

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1992

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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## CHAPTER 792

### H.P. 1630 - L.D. 2294

#### An Act to Provide Accountability for Certain Purchased Services Related to Substance Abuse

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

5 MRSA §20005, sub-§6, as amended by PL 1991, c. 557, §§1 and 2, and c. 601, §§6 and 7, is repealed and the following enacted in its place:

**6. Contracts and licensing.** Through the director:

A. Administer all contracts with community service providers for the delivery of alcohol and drug abuse services;

B. Establish operating and treatment standards, and inspect and issue certificates of approval for approved treatment facilities, drug abuse treatment facilities or programs, including residential treatment centers, pursuant to section 20024; and

C. Ensure community participation by funding regional alcohol councils to:

(1) Assist in the development of comprehensive state plans, the review of the effectiveness of existing policies and services, and the identification of unmet needs;

(2) Review and comment on proposed grants and contracts;

(3) Increase public awareness and participation;

(4) Supply general reference information; and

(5) Advocate for individuals in need of assistance.

The director shall ensure that councils are funded in a manner that recognizes local differences in cost and travel distances and allows equal provision of services in each geographic area to the extent that funds are available within the office for this purpose.

The director may delegate contract and licensing duties under this subsection to the Department of Human Services, the Department of Corrections or the Department of Mental Health and Mental Retardation as long as that delegation ensures that contracting for alcohol and other drug abuse services provided in community settings are consolidated within the Department of Human Services,

that contracting for alcohol and other drug abuse services delivered within correctional facilities are consolidated within the Department of Corrections and that contracting for alcohol and other drug abuse services delivered within mental health and mental retardation facilities are consolidated within the Department of Mental Health and Mental Retardation.

The director may not delegate contract and licensing duties if that delegation results in increased administrative costs.

The director may not issue requests for proposals for existing contract services until the director has adopted rules in accordance with the Maine Administrative Procedure Act to ensure that the reasons for which existing services are placed out for bid and the performance standards and manner in which compliance is evaluated are specified and that any change in provider is accomplished in a manner that fully protects the consumer of services.

Any new contract must be awarded through a request-for-proposal procedure and 1/3 of the contracts of \$100,000 per year or more that are renewed must be awarded through a request-for-proposal procedure at least every 2 years.

The director shall establish a procedure to obtain assistance and advice from consumers of alcohol and other drug abuse services regarding the selection of contractors when requests for proposals are issued;

See title page for effective date.

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## CHAPTER 793

### H.P. 1644 - L.D. 2307

#### An Act to Clarify the Definition of Certain Vehicles for Insurance Purposes

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** changes in the motor vehicle insurance laws that were enacted in the First Regular Session of the 115th Legislature impose inappropriately high and burdensome insurance rates on for-hire vehicles doing business exclusively within the State; and

**Whereas,** immediate action is necessary to prevent some of these for-hire companies from having to go out of business as a result of these rates;

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation