| 1             | L.D. 1466  |
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| 2             | Date: (Filing No. H- )   |
| 3             | CRIMINAL JUSTICE AND PUBLIC SAFETY   |
| 4             | Reproduced and distributed under the direction of the Clerk of the House.  |
| 5             | STATE OF MAINE   |
| 6             | HOUSE OF REPRESENTATIVES   |
| 7             | 129TH LEGISLATURE  |
| 8             | SECOND SPECIAL SESSION   |
| 9<br>10<br>11 | 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" |
| 12            | Amend the bill by striking out the title and substituting the following:   |
| 13            | 'An Act To Amend the Substance Use Disorder Assistance Program'  |
| 14<br>15      | Amend the bill by striking out everything after the enacting clause and inserting the following:   |
| 16            | 'Sec. 1. 25 MRSA Pt. 13, headnote is amended to read:  |
| 17            | PART 13  |
| 18<br>19      | SUBSTANCE USE DISORDER ASSISTANCE LAW ENFORCEMENT ASSISTED DIVERSION   |
| 20            | Sec. 2. 25 MRSA c. 601, headnote is amended to read:   |
| 21            | CHAPTER 601  |
| 22<br>23      | SUBSTANCE USE DISORDER ASSISTANCE PROGRAM LAW ENFORCEMENT ASSISTED DIVERSION PROGRAM   |
| 24<br>25      | Sec. 3. 25 MRSA §5101, as amended by PL 2019, c. 343, Pt. CCCCC, §1, is further amended to read:   |
| 26<br>27      | §5101. Substance Use Disorder Assistance Law Enforcement Assisted Diversion Program  |
| 28<br>29      | 1. Substance Use Disorder Assistance Law Enforcement Assisted Diversion Program. The Substance Use Disorder Assistance Law Enforcement Assisted Diversion                    |

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

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

- A. Municipal or county governments of regional jails or community-based organizations in partnership with municipal or county law enforcement agencies for programs designed to assist persons with presumed substance use disorder by using liaison strategies both before and after arrest to refer alleged low-level offenders into community-based treatment and support services. Programs may include, but are not limited to:
  - (1) Referral of participants in the Substance Use Disorder Assistance Law Enforcement Assisted Diversion Program under subsection 1 to evidence-based treatment programs, including medically assisted treatment; and
  - (2) Provision of case management services to participants in the Substance Use Disorder Assistance Law Enforcement Assisted Diversion Program under subsection 1 in order to secure appropriate treatment and support services such as housing, health care, job training and mental health services for participants in the Substance Use Disorder Assistance Law Enforcement Assisted Diversion Program;
- B. County governments for programs in county jails designed to facilitate the accessing by persons with presumed substance use disorder of post-adjudication diversion and reentry programs. Programs may include, but are not limited to:
  - (1) Provision of evidence-based treatment programs, including medically assisted treatment, to jail inmates; and
  - (2) Provision of case management or other support services to participants in the Substance Use Disorder Assistance Law Enforcement Assisted Diversion Program under subsection 1 to assist in transition from jail upon release; and
- C. Municipal governments <u>or community-based organizations in partnership with municipal or county law enforcement agencies</u> for programs designed to facilitate pathways to community-based treatment, recovery and support services for persons with substance use disorder who present themselves to municipal law enforcement agencies and request assistance and referral to evidence-based treatment programs, including medically assisted treatment.
- **3. Requirements.** A grant application for a program described in subsection 2 must include the following:
  - A. A statement of purpose and measurable goals for the program and use for the funds; and
- B. The elements of the program, which must include the targeted population, the nature of services or assistance to be provided and expected outcomes.

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- **4. Selection of grant recipients.** The Commissioner of Public Safety shall review applications submitted by municipalities, counties and, regional jails and community-based organizations in partnership with municipal or county law enforcement agencies for grants under this chapter. Preference must be given to collaborative approaches that include treatment providers or community-based organizations in partnership with municipal or county law enforcement agencies.
- **5.** Administration of funds. The policy board established in this State to carry out the State's responsibilities under the federal Justice Assistance Act of 1984, the federal Anti-Drug Abuse Act of 1986, the federal Anti-Drug Abuse Act of 1988 and the federal Violent Crime Control and Law Enforcement Act of 1994, known as "the Justice Assistance Council," shall administer grant funds appropriated for use under this chapter.
- **6. Reports.** A recipient of a grant under subsection 4 shall report to the Commissioner of Public Safety annually on the anniversary date of the grant award regarding the status of the program for which the grant was awarded. The report must include a description of how the grant funds were spent, the results of the program and any recommendations for modification of the program, including any available information concerning the program's effectiveness in reducing substance use disorder and recidivism.'

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

20 SUMMARY

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