

MAINE STATE LEGISLATURE

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Date: 4/24/22

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1463, L.D. 1968, "An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness"

Amend the amendment by inserting after the title the following:

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

'An Act To Ensure Appropriate Placement of Defendants with Mental Illness and Intellectual Disabilities'

Amend the amendment in Part A in section 1 in subsection 10 in the last line (page 1, line 21 in amendment) by inserting after the following: "Service" the following: ' unless an extraordinary circumstance causes a necessary delay. The Commissioner of Health and Human Services shall notify the court of the extraordinary circumstance causing a delay'

Amend the amendment by striking out all of Parts B, C, D and E.

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

SUMMARY

This amendment amends Committee Amendment "A" by:

1. Amending Part A to provide that a transfer of a defendant to the custody of the Commissioner of Health and Human Services for placement in an institution for the care and placement of persons with mental illness or in an appropriate residential program that provides care and treatment for persons who have intellectual disabilities or autism as a result of a court order must be within 30 days from the time the order is transmitted to the State Forensic Service, unless an extraordinary circumstance causes a necessary delay. The amendment also requires the commissioner to notify the court of the extraordinary circumstance causing a delay;

2. Removing Part B, which requires the Maine State Housing Authority to implement the so-called frequent users systems engagement plan developed pursuant to Resolve 2021, chapter 23;

3. Removing Part C, which requires the Department of Health and Human Services to develop a comprehensive system of residential care for adults and children with high levels

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1 of behavioral health needs who are at risk of involvement with the criminal justice system
2 or who, because of their behaviors, require high levels of staffing;

3 4. Removing Part D, which requires the Department of Health and Human Services to
4 report biannually for a period of 5 years to the joint standing committee of the Legislature
5 having jurisdiction over health and human services matters on the number of licensed
6 psychiatric inpatient beds and licensed residential treatment beds for adults with serious
7 and persistent mental illness, substance use disorder, developmental disabilities and autism
8 and for children with behavioral health diagnoses; and

9 5. Removing the appropriations and allocations section in Part E.

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SPONSORED BY: 

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(Senator BREEN, C.)

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COUNTY: Cumberland