title. It changes the name of the Substance Abuse Assistance  
 35 Program to the Substance Use Disorder Prevention Assistance Program. This  
 36 amendment, like the bill, provides \$1,200,000 annually to fund the program.

37 **FISCAL NOTE REQUIRED**

38 (See attached)



# 128th MAINE LEGISLATURE

LD 651

LR 627(02)

## An Act To Expand Substance Abuse Prevention Projects

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-81)  
 Committee: Criminal Justice and Public Safety  
 Fiscal Note Required: Yes

### Fiscal Note

|                                   | FY 2017-18  | FY 2018-19  | Projections<br>FY 2019-20 | Projections<br>FY 2020-21 |
|-----------------------------------|-------------|-------------|---------------------------|---------------------------|
| <b>Net Cost (Savings)</b>         |             |             |                           |                           |
| General Fund                      | \$1,200,000 | \$1,200,000 | \$1,200,000               | \$1,200,000               |
| <b>Appropriations/Allocations</b> |             |             |                           |                           |
| General Fund                      | \$1,200,000 | \$1,200,000 | \$1,200,000               | \$1,200,000               |

#### Fiscal Detail and Notes

The bill provides an ongoing General Fund appropriation of \$1,200,000 beginning in fiscal year 2017-18 to the Department of Public Safety for the Substance Use Disorder Prevention Program.