

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED	
BUSTIN	OTP-AM	MAJ	S-359	
CLARK M	ONTP	MIN	S-420	BRANNIGAN
HEESCHEN				
PRAY				

SUMMARY

This bill made changes to many of the provisions relating to the Office of Substance Abuse as established by Public Law 1989, chapter 934. The bill:

1. Removed sections of the law that are not constitutional;
2. Added an involuntary commitment procedure modeled on similar provisions in the Maine Revised Statutes, Title 34-B;
3. Expanded the law relative to standards concerning restraint;
4. Added liability protection and partial immunity to the alcohol and other drug abuser who is involuntarily housed in a community facility;
5. Eliminated the remnants of the Office of Drug Abuse Prevention;
6. Merged the current clearinghouse and resource center; and
7. Added some new definitions and made other language changes in the law.

Committee Amendment "A" (S-359) reinstated the Driver Education and Evaluation Programs Appeals Board. Replaced some old terms and defined new terms. The amendment also made changes in the bill in the areas of administration, contracting and treatment procedures.

1. The changes in administration are as follows.
 - A. The appointment of the Director of the Office of Substance Abuse is subject to Legislative confirmation.
 - B. The Maine Council on Alcohol and Drug Abuse Prevention and Treatment is directed to help develop the biennial plan.
 - C. The Office of Substance Abuse is required to do its own budgeting and advise the Governor on any appropriations or deappropriations for alcohol and drug abuse programs.
2. The amendment made the following changes in contracting procedures in the Office of Substance Abuse.
 - A. The use of performance-based contracting is required.
 - B. Contracting may not be delegated if delegation results in higher administration costs.
 - C. Redundant language regarding the authority to enter into contractual agreements is deleted.
3. The amendment made the following changes to treatment procedures.

- A. Deleted the requirement that the Office of Substance Abuse reimburse all costs for new beds designated for involuntary commitment at approved treatment facilities after July 1, 1992.
- B. Required that the facility administrator prepare an emergency treatment order for a patient leaving a treatment facility against medical advice who is also considered to be in imminent danger of self-harm.

Senate Amendment "D" (S-420) deleted those portions of the committee amendment that established procedures for involuntary treatment for certain chemically dependent persons and emergency treatment orders. The amendment also removed the provision that deappropriated funds concerning the position of the Director of Office of Alcohol and Drug Abuse Prevention but demoted the position to a Comprehensive Health Planner II with a compensatory salary decrease. This amendment repealed the Driver Education and Evaluation Program appeals board effective July 1, 1992 and removed consideration for providers who make capital investments. The amendment removed the authority of the Office of Substance Abuse to submit legislation directly to the Legislature, corrected a line in the appropriation section and replaced the fiscal note to reflect these changes.

LD 176 An Act to Define the Boundary between the Towns of Madison, Norridgewock and Skowhegan P & S 4

SPONSOR(S) WEBSTER HEPBURN KETTERER	COMMITTEE REPORT OTP	AMENDMENTS ADOPTED
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SUMMARY

This bill defined and described the location of the boundary line between the Towns of Madison, Norridgewock and Skowhegan.

LD 182 An Act to Limit Certain Terms of Office ONTP-MAJ REP

SPONSOR(S) HOLLOWAY	COMMITTEE REPORT ONTP MAJ OTP-AM MIN	AMENDMENTS ADOPTED
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SUMMARY

This bill would have limited to 2 the number of terms that a person could serve as President of the Senate or Speaker of the House of Representatives.

LD 190 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit the Governor's Term of Office ONTP-MAJ REP

SPONSOR(S) HOLLOWAY NORTON	COMMITTEE REPORT ONTP MAJ OTP MIN	AMENDMENTS ADOPTED
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SUMMARY

This resolution would have amended the Constitution of Maine to limit the term of office of Governor to a total of 2 popular elective 4-year terms, regardless of whether those 2 terms were served consecutively.