

Date:

(Filing No. S-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 221, L.D. 503, “An Act Regarding the Substance Use Disorder Services Commission”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §20065, sub-§1, as amended by PL 2019, c. 432, §1, is further amended to read:

1. Members; ~~appointment~~. The Substance Use Disorder Services Commission, as established by section 12004-G, subsection 13-C, consists of ~~48~~ 19 members.

Sec. 2. 5 MRSA §20065, sub-§2, as amended by PL 2019, c. 432, §1, is further amended to read:

2. Qualifications. To be qualified to serve, members must have education, training, experience, knowledge, expertise and interest in substance use disorder in the areas of intervention, harm reduction, prevention, treatment and recovery. Members must reflect experiential diversity from across the State and must have demonstrated active participation in issues related to substance use disorder.

Sec. 3. 5 MRSA §20065, sub-§3, ¶C, as amended by PL 2019, c. 432, §1, is further amended to read:

C. One ~~public school administrator~~ representative from the field of education who has experience with school-based substance use disorder intervention, prevention and education programs, appointed by the Governor;

Sec. 4. 5 MRSA §20065, sub-§3, ¶D, as enacted by PL 1993, c. 410, Pt. LL, §12, is repealed.

Sec. 5. 5 MRSA §20065, sub-§3, ¶H, as amended by PL 2019, c. 432, §1, is further amended to read:

H. One substance use disorder intervention practitioner, one substance use disorder harm reduction practitioner, one substance use disorder prevention practitioner, one

1 substance use disorder treatment practitioner and one substance use disorder recovery
2 practitioner, appointed by the Governor;

3 **Sec. 6. 5 MRSA §20065, sub-§3, ¶J**, as amended by PL 2019, c. 432, §1, is further
4 amended to read:

5 J. ~~Three~~ Four members of the public with experience in substance use disorder,
6 appointed by the Governor. In appointing these ~~3~~ 4 members, the Governor shall select
7 members who are actively involved in the areas of:

8 (6) Co-occurring disorder services;

9 (7) Employment; ~~and~~

10 (8) Substance use disorder recovery; and

11 (9) Representation of federally recognized Indian nations, tribes or bands.

12 **Sec. 7. 5 MRSA §20065, sub-§4, ¶A**, as amended by PL 2019, c. 432, §1, is further
13 amended to read:

14 A. The terms of the ~~3~~ 4 public members appointed under subsection 3, paragraph J are
15 for terms of 3 years, except that a member appointed to fill a vacancy in an unexpired
16 term serves only for the remainder of that term. Members hold office until the
17 appointment and confirmation of their successors. A public member may not be
18 appointed for more than 2 consecutive, 3-year terms.

19 **Sec. 8. 5 MRSA §20065, sub-§6**, as enacted by PL 1993, c. 410, Pt. LL, §12, is
20 amended to read:

21 **6. Officers; bylaws.** The Governor shall designate one member to chair the
22 commission. The commission may elect other officers from its members as it considers
23 appropriate. The commission shall adopt bylaws for the operations of the commission.

24 **Sec. 9. 5 MRSA §20065, sub-§7**, as enacted by PL 1993, c. 410, Pt. LL, §12, is
25 amended to read:

26 **7. Subcommittees.** The commission may appoint from its membership
27 subcommittees relating to particular problem areas or other matters, ~~provided that as long~~
28 as the commission functions as an integrated committee as set forth in the bylaws.

29 **Sec. 10. 5 MRSA §20066**, as enacted by PL 1993, c. 410, Pt. LL, §12, is amended
30 to read:

31 **§20066. Meetings; compensation; quorum**

32 **1. Calling meetings.** The commission shall meet at the call of the chair or at the call
33 of at least 1/4 of the members appointed and currently holding office.

34 **2. Frequency of meetings.** The commission shall meet at least ~~12~~ 6 times a year and
35 at least once ~~a~~ every other month.

36 **3. Minutes.** The commission shall keep minutes of all full commission meetings,
37 including a list of people in attendance. The commission shall ~~immediately send post~~
38 copies of the approved minutes to the Governor and the leadership of the Legislature, who
39 shall provide for their appropriate distribution and retention in a place of safekeeping a
40 publicly accessible website.

1 **4. Compensation.** Members of the commission are entitled to compensation under
2 chapter 379.

3 **5. Quorum; council action.** A majority of the commission members constitutes a
4 quorum for the purpose of conducting the business and exercising all the powers of the
5 commission. A vote of a majority of the members present is sufficient for all actions of the
6 commission.

7 **Sec. 11. 5 MRSA §20067, sub-§2,** as amended by PL 2017, c. 407, Pt. A, §44, is
8 further amended to read:

9 **2. Advise, consult and assist.** The commission shall advise, consult and assist the
10 Governor, the executive and legislative branches of State Government and the Chief Justice
11 of the Supreme Judicial Court with activities of State Government related to substance use
12 disorder prevention, intervention, harm reduction, treatment and recovery.

13 **Sec. 12. 5 MRSA §20067, sub-§3,** as amended by PL 2019, c. 432, §2, is further
14 amended to read:

15 **3. Serve as advocate; review and evaluate; inform the public.** The commission
16 shall serve as an advocate and resource for the State on substance use disorder intervention,
17 harm reduction, prevention, treatment and recovery. The commission shall promote and
18 assess activities designed to meet and remediate challenges of substance use disorder in the
19 State. With the support of the department, the commission shall review and evaluate on a
20 continuing basis state and federal policies and programs relating to substance use disorder.
21 In cooperation with the department, the commission shall keep the public informed by
22 collecting and disseminating information, by conducting or commissioning studies and
23 publishing the results of those studies, by issuing publications and reports and by providing
24 public forums, including conferences and workshops. The commission, based on its
25 activities pursuant to this subsection, shall make recommendations relating to substance
26 use disorder to the department ~~and~~ the Governor and the Legislature.

27 **Sec. 13. 5 MRSA §20067, sub-§4,** as amended by PL 2019, c. 432, §2, is further
28 amended to read:

29 **4. Report to the Legislature.** The commission shall report annually to the joint
30 standing committee of the Legislature having jurisdiction over health and human services
31 matters and the joint standing committee of the Legislature having jurisdiction over
32 appropriations and financial affairs on or before the last business day of each year. The
33 report must include developments and needs related to substance use disorder intervention,
34 harm reduction, prevention, treatment and recovery in the State.'

35 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
36 number to read consecutively.

37 SUMMARY

38 This amendment replaces the bill, which is a concept draft. It makes the following
39 changes to the Substance Use Disorder Services Commission:

40 1. It increases the total membership from 18 to 19 members;

41 2. It replaces the member who is a public school administrator who has experience with
42 school-based substance use intervention, prevention and education programs with a

1 member who is a representative from the field of education who has experience with
2 school-based substance use intervention, prevention and education programs;

3 3. It removes the member who is an elementary school educator;

4 4. It adds a member who is a substance use disorder harm reduction practitioner;

5 5. It increases the number of members of the public on the commission from 3 to 4
6 members and includes among the individuals from whom the Governor may select, in
7 making appointments of members of the public, individuals who are actively involved in
8 the representation of federally recognized Indian tribes, nations or bands;

9 6. It adds language requiring the commission to adopt bylaws;

10 7. It reduces the number of required meetings from 12 to 6 per year and requires
11 meetings at least every other month rather than monthly;

12 8. It clarifies that the commission is required to keep minutes of all full commission
13 meetings, and it replaces language requiring that approved minutes must be sent to the
14 Legislature and Governor with language requiring that minutes be posted on a publicly
15 accessible website;

16 9. It adds to the duties of the commission advising, consulting and assisting the
17 Governor, the executive and legislative branches and the Chief Justice of the Supreme
18 Judicial Court in matters related to substance use disorder intervention, harm reduction,
19 treatment and recovery;

20 10. It adds harm reduction to the topics for which the commission serves as an advocate
21 and resource for the State; and

22 11. It provides that the commission is required to make recommendations relating to
23 substance use disorder to the Legislature.

24 **FISCAL NOTE REQUIRED**

25 **(See attached)**