

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

OK
R of S.

L.D. 175

(Filing No. S-386)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44

STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to S.P. 90,
L.D. 175, Bill, "An Act Related to the Office of Substance Abuse"

Amend the amendment by striking out all of section 4.

Further amend the amendment in section 7 in subsection 6 in
the last blocked paragraph in the 6th line (page 4, line 18 in
amendment) by inserting after the following: "specified:" the
following: 'and'

Further amend the amendment in section 7 in subsection 6 in
the last blocked paragraph in the 8th to 11th lines (page 4,
lines 20 to 23 in amendment) by striking out the following: ";
and the reasonable financial protection of providers who have
made capital investments in the fulfillment of contract
responsibilities"

Further amend the amendment in section 11 in subsection 3 by
striking out the first sentence (page 5, lines 37 to 41 in
amendment) and inserting in its place the following: 'The office
shall provide for adequate and appropriate treatment for
alcoholics ~~and--intoxicated--persons,~~ drug abusers, drug addicts
and drug-dependent persons admitted under sections 20043 ~~to~~-20046
and 20044.'

Further amend the amendment in section 12 in subsection 4 by
striking out all of paragraphs A, B and C.

Further amend the amendment by striking out all of section
17.

Further amend the amendment in section 22 in that part
designated "§20042." by striking out all of subsection 1.

S
E
N
A
T
E
A
M
E
N
D
M
E
N
T

2 Further amend the amendment in section 22 in that part
designated "**§20043.**" by striking out the first 3 lines (page 9,
4 lines 47 to 49 in amendment) and inserting in their place the
following:

6
8 **'§20043. Acceptance for treatment of alcoholics, drug abusers,
drug addicts and drug-dependent persons'**

10 Further amend the amendment in section 22 in that part
designated "**§20043.**" in the first paragraph in the 4th and 5th
12 lines (page 10, lines 2 and 3 in amendment) by striking out the
following: "chemically dependent persons, drug abusers, drug
14 addicts, drug-dependent persons and intoxicated persons" and
inserting in its place the following: '~~and-intoxicated-persons,~~
16 drug abusers, drug addicts and drug-dependent persons'

18 Further amend the amendment in section 22 in that part
designated "**§20043.**" in subsection 1 in the last 2 lines (page
20 10, lines 9 and 10 in amendment) by striking out the following:
22 "unless an emergency treatment order has been obtained"

24 Further amend the amendment in section 22 in that part
designated "**§20044.**" by striking out the first 3 lines (page 10,
lines 51 and 52 and page 11, line 1 in amendment) and inserting
26 in their place the following:

28 **'§20044. Voluntary treatment of alcoholics, drug abusers, drug
addicts and drug-dependent persons'**

30 Further amend the amendment in section 22 in that part
designated "**§20044.**" in subsection 1 by striking out the first
32 sentence (page 11, lines 3 to 6 in amendment) and inserting in
its place the following: 'An alcoholic, drug abuser, drug addict
34 or drug-dependent person may apply for voluntary treatment
directly to an approved public treatment facility.'

38 Further amend the amendment in section 22 in that part
designated "**§20044.**" by striking out all of subsection 4 and
40 inserting in its place the following:

42 **'4. Discharge.** If a patient person leaves an approved
public treatment facility, ~~with--or~~ against the advice of the
44 administrator in charge of the facility, ~~--the--office--shall--make~~
~~reasonable--provisions--for--that--patient's--transportation--to~~
46 ~~another--facility--or--to--the--patient's--home.---~~ If and that person
does not have a home, the patient must be assisted in obtaining
48 shelter. ~~If--the--patient--is--a--minor--or--an--incompetent--person,--the~~
~~request--for--discharge--from--an--inpatient--facility--must--be--made--by~~
50 ~~a--parent,--legal--guardian--or--other--legal--representative--or--by--the~~

R. of S.

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 90, L.D. 175

~~minor--or--incompetent,--if--the--minor--or--incompetent--was--the original-applicant.~~

Further amend the amendment by striking out all of sections 24 and 26.

Further amend the amendment in section 32 in that part designated "S20078." by inserting after subsection 7 the following:

'8. Repeal. This section and Title 5, section 12004-G, subsection 15-A are repealed July 1, 1992.'

Further amend the amendment in section 36 in subsection 6 by inserting at the end the following: 'The director is reclassified as a Comprehensive Health Planner II and assigned to the Department of Human Services in order to maintain the department's ability to provide prevention services and intervene with or treat the persons served by the department who are affected by alcohol and other drugs.'

Further amend the amendment in section 37 in the 6th line (page 30, line 3 in amendment) by striking out the following: "submit necessary recommendations for statutory changes" and inserting in its place the following: 'report'

Further amend the amendment in section 38 under the caption "HUMAN SERVICES, DEPARTMENT OF" under that part relating to Alcoholism and Drug Abuse Prevention - Human Services by striking out the 4th line (page 31, line 4 in amendment) and inserting in its place the following:

'Personal Services (\$37,421) (\$52,510)'

Further amend the amendment in section 38 under the caption "HUMAN SERVICES, DEPARTMENT OF" by striking out the last 2 lines (page 31, line 48 and 49 in amendment) and inserting in their place the following:

'Administration - Human Services

Positions (1.0)
Personal Services \$33,867

Provides funding for the demotion of the Director of the Office of Alcoholism and Drug Abuse Planning to a Comprehensive Health Planner II position.

**Division of Driver Education
Evaluation Programs**

SENATE AMENDMENT

R. of S.

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 90, L.D. 175

2 Personal Services (\$1,500)

4 Deappropriates funds as a
6 result of the sunset
8 provision for the Driver
Education Evaluation Programs
Appeals Board.

10 DEPARTMENT OF HUMAN SERVICES
12 TOTAL (\$760,387) (\$1,049,439)'

14 Further amend the amendment in section 38 by striking out
16 all of that part designated "JUDICIAL DEPARTMENT" (page 31,
line 51 and page 32, lines 1 to 23 in amendment).

18 Further amend the bill in section 38 by striking out the
20 last line (page 32, line 26 in amendment) and inserting in its
place the following:

22 'TOTAL APPROPRIATIONS (\$3,554) (\$5,693)'

24 Further amend the amendment by renumbering the sections to
read consecutively.

26 Further amend the amendment by striking out all of the
28 fiscal note and inserting in its place the following:

30 'FISCAL NOTE

32 1991-92 1992-93

34 APPROPRIATIONS/ALLOCATIONS

36 General Fund (\$3,554) (\$5,693)

38 This bill transfers the Driver Education Evaluation Programs
40 and the functions of the Office of Alcohol and Drug Abuse
Prevention from the Department of Human Services to the Office of
42 Substance Abuse and makes changes to several provisions relating
to the Office of Substance Abuse. The position of Director of
44 the Office of Alcohol and Drug Abuse Prevention is transferred to
the Office of the Commissioner and demotes the Director to a
46 Comprehensive Health Planner II. These transfers and the sunset
provision for the Driver Education Evaluation Programs Appeals
48 Board will result in a net deappropriation of \$3,554 in fiscal
year 1992-93 and \$5,693 in fiscal year 1992-93. These amounts
may require adjustment, depending on the current services budget
50 enacted by the Legislature. The Governor's proposed adjusted
current services budget affects these programs and these
52 estimates.

2 The costs associated with public hearings, providing or
4 assisting in the provision of training programs, overseeing,
6 supporting and coordinating the resource center and fulfilling
other provisions of this bill will be absorbed within the
budgeted resources of the Office of Substance Abuse.'

8

10

STATEMENT OF FACT

12 This amendment incorporates the changes made to the
14 committee amendment by House Amendment "A" to Committee Amendment
"A", H-688, except that this amendment provides compensatory
16 salary decrease to the Comprehensive Health Planner II range.

18

(Senator BERUBE)
20 SPONSORED BY: George B. Berube

22

COUNTY: Androscoggin

24

Reproduced and Distributed Pursuant to Senate Rule 12.
(6/28/91) (Filing No. S-386)

SENATE AMENDMENT