

# 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 electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**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**  
**1997**

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

Effective March 9, 1998.

---



---

## CHAPTER 587

H.P. 1427 - L.D. 1991

### An Act Regarding the Role of the State Planning Office and the Land and Water Resources Council

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

**Sec. 1. 5 MRSA §3331, sub-§3**, as enacted by PL 1993, c. 721, Pt. C, §1 and affected by Pt. H, §1, is repealed.

**Sec. 2. 22 MRSA §2660-A, sub-§3**, as enacted by PL 1987, c. 531, §1, is amended to read:

**3. Appeal.** The Commissioner of Human Services, after consultation with the Public Utilities Commission, ~~and the State Geologist and the State Planning Office~~, may authorize transport of water for commercial purposes if the commissioner finds that: Transport of the water will not constitute a threat to public health, safety or welfare; that the water is not available naturally in the location to which it will be transported; and that failure to authorize transport of the water would create a substantial hardship to the potential recipient of the water. Any authorization under this subsection ~~shall~~ **must** be for a period not to exceed 3 years, but may be renewed subject to the same criteria.

See title page for effective date.

---



---

## CHAPTER 588

S.P. 770 - L.D. 2071

### An Act Regarding Contract Procedures

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

**Sec. 1. 5 MRSA §20005, sub-§6**, as amended by PL 1995, c. 560, Pt. L, §5 and affected by §16, is further amended to read:

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

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

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, and community-based service providers pursuant to section 20024 and subchapter V.

The commissioner may delegate contract and licensing duties under this subsection to the Department of Human Services, the Department of Corrections or other divisions of the department 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.

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

The commissioner may not issue requests for proposals for existing contract services until the commissioner 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 commissioner 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.

---



---