

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1749, L.D. 2438, Bill, "An Act to Improve the Effectiveness of the Driver Education and Evaluation Programs"

Amend the bill by inserting after section 2 the following:

'Sec. 3. 5 MRSA §20005, sub-§5, as amended by PL 1991, c. 601, §6, is further amended to read:

5. Budget. Develop and submit to the Legislature by January 15th of the first year of each legislative biennium recommendations for continuing and supplemental allocations, deappropriations or reduced allocations and appropriations from all funding sources for all state alcohol and drug abuse programs. The office shall make final recommendations to the Governor before any substance abuse funds are appropriated or deappropriated in the Governor's proposed budget. The office shall formulate all budgetary recommendations for the Driver Education and Evaluation Programs with the advice, consultation and full participation of the chief executive officer of the Driver Education and Evaluation Programs;

Further amend the bill by striking out all of section 5 and inserting in its place the following:

'Sec. 5. 5 MRSA §20071, sub-§4-B, as enacted by PL 1991, c. 622, Pt. Y, §2, is repealed and the following enacted in its place:

4-B. First offender with an aggravated offense. "First offender with an aggravated offense" means a first offender pursuant to subsection 4-A who has an operating-under-the-influence offense aggravated by the following

2 factor; the offender received a score on the substance abuse and
3 life circumstance evaluation assessment instrument administered
4 by the Driver Education and Evaluation Programs that definitively
5 indicates a need for further substance abuse evaluation.'

6 Further amend the bill in section 10 in that part designated
7 "**§20075.**" in the first paragraph in the 5th line (page 4, line 16
8 in L.D.) by striking out the following: "is 3" and inserting in
9 its place the following: 'is 3 2'

10 Further amend the bill in section 11 in subsection 3 in
11 paragraph A by striking out all of subparagraph (1) (page 4,
12 lines 36 to 39 in L.D.) and inserting in its place the following:

13 '(1) For a multiple offender the fee may not exceed
14 \$425.'

15 Further amend the bill in section 11 in subsection 3 in
16 paragraph A in subparagraph (2) in the 2nd line (page 4, line 42
17 in L.D.) by striking out the following: "paragraph E,"

18 Further amend the bill by striking out all of section 18 and
19 inserting in its place the following:

20 **Sec. 18. Special purpose audit.** The State Auditor shall issue
21 a separate special purpose audit report based on agreed upon
22 procedures of the Office of Substance Abuse and the Driver
23 Education and Evaluation Programs, including a review of Program
24 participation in federal maintenance of effort requirements for
25 substance abuse programs. The State Auditor shall submit
26 findings to the joint standing committees of the Legislature
27 having jurisdiction over audit and program review matters, human
28 resources matters and appropriations and financial affairs by
29 July 1, 1992.

30 **Sec. 19. Funding; appropriation.** Funds appropriated to the
31 Office of Substance Abuse may not be less than the revenue
32 generated through fees by the Driver Education and Evaluation
33 Programs. The Driver Education and Evaluation Programs must be
34 funded at the level needed to provide the required services to
35 all clients in a timely manner.

36 **Sec. 20. Appropriation.** The following funds are appropriated
37 from the General Fund to carry out the purposes of this Act.

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1992-93

EXECUTIVE DEPARTMENT

Driver Education and Evaluation Programs - Substance Abuse

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Positions (2.0)

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Personal Services \$76,318

All Other 114,928

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Provides funds for 2 Alcohol Rehabilitation Counselor II positions and the operating expenses necessary for the increased number of Weekend Intervention Program sessions.

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EXECUTIVE DEPARTMENT

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TOTAL \$191,246'

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Further amend the bill by renumbering the sections to read consecutively.

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

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FISCAL NOTE

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1992-93

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APPROPRIATIONS/ALLOCATIONS

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General Fund \$191,246

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REVENUES

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General Fund \$195,175

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The 740 additional clients for the Weekend Intervention Program will increase General Fund revenue by \$195,175 from additional fees. The increase of General Fund revenue will exceed the total General Fund appropriation by \$3,929. The appropriation provides funds for the Driver Education and Evaluation Programs within the Office of Substance Abuse for staff and operating expenses.'

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STATEMENT OF FACT

This amendment removes 3 factors used to identify aggravated first offenders, decreases the certification period for individual providers to 2 years, requires the Director of the Office of Substance Abuse to involve the chief executive officer of the Driver Education and Evaluation Programs in the budgetary

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2 process, requires the State Auditor to conduct a special purpose
audit of the Driver Education and Evaluation Programs as well as
4 the Office of Substance Abuse, requires that funds appropriated
to the Office of Substance Abuse may not be less than the revenue
6 generated through fees by the Driver Education and Evaluation
Programs, requires that the Driver Education and Evaluation
8 Programs must be funded at the level needed to provide required
services to all clients in a timely manner, authorizes 2 Alcohol
10 Rehabilitation Counselor II positions and adjusts total
appropriations to the Driver Education and Evaluation Programs to
12 reflect a net increase of \$3,929 in increased revenues to the
General Fund.

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Filed by Rep. Daggett of Augusta
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House
3/29/92 (Filing No. H-1323)