

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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

J.S. McCarthy Company
Augusta, Maine
1993

CHAPTER 736

H.P. 1370 - L.D. 1854

**An Act to Provide Funding to the
Maine Criminal Justice Commission**

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

Whereas, the Maine Criminal Justice Commission has been given a number of statutory duties; and

Whereas, the commission is not able to have staff to help it meet its objectives and obligations; and

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 as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §3358, sub-§7, as enacted by PL 1991, c. 417, §1, is amended to read:

7. Funding. The commission is authorized to seek, accept and expend outside sources of funding to carry out the commission's activities. ~~Expenditures may not be incurred that have an impact on the General Fund.~~

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1994-95

**MAINE CRIMINAL
JUSTICE COMMISSION**

**Maine Criminal Justice
Commission**

All Other	\$20,000
Provides funds for staffing and costs associated with the Maine Criminal Justice Commission.	

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 20, 1994.

CHAPTER 737

H.P. 1284 - L.D. 1732

**An Act to Establish a System of
Performance-based Agreements for
the Provision of Certain
Social Services**

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

Sec. 1. 5 MRSA §20005-A is enacted to read:

§20005-A. Performance-based contracts

In addition to other applicable requirements and unless precluded by other restrictions on the use of funds, the director shall manage all funds available for the provision of alcohol or other drug abuse services in accordance with the provisions of this section.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Agreement" means a legally binding written document between 2 or more parties, including such documents as are commonly referred to as accepted application, proposal, prospectus, contract, grant, joint or cooperative agreement, purchase of service or state aid.

B. "Performance-based contract" means an agreement for the purchase of direct client services employing a client-centered, outcome-oriented process that is based on measurable performance indicators and desired outcomes and includes the regular assessment of the quality of services provided.

2. Performance-based contract. The director shall ensure that all agreements to purchase alcohol or other drug abuse services entered into on or after July 1, 1995 are performance-based contracts.

3. Rules. The director shall adopt rules to implement this section, including, but not limited to, the establishment of program goals, outcome measures, an information management system to collect and manage contract data, a system of ongoing assessment of program effectiveness and hold-harmless