

MAINE STATE LEGISLATURE

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DOK
R. 1015

L.D. 175

(Filing No. S-420)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "D" 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.

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

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

18 Further amend the amendment in section 22 in that part
20 designated "§20043." in subsection 1 in the last 2 lines (page
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
26 designated "§20044." by striking out the first 3 lines (page 10,
lines 51 and 52 and page 11, line 1 in amendment) and inserting
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
32 designated "§20044." in subsection 1 by striking out the first
sentence (page 11, lines 3 to 6 in amendment) and inserting in
34 its place the following: 'An alcoholic, drug abuser, drug addict
or drug-dependent person may apply for voluntary treatment
36 directly to an approved public treatment facility.'

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

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~~minor--of--incompetent,--if--the--minor--of--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 "\$20078." 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) (\$48,317)'

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)	(1.0)
Personal Services	\$33,867	\$44,124

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

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Division of Driver Education Evaluation Programs

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4 Personal Services (\$1,500)

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

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

14

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

18

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

22

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

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

28

Further amend the amendment by striking out all of the 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

40 This bill transfers the Driver Education Evaluation Programs and the functions of the Office of Alcohol and Drug Abuse Prevention from the Department of Human Services to the Office of Substance Abuse and makes changes to several provisions relating to the Office of Substance Abuse. The position of Director of the Office of Alcohol and Drug Abuse Prevention is transferred to the Office of the Commissioner and demotes the Director to a Comprehensive Health Planner II. These transfers and the sunset provision for the Driver Education Evaluation Programs Appeals 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

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enacted by the Legislature. The Governor's proposed adjusted current services budget affects these programs and these estimates.

The costs associated with public hearings, providing or assisting in the provision of training programs, overseeing, 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.'

STATEMENT OF FACT

This amendment incorporates the changes made to the committee amendment by Senate Amendment "C" to Committee Amendment "A", S-389, except that this amendment corrects a line in an appropriation section.

(Senator BRANNIGAN)
SPONSORED BY:

Joseph Brannigan
JB

COUNTY: Cumberland

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