

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 210

S.P. 89

In Senate, February 4, 1987

Reference to the Committee on Education suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate  
Presented by Senator CLARK of Cumberland.

Cosponsored by Senator SEWALL of Lincoln, Representative  
MATTHEWS of Caribou, Representative O'GARA of Westbrook.

STATE OF MAINE

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

1 AN ACT to Provide Statutory Authority for  
2 Alcohol and Drug Education in Maine.  
3

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

6 Sec. 1. 20-A MRSA c. 223, sub-c. VIII is enacted  
7 to read:

8 SUBCHAPTER VIII

9 SUBSTANCE ABUSE PROGRAMS

10 §6701. Substance abuse programs

11 School units may institute special programs to  
12 address health and related problems.

1        To further those objectives, school units may em-  
2 ploy specialized personnel such as substance abuse  
3 counselors and others knowledgeable in the field of  
4 substance abuse and may cooperate with public and  
5 private agencies in substance abuse education, pre-  
6 vention, early intervention, rehabilitation, referral  
7 and related programs.

8        §6702. Department role

9            1. Personnel. The commissioner shall appoint,  
10 subject to the Civil Service Law, supervisors and  
11 consultants knowledgeable in the area of substance  
12 abuse.

13           2. Technical assistance. The department,  
14 through its supervisors and consultants, shall offer  
15 technical assistance to public and approved private  
16 schools and cooperating community-based organizations  
17 to aid in the establishment and implementation of  
18 school-based substance abuse programs and health edu-  
19 cation curricula.

20           3. Cooperation, coordination. The department  
21 shall carry out its planning activities related to  
22 alcohol and drug education and prevention subject to  
23 coordination with the Alcohol and Drug Abuse Planning  
24 Committee.

25           4. Federal funds. The department shall be the  
26 designated state agency for the administration of the  
27 United States Department of Education federal grant  
28 funds and shall ensure coordination for programs  
29 funded through other federal grants to be used for  
30 planning, administering and implementing substance  
31 abuse programs for public and private elementary and  
32 secondary schools in the State.

33        Sec. 2. 22 MRSA §7112, as amended by PL 1983, c.  
34 464, §§15 to 17, is further amended to read:

35        §7112. State agencies to cooperate

36        State agencies proposing to develop, establish,  
37 conduct, or administer drug abuse prevention programs  
38 or to assist with such programs as covered by this  
39 chapter shall, prior to carrying out such actions,  
40 consult with the planning committee.

1 All agencies of State Government shall advise the  
2 planning committee of their proposed fiscal activi-  
3 ties, especially budget requests and expenditures,  
4 concurrently with their submission to the Budget Of-  
5 fice or to the Governor. All agencies of State Gov-  
6 ernment, concurrent with submission to that agency's  
7 approval authority, shall advise the planning commit-  
8 tee of proposed legislation, fiscal activities and  
9 administrative activities relating to drug abuse pre-  
10 vention. State agencies shall, in the implementation  
11 of their activities, keep the planning committee ful-  
12 ly informed of their progress and of any proposed  
13 changes in fiscal matters and policy.

14 State agencies shall cooperate fully with the  
15 planning committee and council in carrying out this  
16 chapter. The planning committee and council are au-  
17 thorized to request such personnel, financial assist-  
18 ance, facilities and data as will assist the planning  
19 committee and council to fulfill its powers and du-  
20 ties.

21 The office shall cooperate with the Department of  
22 Mental Health and Mental Retardation and the Depart-  
23 ment of Corrections all institutions under ~~its~~ their  
24 control in establishing and conducting programs to  
25 provide treatment for alcoholics and intoxicated per-  
26 sons and for people who abuse or are dependent on  
27 drugs in or on parole from penal or special treatment  
28 institutions.

29 The office shall cooperate with the Department of  
30 Public Safety and the Department of Transportation in  
31 establishing and conducting programs designed to deal  
32 with the problem of persons operating motor vehicles  
33 while under the influence of drugs or intoxicating  
34 liquor.

35 The Department of Educational and Cultural Ser-  
36 vices shall coordinate the efforts of state agencies  
37 to promote and implement drug abuse education, infor-  
38 mation and training programs and related health edu-  
39 cation in the public and approved private preschool,  
40 elementary, secondary and post-secondary schools of  
41 the State through cooperation with the Alcohol and  
42 Drug Abuse Planning Committee and other appropriate  
43 state agencies and groups.

1       The office shall coordinate all other drug abuse  
2 education, information and training programs con-  
3 ducted within the State through cooperation with the  
4 Department of Educational and Cultural Services,  
5 school administrative districts, municipal schools  
6 the Alcohol and Drug Abuse Planning Committee and  
7 other appropriate state agencies and groups, police  
8 departments, courts and other public and private  
9 agencies, organizations and individuals. Such coordi-  
10 nation may assist with: Establishing educational pro-  
11 grams for the prevention of alcoholism and drug  
12 abuse; treatment and rehabilitation of alcoholics,  
13 intoxicated persons and persons dependent upon or  
14 abusing drugs; and training in the prevention, treat-  
15 ment and rehabilitation of such persons; and with  
16 preparation of curriculum materials thereon for use  
17 in all levels of educational programs.

18

#### STATEMENT OF FACT

19       The Department of Educational and Cultural Ser-  
20 vices, Division of Alcohol and Drug Education Ser-  
21 vices, Bureau of Instruction, provides program quali-  
22 ty assurance, coordination, planning, research and  
23 development and direct service assistance to the  
24 State's educational system in the field of chemical  
25 dependency prevention, education, training and tech-  
26 nical assistance. Since 1979, the department has  
27 provided a model of leadership and consistency for  
28 school systems statewide in this field. Fifty per-  
29 cent of the State's school systems have formed a  
30 partnership with the department through the Division  
31 of Alcohol and Drug Education Services school and  
32 community team program. An additional 25% are cur-  
33 rently exploring that possibility.

34       It is time to legislatively establish the role of  
35 the Department of Educational and Cultural Services  
36 in alcohol and other drug abuse prevention and educa-  
37 tion. Enactment of this bill would not take away  
38 from the legitimate roles and functions of any orga-  
39 nization or state department. It strengthens the po-  
40 sition of the Department of Educational and Cultural  
41 Services as it carries out its functions.

1           The timing of this action is particularly appro-  
2           priate in light of the recently passed United States  
3           Drug Free Schools Act of 1986. That Act will allo-  
4           cate funds to state education agencies to be granted  
5           to local education agencies for alcohol and drug  
6           abuse prevention and education programs. Enactment  
7           of this bill will help the Department of Educational  
8           and Cultural Services ensure that federal and state  
9           level initiatives that target school systems are co-  
10          ordinated and that they promote productive approaches  
11          to the problems of alcohol and drug abuse.

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