

MAINE STATE LEGISLATURE

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Date 5/25/23

L D 109
(Filing No H-230)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 77, L D 109, "An Act to Improve Safety for Individuals Living in Recovery Residences"

Amend the bill by striking out the title and substituting the following
'Resolve, to Establish the Commission to Study Measures to Improve Safety for Residents of Recovery Residences'

Amend the bill by striking out everything after the title and inserting the following
'Sec. 1. Commission established. Resolved: That the Commission to Study Measures to Improve Safety for Residents of Recovery Residences, referred to in this resolve as "the commission," is established

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members as follows

1 Two members of the Senate, appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature,

2 Two members of the House of Representatives, appointed by the Speaker of the House of Representatives, including a member from each of the 2 parties holding the largest number of seats in the Legislature,

3 The Commissioner of Health and Human Services or the commissioner's designee,

4 The State Fire Marshal or the marshal's designee,

5 The following 4 members, appointed by the President of the Senate

- A Two members representing the interests of the recovery community,
- B A member with expertise and experience in municipal code enforcement, and
- C A member representing a statewide association of recovery residences, and

6 The following 3 members, appointed by the Speaker of the House of Representatives

COMMITTEE AMENDMENT

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- 1 A A member representing the interests of the recovery community,
- 2 B A member with expertise and experience in building construction, including in the
- 3 construction of buildings used as recovery residences, and
- 4 C A member who is a resident of a recovery residence

5 **Sec. 3. Chairs; quorum. Resolved:** That the first-named Senate member is the
6 Senate chair of the commission and the first-named House of Representatives member is
7 the House chair of the commission A quorum of the commission is 7 members and is
8 required to begin a meeting of the commission or to hold a vote

9 **Sec. 4. Appointments; convening of commission. Resolved:** That all
10 appointments must be made no later than 30 days following the effective date of this
11 resolve The appointing authorities shall notify the Executive Director of the Legislative
12 Council once all appointments have been completed After appointment of all members,
13 the chairs shall call and convene the first meeting of the commission If 30 days or more
14 after the effective date of this resolve a majority of but not all appointments have been
15 made, the chairs may request authority and the Legislative Council may grant authority for
16 the commission to meet and conduct its business

17 **Sec. 5. Duties. Resolved:** That the commission shall review information on and
18 develop recommendations regarding measures designed to improve safety for residents of
19 recovery residences, including, but not limited to, the following matters

20 1 Clarification of the regulatory framework with respect to life safety code and other
21 resident safety requirements under which recovery residences are required to comply,
22 including the requirements that may apply based on the type of building in which a recovery
23 residence is located, and development of recommendations regarding the life safety
24 standards and any other safety-related requirements that should apply to recovery
25 residences with consideration given to the type of building in which a recovery residence
26 is located,

27 2 Review of and development of recommendations regarding the scope and
28 requirements of the standards and certification requirements for recovery residences
29 provided by the National Alliance for Recovery Residences and the Maine Association of
30 Recovery Residences, and

31 3 Review of and development of recommendations regarding the evictions process
32 applicable to recovery residences with consideration given to measures designed to protect
33 residents of such residences during an eviction

34 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
35 necessary staffing services to the commission, except that Legislative Council staff support
36 is not authorized when the Legislature is in regular or special session

37 **Sec. 7. Report. Resolved:** That, no later than December 6, 2023, the commission
38 shall submit a report that includes its findings and recommendations, including suggested
39 legislation, to the Joint Standing Committee on Criminal Justice and Public Safety After
40 reviewing the report, the committee may report out legislation related to the report '

41 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
42 number to read consecutively

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SUMMARY

This amendment changes the bill to a resolve. It establishes the Commission to Study Measures to Improve Safety for Residents of Recovery Residences, which is directed to review information on and develop recommendations regarding measures designed to improve safety for residents of recovery residences. No later than December 6, 2023, the commission is required to submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety. After reviewing the report, the committee may report out legislation related to the report.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 109

LR 348(02)

An Act to Improve Safety for Individuals Living in Recovery Residences

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-230)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2023-24. The Legislature's proposed budget for the 2024-2025 biennium includes \$14,500 in each of fiscal years 2023-24 and 2024-25 for the costs of legislative studies, as well as \$2,234 in projected balances from fiscal year 2022-23 and \$36,777 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Any additional costs to the Departments of Health and Human Services and Public Safety to be members of the Commission to Study Measures to Improve Safety for Individuals Living in Recovery Residences are expected to be minor and can be absorbed within existing budgeted resources.