

MAINE STATE LEGISLATURE

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L.D. 861

Date: 4/11/22

(Filing No. H- 986)

Majority
JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 629, L.D. 861, "Resolve, Directing the Department of Health and Human Services to Contract for Assessments for Involuntary Hospitalizations"

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

'Resolve, Concerning Training and Assessments Related to Protection from Substantial Threats'

Amend the resolve by striking out everything after the title and inserting the following:

'Sec. 1. Training. Resolved: That the Department of Public Safety shall develop and conduct training programs on the protection from substantial threats process in the Maine Revised Statutes, Title 34-B, section 3862-A, referred to in this resolve as "the temporary weapons removal process," which includes temporary weapons removal assessments.

1. In 2022, the Department of Public Safety shall conduct one mandatory training program for all law enforcement officers on the temporary weapons removal process. In 2023 and 2024, the department shall conduct at least one voluntary training program for law enforcement officers on the temporary weapons removal process per year.

2. The Department of Public Safety shall offer the training programs on the temporary weapons removal process under this section as determined necessary by the department to:

- A. Hospitals;
- B. Behavioral health agencies;
- C. Assertive community treatment teams pursuant to Title 34-B, section 3801, subsection 11;
- D. All providers, including telehealth services providers contracted by the State, conducting temporary weapons removal assessments;
- E. District attorneys; and
- F. Representatives of the judicial branch.

COMMITTEE AMENDMENT

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1 3. The Department of Public Safety shall invite the participation of a statewide
 2 association of hospitals, individual hospitals and service providers, including telehealth
 3 services providers contracted by the State, to collaboratively develop materials for the
 4 training programs under this section.

5 **Sec. 2. Report. Resolved:** That, beginning March 1, 2023 and each March 1st until
 6 March 1, 2026, the Department of Public Safety shall report to the joint standing committee
 7 of the Legislature having jurisdiction over judiciary matters on the following:

- 8 1. Participation in the training programs under section 1;
- 9 2. Materials for the training programs under section 1;
- 10 3. Identification of telehealth services providers contracted by the State and credentials
 11 of all providers conducting temporary weapons removal assessments; and
- 12 4. The number of temporary weapons removal assessments conducted per month,
 13 including:
 - 14 A. The number of temporary weapons removal assessments conducted in person,
 15 including the locations;
 - 16 B. The number of temporary weapons removal assessments conducted by telehealth
 17 services providers contracted by the State, and the locations where the persons being
 18 assessed were located during the temporary weapons removal assessments;
 - 19 C. The number of temporary weapons removal assessments that recommended
 20 temporary weapons removal;
 - 21 D. For recommended temporary weapons removals, whether the removals were based
 22 on the person's being assessed as:
 - 23 (1) Predominantly a threat to self;
 - 24 (2) Predominantly a threat to others; or
 - 25 (3) A threat to both self and others; and
 - 26 E. The number of temporary weapons removal assessments that were requested by law
 27 enforcement officers but not conducted and the reasons they were not conducted.'
- 28 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or
 29 section number to read consecutively.

30 **SUMMARY**

31 This amendment replaces the resolve and requires the Department of Public Safety to
 32 develop and provide training programs on the protection from substantial threats process
 33 in the Maine Revised Statutes, Title 34-B, section 3862-A, referred to in the resolve as "the
 34 temporary weapons removal process," which includes temporary weapons removal
 35 assessments. The department is required to report annually from 2023 to 2026 to the joint
 36 standing committee of the Legislature having jurisdiction over judiciary matters on the
 37 training programs and certain information concerning temporary weapons removal
 38 assessments and recommended temporary weapons removals.

39 **FISCAL NOTE REQUIRED**
 40 (See attached)



Approved: 03/18/22 *mac*

130th MAINE LEGISLATURE

LD 861

LR 1119(02)

Resolve, Directing the Department of Health and Human Services to Contract for Assessments for Involuntary Hospitalizations

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Judiciary

Fiscal Note Required: Yes

A (H-986)

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Public Safety associated with developing and conducting training and reporting results can be absorbed within existing budgeted resources.