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May 14, 2025

Senator Margaret Rotundo, Chair  
Representative Drew Gattine, Chair  
Committee on Appropriations and Financial Affairs  
100 State House Station  
Augusta, Maine 04333

Re: L.D. 1775, *An Act to Authorize the Issuance of a Revenue Bond to Upgrade County Jails to Meet the Corrections Needs of Maine's Counties*

Greetings, Senator Rotundo, Representative Gattine and esteemed members of the Committee on Appropriations and Financial Affairs, I am writing today in opposition to LD 1775, *An Act to Authorize the Issuance of a Revenue Bond to Upgrade County Jails to Meet the Corrections Needs of Maine's Counties*.

Since 2022, the State of Maine, along with its counties, certain municipalities, and certain school districts, have entered into settlements with a number of opioid manufacturers, distributors, and prescribing pharmacies. These settlements, by holding to account companies which we allege fueled the opioid crisis in Maine and across the nation, provide financial resources over the next several years to be directed in local communities and statewide toward abatement of the opioid crisis.

The use of these financial resources is governed by the court orders securing these settlements, which incorporate into the settlements and the court orders the memoranda of understanding reached between my office, the litigating counties and municipalities, and the litigating school districts. Under the terms of these documents, the Maine Recovery Council ("MRC") was established to direct the disbursement of recovery funds received through the settlements. This arrangement has been codified in statute. 5 M.R.S.A. § 203-B. Because the court's orders direct how these funds are distributed in Maine, opioid settlement funds are not available for direct appropriation, or for commitment to repay bonds, by the Maine Legislature.

The Legislature has been provided with the opportunity to influence the work of the MRC. Not only are the President of the Senate and the Speaker of the House (or their designees) members of the MRC, but the Legislature also has the ability to add up to 4 members. This

power has already been exercised, and 4 additional members were appointed, so that 6 of the 15 members of the MRC are appointed by the Legislature. 5 M.R.S.A. § 203-C. The Legislature is also invited to forward worthy opioid abatement proposals to the MRC for its consideration.

While I take no position on the need to update county jails, I encourage vigorous consideration of all ideas aimed at confronting the ravages of the opioid crisis that have caused so much heartache to our family members, friends, communities, and state. The ideas in this bill, if believed appropriate, may either be forwarded on to the MRC for its consideration or funded with sources that are directly available to the Legislature.

I urge the committee to vote Ought Not to Pass on the commitment of Recovery Funds for the repayment of bonds under this bill.

Sincerely,



Aaron M. Frey  
Attorney General