1	L.D. 1582
2	Date: (Filing No. S-)
3	HEALTH AND HUMAN SERVICES
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	130TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10	COMMITTEE AMENDMENT "" " to S.P. 496, L.D. 1582, "An Act To Enact the Maine Psilocybin Services Act"
11	Amend the bill by striking out the title and substituting the following:
12	'An Act To Establish the Maine Psychedelic Advisory Board'
13 14	Amend the bill by striking out everything after the enacting clause and inserting the following:
15	'Sec. 1. 5 MRSA §12004-I, sub-§47-J is enacted to read:
16	<u>47-J.</u>
17 18	Human ServicesMaine Psychedelic Advisory Board \$\$50/DayExpenses Plus \$\$50/Day22 MRSA \$\$2357
19	
20	Sec. 2. 22 MRSA c. 556-B is enacted to read:
21	CHAPTER 556-B
22	MAINE PSYCHEDELIC ADVISORY BOARD
23	§2357. Maine Psychedelic Advisory Board
24 25 26 27	1. Establishment. The Maine Psychedelic Advisory Board, established in Title 5, section 12004-I, subsection 47-J and referred to in this chapter as "the board," is created within the department for the purposes of advising and making recommendations to the Legislature regarding the therapeutic uses of psychedelic drugs.
28	2. Membership. The board consists of 19 members as follows:
29	A. Three ex officio, nonvoting members:

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1 2	(1) The Director of the Maine Center for Disease Control and Prevention within the department or the director's designee;
3	(2) The State Health Officer or the officer's designee, unless the officer is also the
4	Director of the Maine Center for Disease Control and Prevention, in which case, a
5	designee of the director. The member of the board under this subparagraph must
6	be a physician licensed under Title 32, chapter 36 or 48; and
7 8	(3) The chair of the Statewide Coordinating Council for Public Health, established in Title 5, section 12004-G, subsection 14-G;
9 10	B. The Attorney General or the Attorney General's designee, who serves as an ex officio, voting member; and
11	C. Fifteen voting members appointed by the Governor as follows:
12	(1) Four members who meet any of the requirements of this subparagraph:
13	(a) A state employee who has technical expertise in the field of public health;
14 15	(b) A representative from a district coordinating council for public health, established pursuant to section 412, subsection 4;
16	(c) A representative of a federally recognized Indian tribe in the State;
17	(d) A member of the Substance Use Disorder Services Commission,
18	established in Title 5, section 12004-G, subsection 13-C;
19	(e) A member of the Permanent Commission on the Status of Racial,
20 21	Indigenous and Tribal Populations, established in Title 5, section 12004-J, subsection 19;
22	(f) A member of the Palliative Care and Quality of Life Interdisciplinary
23	Advisory Council, established in Title 5, section 12004-I, subsection 47-I; or
24	(g) An individual who represents individuals who provide public health
25	services directly to the public;
26 27	(2) A psychologist licensed under Title 32, chapter 56 who has professional experience providing behavioral health services;
28	(3) A physician licensed under Title 32, chapter 48;
29	(4) A naturopathic doctor licensed under Title 32, chapter 113-B;
30 31	(5) A member with expertise in the field of public health who has a background in academia;
32	(6) Three members who meet any of the requirements of this subparagraph:
33	
33 34	(a) A person with professional expertise conducting scientific research regarding the use of psychedelic compounds in clinical therapy;
35	(b) A person who has experience in the field of mycology;
36	(c) A person who has experience in the field of ethnobotany;
37	(d) A person who has experience in the field of psychopharmacology; or
38	(e) A person who has experience in the field of psilocybin harm reduction;

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1 2 3 4	 (7) A member representing the Department of Administrative and Financial Services who has expertise working with the system developed and maintained by that department for tracking marijuana in accordance with section 2430-G, subsection 1, paragraph B or Title 28-B, section 105; and (9) Three at large members
5	(8) Three at-large members.
6	3. Terms; vacancies. Except for ex officio members, members of the board serve
7 8	<u>4-year terms and may be reappointed</u> . Before the expiration of the term of a member, the Governor shall appoint a successor for a term beginning on January 1st of the next calendar
9	year. Board members are not subject to legislative confirmation. If there is a vacancy under
10	subsection 2, paragraph C, the Governor shall immediately appoint a successor to serve for
11	the remainder of the unexpired term.
12	4. Chair. The board shall annually elect one of its voting members to serve as chair.
13 14 15 16	5. Meeting frequency. The board shall meet at least 4 times each year at regular intervals at a time and place determined by the chair or at least 8 voting members of the board. The board may meet at other times and places by the call of the chair or 8 voting members of the board.
17	6. Quorum. At least 8 of the board's voting members constitutes a quorum.
18	7. Establishment of subcommittees. The board may establish subcommittees
19	necessary for the operation of the board.
20 21 22	8. Expenses; reimbursement. Board members are entitled to compensation for service on the board and reimbursement for travel and board-related expenses in accordance with Title 5, section 12004-I, subsection 47-J.
23	9. Duties. The board shall:
24	A. Develop and maintain a long-term strategic plan for ensuring that psychedelic
25	drugs, including but not limited to psilocybin and
26 27	3,4-methylenedioxymethamphetamine, MDMA, become and remain a safe, accessible
27	and affordable therapeutic option for persons who are 21 years of age or older and for whom psychedelic drugs may be appropriate;
29	B. Review the scientific literature regarding the therapeutic use of psychedelic drugs,
30	including but not limited to psilocybin and 3,4-methylenedioxymethamphetamine,
31	MDMA;
32	C. Study efforts by other states to adopt a legal framework for the therapeutic use of
33	psychedelic drugs, including but not limited to psilocybin and
34	3,4-methylenedioxymethamphetamine, MDMA;
35	D. Monitor and study federal laws, regulations and policies regarding psychedelic
36 37	drugs, including but not limited to psilocybin and 3,4-methylenedioxymethamphetamine, MDMA;
38 39	E. Determine the steps the State would need to take in order to establish and maintain a legal framework for the therapeutic use of psychedelic drugs, including but not
40	limited to psilocybin and 3,4-methylenedioxymethamphetamine, MDMA, in the State;
41	and

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1 2 3 4	F. Advise and make recommendations to the Legislature regarding a legal framework for the therapeutic use of psychedelic drugs, including but not limited to psilocybin and 3,4-methylenedioxymethamphetamine, MDMA. Any recommendations by the board require the approval of 8 of the board's voting members.
5 6 7 8	10. Report. By February 1st of each year, the board shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters that includes information related to its strategic plan pursuant to subsection 9, paragraph A.
9 10 11 12	Sec. 3. Initial terms. Notwithstanding the Maine Revised Statutes, Title 22, section 2357, subsection 3, for the original appointments of 15 members by the Governor to the Maine Psychedelic Advisory Board, 7 members serve initial terms of 2 years and 8 members serve initial terms of 4 years.
13 14 15 16 17 18	Sec. 4. Initial report. By February 1, 2023, the Maine Psychedelic Advisory Board shall submit a report pursuant to the Maine Revised Statutes, Title 22, section 2357, subsection 10 to the joint standing committee of the Legislature having jurisdiction over health and human services matters that includes an update on its progress and any recommendations for legislation. The committee may report out legislation related to the report to the 131st Legislature in 2023.
19 20	Sec. 5. Appropriations and allocations. The following appropriations and
20 21	allocations are made. HEALTH AND HUMAN SERVICES, DEPARTMENT OF
21	Department of Health and Human Services Central Operations 0142
23 24	Initiative: Provides funding for the per diem and other expenses of members of the Maine Psychedelic Advisory Board.
25 26 27	GENERAL FUND 2021-22 2022-23 All Other \$0 \$4,000
28 29	GENERAL FUND TOTAL \$0 \$4,000
30 31	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
32	SUMMARY
33 34 35 36 37 38 39 40 41 42	This amendment replaces the bill and changes the title. It establishes the Maine Psychedelic Advisory Board within the Department of Health and Human Services, and the board is composed of 19 members. It tasks the board with developing and maintaining a long-term strategic plan for ensuring that psychedelic drugs, including but not limited to psilocybin and 3,4-methylenedioxymethamphetamine, MDMA, become and remain a safe, accessible and affordable therapeutic option for persons who are 21 years of age or older and for whom psychedelic drugs may be appropriate; reviewing scientific literature; studying similar efforts in other states; determining steps necessary to establish and maintain a legal framework for the therapeutic use of psychedelic drugs; advising and making recommendations to the Legislature; and monitoring federal laws and policies. It

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- 1 requires the board to submit a report on its strategic plan to the joint standing committee of
- 2 the Legislature having jurisdiction over health and human services matters by February 1,
- 3 2023, and annually thereafter, and allows the committee to report out legislation.
- 4 The amendment also adds an appropriations and allocations section.
 - FISCAL NOTE REQUIRED
 - (See attached)

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