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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “B” to H.P. 713, L.D. 967, “An Act To Make Possession of Scheduled Drugs for Personal Use a Civil Penalty”

Amend the amendment in section 3 in subsection 1-A in paragraph B in the first line (page 3, line 4 in amendment) by striking out the following: "and treatment"

Amend the amendment in section 3 in subsection 1-A in paragraph B in the last line (page 3, line 5 in amendment) by inserting after the following: "disorder" the following: 'to determine whether treatment for behavioral health or substance use disorder is advised by the treatment professional'

Amend the amendment by striking out all of section 4 and inserting the following:

'Sec. 4. 17-A MRSA §1107-A, sub-§1-B is enacted to read:

1-B. A 2nd violation of subsection 1 is a civil violation for which the court may not impose a fine but must refer the defendant to be assessed by a credentialed treatment professional for behavioral health and substance use disorder to determine whether treatment for behavioral health or substance use disorder is advised by the treatment professional.'

Amend the amendment in section 5 in subsection 1-C in paragraph B in the first 2 lines (page 3, lines 14 and 15 in amendment) by striking out the following: "assessment and treatment by"

Amend the amendment in section 5 in subsection 1-C in paragraph B in the last line (page 3, line 16 in amendment) by inserting after the following: "disorder" the following: 'to determine whether treatment for behavioral health or substance use disorder is advised by the treatment professional'

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

SUMMARY

This amendment clarifies that the court, as an alternative to a fine for a first, 2nd or 3rd or subsequent violation, may refer the person to a credentialed treatment professional for

SENATE AMENDMENT

1 behavioral health and substance use disorder to determine whether treatment for behavioral
2 health and substance use disorder is advised by that treatment professional.

3 **SPONSORED BY:** _____

4 (Senator LAWRENCE, M.)

5 COUNTY: York