

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1645**

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H. P. 1533

House of Representatives, May 21, 1981

Reported by Representative Thompson from the Committee on Education.  
Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Promote Alcohol and Other Drug Abuse Education and Rehabilitation.**

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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 20 MRSA c. 109, sub-c. VII is enacted to read:

**SUBCHAPTER VII**

**PRIMARY PREVENTION THROUGH EDUCATION**

**§ 1201. Purpose**

1. **Legislature recognition.** The Legislature recognizes that alcohol and drug use and abuse are viewed as complex human behavior. It is the intent and purpose of the Legislature by this subchapter to provide for the establishment of a comprehensive statewide program on primary prevention of alcohol and other drug abuse.

2. **Identification and prevention.** While a primary focus of this program is the prevention of alcohol and other substance abuse behavioral patterns, it is important to recognize that another goal may be to provide teachers with tools to identify and prevent other forms of self-destructive behavior, such as dropping out, delinquency, suicide and truancy.

**§ 1202. Duties of Department of Educational and Cultural Services**

The Department of Educational and Cultural Services shall:

1. **Curriculum guidelines.** Develop curriculum guidelines for the public schools and the teacher education institutions on prevention of alcohol, drug abuse and other forms of socially disruptive or potentially self-destructive human behavior;

2. **Teaching methods.** Identify innovative teaching methods for the instruction of the material;

3. **Evaluation.** Develop methods of evaluating the effectiveness of the instruction;

4. **Assistance to school districts.** Assist school districts in conducting teacher training programs of prevention;

5. **Assistance to teacher training institutions.** Assist teacher training institutions in development of courses on prevention;

6. **Pilot projects** Administer pilot projects on prevention and conduct teacher training as may be directed by statute and funded by appropriation;

7. **Reports** Provide annual reports of its activities and findings regarding effective programs of primary prevention to the Office of Alcoholism and Drug Abuse Prevention, the Legislature, local school districts and appropriate agencies and organizations;

8. **Training programs.** Develop and establish prevention training programs for public school teachers and administrators to provide training at the local district level;

9. **Adult education.** Assist in the development of adult education programs which will include parents, students, community health agencies, law enforcement agencies and other community groups; and

10. **Grants.** Provide grants to applicants for carrying out the purposes of alcohol and other drug abuse prevention, to include but not be limited to education.

#### § 1203. Training programs

1. **Regional program.** Regional training programs for school district teams of teachers, administrators, counselors, youth and community representatives may be made available to every district under criteria developed by the Department of Educational and Cultural Services. Training sites shall be situated in a minimum of 5 locations throughout Maine for the convenience and economy of attending personnel.

2. **Salary and expenses for attending.** All certificated teaching or administrative personnel attending a training program shall receive their regular salary for the time covered by this attendance and shall also receive necessary traveling expenses, not exceeding the amount per mile allowed state employees.

These expenses shall be paid by the State. When the training is held during the time that the certificated personnel are employed in teaching, their regular pay may not be diminished by reason of their attendance.

§ 1204. Other moneys

Nothing in this subchapter is intended to preclude the use of federal or other moneys for this program.

§ 1205. Abuse education fund

1. Created. The Treasurer of State shall create a special revenue fund to be known as the Alcohol and Other Drug Abuse Education Fund. The State Liquor Commission shall remit to the Treasurer of State, for deposit into the fund, 1¢ per gallon of the tax on malt liquor and table wine collected by the commission. The Treasurer of State shall deposit into the fund the amount received from the surcharge imposed by Title 36, section 1815. The fund shall continue from year to year as a carrying account to be used for the purpose for which it was created.

2. Effective date. The fund shall be established when this subchapter becomes effective.

3. Expenses. In accordance with a budget submitted by the commissioner, the Treasurer of State shall pay the expenses required under this subchapter. An advisory body, to be known as the "Alcohol and Other Drug Abuse Education Fund Advisory Body," shall be appointed by the Governor, 4 of whom shall be public members of whom at least 2 shall be parents of children currently in Maine schools and 3 of whom shall be professionals in the field of alcohol and other drug abuse. The Commissioner of Educational and Cultural Services shall be an ex officio member of the advisory body. Grants from the fund shall be made subject to the advice and consent of the advisory body.

Sec. 2. 28 MRSA § 452, first ¶, 2nd sentence, as amended by PL 1979, c. 130, § 3, is further amended to read:

A wholesale licensee who imports malt liquor shall pay an excise tax of ~~25¢~~ 26¢ per gallon, or its metric equivalent, and at a like rate for any multiple or fraction thereof.

Sec. 3. 28 MRSA § 452, 2nd ¶, first sentence, as amended by PL 1979, c. 130, § 4, is further amended to read:

There shall be levied and imposed an excise tax of ~~30¢~~ 31¢ per gallon, or its metric equivalent, or fraction or multiple thereof, on all table wine containing 14% or less alcohol by volume imported into this State; except the excise tax shall be 20¢ per gallon, or its metric equivalent, or fraction or multiple thereof on all still wine containing 14% or less alcohol by volume which is manufactured or bottled in this State; and an excise tax of \$1 per gallon, or its metric equivalent, or multiple or fraction thereof on all sparkling wines manufactured in or imported into this State.

**Sec. 4.** 28 MRSA § 452, 3rd ¶, is amended to read:

All money received by the commission under this section shall be forthwith turned over to the Treasurer of State and shall be credited to the General Fund of the State, except that 1¢ per gallon on malt liquor and 1¢ per gallon on table wine and still wine shall be turned over to the Treasurer of State and shall be credited to the Alcohol and Other Drug Abuse Education Fund.

**Sec. 5.** 36 MRSA § 1815 is enacted to read:

**§ 1815. Surcharge on cigarette papers**

In addition to the tax imposed by this chapter, a surcharge of 1¢ is imposed on the retail sale of cigarette rolling paper. Retailers making such sales shall segregate the amount generated by the surcharge according to rules promulgated by the State Tax Assessor. The State Tax Assessor shall turn the amount over to the Treasurer of State for the Alcohol and Other Drug Abuse Education Fund.

**Sec. 6. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1981-82

EDUCATIONAL AND CULTURAL SERVICES,

DEPARTMENT OF

Alcohol and Other Drug

Abuse Education Fund

All Other

\$304,000

STATEMENT OF FACT

Maine ranks high among the states in the problem of alcoholism. Drinking is responsible for nearly 50% of all fatal traffic accidents, particularly those involving teenagers. There is a noted relationship between alcohol and drug abuse and truancy, vandalism and the high incidence of students dropping out of school.

There is a need for a concentrated statewide program concerning drug and alcohol abuse prevention that will reach each and every school in Maine. This bill provides such a program and funds it through a 1¢ tax on the sale of beer, wine and cigarette rolling papers.