

# MAINE STATE LEGISLATURE

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Amendment Name: Amendment CA (H-875) (LD 1466 2020)

Date: 9/9/2020



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Date: (Filing No. H- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1073, L.D. 1466, “An Act To Allow Community-based Organizations To Participate in Diversion Projects for Persons with Substance Use Disorder”

Amend the bill by striking out the title and substituting the following:  
**'An Act To Amend the Substance Use Disorder Assistance Program'**  
Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 25 MRSA Pt. 13, headnote** is amended to read:

**PART 13**

~~**SUBSTANCE USE DISORDER ASSISTANCE LAW ENFORCEMENT ASSISTED DIVERSION**~~

**Sec. 2. 25 MRSA c. 601, headnote** is amended to read:

**CHAPTER 601**

~~**SUBSTANCE USE DISORDER ASSISTANCE PROGRAM LAW ENFORCEMENT ASSISTED DIVERSION PROGRAM**~~

**Sec. 3. 25 MRSA §5101**, as amended by PL 2019, c. 343, Pt. CCCCC, §1, is further amended to read:

~~**§5101. Substance Use Disorder Assistance**~~ **Law Enforcement Assisted Diversion Program**

~~**1. Substance Use Disorder Assistance**~~ **Law Enforcement Assisted Diversion Program.** The ~~Substance Use Disorder Assistance~~ Law Enforcement Assisted Diversion

***COMMITTEE AMENDMENT***

1 Program is established to support persons with presumed substance use disorder by  
2 providing grants to municipalities ~~and~~, counties and community-based organizations in  
3 partnership with municipal or county law enforcement agencies to carry out programs  
4 designed to reduce substance use, substance use-related crimes and recidivism. As used in  
5 this chapter, "community-based organization" means a nonprofit community organization  
6 that provides substance use disorder services to individuals, including, without limitation,  
7 substance use assessment, treatment, education and support group services.

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

9 A. Municipal or county governments ~~or~~, regional jails or community-based  
10 organizations in partnership with municipal or county law enforcement agencies for  
11 programs designed to assist persons with presumed substance use disorder by using  
12 liaison strategies both before and after arrest to refer alleged low-level offenders into  
13 community-based treatment and support services. Programs may include, but are not  
14 limited to:

15 (1) Referral of participants in the ~~Substance Use Disorder Assistance Law~~  
16 Enforcement Assisted Diversion Program under subsection 1 to evidence-based  
17 treatment programs, including medically assisted treatment; and

18 (2) Provision of case management services to participants in the ~~Substance Use~~  
19 Disorder Assistance Law Enforcement Assisted Diversion Program under  
20 subsection 1 in order to secure appropriate treatment and support services such as  
21 housing, health care, job training and mental health services for participants in the  
22 ~~Substance Use Disorder Assistance Law Enforcement Assisted Diversion~~  
23 Program;

24 B. County governments for programs in county jails designed to facilitate the  
25 accessing by persons with presumed substance use disorder of post-adjudication  
26 diversion and reentry programs. Programs may include, but are not limited to:

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

29 (2) Provision of case management or other support services to participants in the  
30 ~~Substance Use Disorder Assistance Law Enforcement Assisted Diversion~~ Program  
31 under subsection 1 to assist in transition from jail upon release; and

32 C. Municipal governments or community-based organizations in partnership with  
33 municipal or county law enforcement agencies for programs designed to facilitate  
34 pathways to community-based treatment, recovery and support services for persons  
35 with substance use disorder who present themselves to municipal law enforcement  
36 agencies and request assistance and referral to evidence-based treatment programs,  
37 including medically assisted treatment.

38 **3. Requirements.** A grant application for a program described in subsection 2 must  
39 include the following:

40 A. A statement of purpose and measurable goals for the program and use for the funds;  
41 and

42 B. The elements of the program, which must include the targeted population, the  
43 nature of services or assistance to be provided and expected outcomes.

1           **4. Selection of grant recipients.** The Commissioner of Public Safety shall review  
2 applications submitted by municipalities, counties ~~and~~, regional jails and community-based  
3 organizations in partnership with municipal or county law enforcement agencies for grants  
4 under this chapter. Preference must be given to collaborative approaches that include  
5 treatment providers or community-based organizations in partnership with municipal or  
6 county law enforcement agencies.

7           **5. Administration of funds.** The policy board established in this State to carry out  
8 the State's responsibilities under the federal Justice Assistance Act of 1984, the federal  
9 Anti-Drug Abuse Act of 1986, the federal Anti-Drug Abuse Act of 1988 and the federal  
10 Violent Crime Control and Law Enforcement Act of 1994, known as "the Justice  
11 Assistance Council," shall administer grant funds appropriated for use under this chapter.

12           **6. Reports.** A recipient of a grant under subsection 4 shall report to the Commissioner  
13 of Public Safety annually on the anniversary date of the grant award regarding the status of  
14 the program for which the grant was awarded. The report must include a description of  
15 how the grant funds were spent, the results of the program and any recommendations for  
16 modification of the program, including any available information concerning the program's  
17 effectiveness in reducing substance use disorder and recidivism.'

18           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
19 number to read consecutively.

20

## SUMMARY

21           This amendment is the majority report of the committee. The amendment changes the  
22 name of the Substance Use Disorder Assistance Program to the Law Enforcement Assisted  
23 Diversion Program. The amendment retains all of the provisions of the bill that include  
24 community-based organizations as entities that are eligible for grants under the Law  
25 Enforcement Assisted Diversion Program, requiring that they apply and operate in  
26 partnership with municipal or county law enforcement agencies. The amendment updates  
27 the language in the bill in the Maine Revised Statutes, Title 25, section 5101 to reflect  
28 amendments to the section that were enacted in Public Law 2019, chapter 343, Part  
29 CCCCC.



# 129th MAINE LEGISLATURE

LD 1466

LR 462(02)

**An Act To Allow Community-based Organizations To Participate in Diversion Projects for Persons with Substance Use Disorder**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: No**

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## Fiscal Note

No fiscal impact