

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1537

S.P. 599

In Senate, January 4, 2016

**An Act To Combat Drug Addiction through Enforcement,
Prevention, Treatment and Recovery**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Secretary of the Senate on January 4, 2016. Referred to the Committee on Appropriations and Financial Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by President THIBODEAU of Waldo.

Cosponsored by Speaker EVES of North Berwick and

Senators: ALFOND of Cumberland, BURNS of Washington, CUSHING of Penobscot, CYRWAY of Kennebec, GERZOFKY of Cumberland, HASKELL of Cumberland, HILL of York, KATZ of Kennebec, LANGLEY of Hancock, VALENTINO of York, VOLK of Cumberland, WOODSOME of York, Representatives: CHIPMAN of Portland, DION of Portland, EVANGELOS of Friendship, FOWLE of Vassalboro, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, MAKER of Calais, McCABE of Skowhegan, POULIOT of Augusta, ROTUNDO of Lewiston, STEARNS of Guilford, TUELL of East Machias.

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PART B

Sec. B-1. Law enforcement and county jail initiatives regarding treatment, recovery and support services. The Department of the Attorney General shall administer grants to local law enforcement agencies and county jails located in geographically diverse communities throughout the State to fund projects designed solely to facilitate pathways to community-based treatment, recovery and support services. The department shall provide a report by January 15, 2017 to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding the status of the projects, including the cost-effectiveness of the projects, whether the projects resulted in reductions in drug use and recidivism and recommendations for the modification of the projects.

Sec. B-2. Funds may not be transferred. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, funding provided in this Part may not be transferred to any other appropriation or subdivision of an appropriation made by the Legislature.

Sec. B-3. Funds may not lapse. Notwithstanding the Maine Revised Statutes, Title 5, section 1589 or any other provision of law, any unencumbered balance of appropriations contained in this Part remaining at the end of each fiscal year may not lapse but must be carried forward to be used for the same purposes.

Sec. B-4. Appropriations and allocations. The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF
Administration - Attorney General 0310**

Initiative: Provides funds for grants to local law enforcement entities and county jails for the establishment of projects designed to facilitate pathways to treatment, recovery and support services through law enforcement initiatives.

GENERAL FUND	2015-16	2016-17
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$50,000</u>

PART C

Sec. C-1. Detoxification center. The Department of Health and Human Services shall provide grants to a substance abuse treatment entity to develop and operate a 10-bed detoxification center that provides a social detoxification program in an organized residential nonmedical setting delivered by appropriately trained staff that provide safe 24-hour monitoring, observation and support in a supervised environment for a client to achieve initial recovery from the effects of alcohol or another drug.

- 1 1. The substance abuse treatment entity must:
- 2 A. Be located in the greater Bangor area;
- 3 B. Specialize in treating substance abuse and mental health disorders; and
- 4 C. Have an established history of providing substance abuse treatment and running
- 5 residential programs in the region.
- 6 2. At least 40% of the occupancy in the detoxification center established under this
- 7 section must be made available to individuals who do not have MaineCare coverage or
- 8 health insurance coverage for detoxification treatment.
- 9 3. No later than June 30, 2016 the department shall begin distributing the funds
- 10 appropriated in section 5.

11 **Sec. C-2. Report.** The Commissioner of Health and Human Services shall appear
 12 periodically before the Joint Standing Committee on Appropriations and Financial Affairs
 13 to report on the implementation of this Part.

14 **Sec. C-3. Funds may not be transferred.** Notwithstanding the Maine Revised
 15 Statutes, Title 5, section 1585 or any other provision of law, funding provided in this Part
 16 may not be transferred to any other appropriation or subdivision of an appropriation made
 17 by the Legislature.

18 **Sec. C-4. Funds may not lapse.** Notwithstanding the Maine Revised Statutes,
 19 Title 5, section 1589 or any other provision of law, any unencumbered balance of
 20 appropriations contained in this Part remaining at the end of each fiscal year may not
 21 lapse but must be carried forward to be used for the same purposes.

22 **Sec. C-5. Appropriations and allocations.** The following appropriations and
 23 allocations are made.

24 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

25 **Office of Substance Abuse and Mental Health Services 0679**

26 Initiative: Provides one-time funding for the development of a detoxification center in
 27 the greater Bangor area in accordance with this Part.

28	GENERAL FUND	2015-16	2016-17
29	All Other	\$200,000	\$0
30			
31	GENERAL FUND TOTAL	\$200,000	\$0

32 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

33 **Office of Substance Abuse and Mental Health Services 0679**

34 Initiative: Provides ongoing funding for the operation of a detoxification center in the
 35 greater Bangor area in accordance with this Part.

1	GENERAL FUND	2015-16	2016-17
2	All Other	\$0	\$700,000
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$700,000</u>

5 **PART D**

6 **Sec. D-1. Peer support recovery centers; education and coordination of**
7 **services.** The Department of Health and Human Services shall provide grant funds in
8 the amount of \$700,000 to the Maine Association of Substance Abuse Programs to:

9 1. Establish in underserved areas of the State and expand peer support recovery
10 centers designed to assist individuals with substance abuse issues to avoid relapse;

11 2. Coordinate the efforts of law enforcement, treatment and recovery programs; and

12 3. Facilitate the delivery of effective prevention and education programming in
13 schools and communities.

14 **Sec. D-2. Report.** The Commissioner of Health and Human Services shall appear
15 periodically before the Joint Standing Committee on Appropriations and Financial Affairs
16 to report on the implementation of this Part.

17 **Sec. D-3. Funds may not be transferred.** Notwithstanding the Maine Revised
18 Statutes, Title 5, section 1585 or any other provision of law, funding provided in this Part
19 may not be transferred to any other appropriation or subdivision of an appropriation made
20 by the Legislature.

21 **Sec. D-4. Funds may not lapse.** Notwithstanding the Maine Revised Statutes,
22 Title 5, section 1589 or any other provision of law, any unencumbered balance of
23 appropriations contained in this Part remaining at the end of each fiscal year may not
24 lapse but must be carried forward to be used for the same purposes.

25 **Sec. D-5. Appropriations and allocations.** The following appropriations and
26 allocations are made.

27 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

28 **Office of Substance Abuse and Mental Health Services 0679**

29 Initiative: Provides ongoing funding for annual grants to the Maine Association of
30 Substance Abuse Programs for the establishment and expansion of peer support recovery
31 centers and the coordination and provision of substance abuse prevention and education
32 in schools and communities.

1	GENERAL FUND	2015-16	2016-17
2	All Other	\$200,000	\$500,000
3			
4	GENERAL FUND TOTAL	<u>\$200,000</u>	<u>\$500,000</u>

5 **PART E**

6 **Sec. E-1. Funds may not be transferred.** Notwithstanding the Maine Revised
7 Statutes, Title 5, section 1585 or any other provision of law, funding provided in this Part
8 may not be transferred to any other appropriation or subdivision of an appropriation made
9 by the Legislature.

10 **Sec. E-2. Funds may not lapse.** Notwithstanding the Maine Revised Statutes,
11 Title 5, section 1589 or any other provision of law, any unencumbered balance of
12 appropriations contained in this Part remaining at the end of each fiscal year may not
13 lapse but must be carried forward to be used for the same purposes.

14 **Sec. E-3. Appropriations and allocations.** The following appropriations and
15 allocations are made.

16 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

17 **Office of Substance Abuse and Mental Health Services 0679**

18 Initiative: Provides funding to increase substance abuse residential treatment for the
19 uninsured.

20	GENERAL FUND	2015-16	2016-17
21	All Other	\$200,000	\$400,000
22			
23	GENERAL FUND TOTAL	<u>\$200,000</u>	<u>\$400,000</u>

24 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

25 **Office of Substance Abuse and Mental Health Services 0679**

26 Initiative: Provides funding to increase substance abuse outpatient services for the
27 uninsured.

28	GENERAL FUND	2015-16	2016-17
29	All Other	\$75,000	\$125,000
30			
31	GENERAL FUND TOTAL	<u>\$75,000</u>	<u>\$125,000</u>

32 **PART F**

33 **Sec. F-1. Transfer of funds.** Notwithstanding any other provision of law, the
34 State Controller shall transfer to the unappropriated surplus of the General Fund \$725,000

1 no later than June 30, 2016 and \$1,775,000 no later than June 30, 2017 from the funds
2 received pursuant to the court order in State of Maine v. McGraw-Hill Companies, Inc.
3 and Standard & Poor's Financial Services, LLC, Kennebec County Superior Court Docket
4 No. BCD-CV-14-49.

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

7 **SUMMARY**

8 The purpose of this bill is to address drug addiction by increasing the number of drug
9 enforcement agents and by increasing the availability of prevention, treatment and
10 recovery programs.

11 1. Part A provides ongoing funding for 10 investigative agents in the Department of
12 Public Safety, Maine Drug Enforcement Agency.

13 2. Part B directs the Department of the Attorney General to administer grants to local
14 law enforcement agencies and county jails located in geographically diverse communities
15 throughout the State to fund projects designed solely to facilitate pathways to community-
16 based treatment, recovery and support services.

17 3. Part C directs the Department of Health and Human Services to provide grants to a
18 substance abuse treatment entity to develop and operate a 10-bed social detoxification
19 center located in the greater Bangor area.

20 4. Part D provides ongoing funding for annual grants to the Maine Association of
21 Substance Abuse Programs for the establishment and expansion of peer support recovery
22 centers and the coordination and provision of substance abuse prevention and education
23 in schools and communities.

24 5. Part E provides funding to increase substance abuse residential treatment and
25 substance abuse outpatient services for the uninsured.

26 6. Part F transfers \$725,000 in fiscal year 2015-16 and \$1,775,000 in fiscal year
27 2016-17 from the funds received pursuant to the court order in State of Maine v.
28 McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC, Kennebec
29 County Superior Court Docket No. BCD-CV-14-49, to the unappropriated surplus of the
30 General Fund.