

MAINE STATE LEGISLATURE

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Date 5/31/23

L D 291
(Filing No H-258)

HEALTH AND HUMAN SERVICES

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

COMMITTEE AMENDMENT "A" to H P 189, L D 291, "An Act to Support Young People Affected by Substance Use Disorder"

Amend the bill by striking out the title and substituting the following

'Resolve, to Establish the Commission to Study the Feasibility of Establishing a Recovery High School in the State'

Amend the bill by striking out everything after the title and inserting the following

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies, and

Whereas, students in recovery from substance use disorder need support services in addition to a standard educational curriculum leading to graduation, and

Whereas, high schools are not equipped to effectively support students in recovery from substance use disorder, and

Whereas, this resolve establishes the Commission to Study the Feasibility of Establishing a Recovery High School in the State, and

Whereas, the work of the commission needs to be initiated before the 90-day period expires in order for the study to be completed and a report submitted in time for consideration in the next legislative session, and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission to Study the Feasibility of Establishing a Recovery High School in the State, referred to in this resolve as "the commission," is established

COMMITTEE AMENDMENT

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

3 1 Six members appointed by the President of the Senate as follows

4 A Two members of the Senate, including a member from each of the 2 parties holding
5 the largest number of seats in the Legislature,

6 B One member who has expertise in recovery high schools or other residential
7 programs that provide educational services to youth in recovery from substance use
8 disorder,

9 C One member who is a high school teacher in the State or a school administrator in
10 the State,

11 D One member who represents a statewide organization that advocates for individuals
12 in substance use disorder recovery and the families of those individuals, and

13 E One member who is a parent or guardian of a youth in recovery from substance use
14 disorder,

15 2 Five members appointed by the Speaker of the House of Representatives as follows

16 A Two members of the House of Representatives, including a member from each of
17 the 2 parties holding the largest number of seats in the Legislature;

18 B One member representing an organization that provides services for youth with
19 substance use disorder,

20 C One member who is a licensed social worker who works with youth with substance
21 use disorder or co-occurring disorders, and

22 D One member who is a person who has not attained 21 years of age who is in recovery
23 from substance use disorder,

24 3 The Commissioner of Health and Human Services or the commissioner's designee,
25 and

26 4 The Commissioner of Education or the commissioner's designee

27 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
28 and the first-named House of Representatives member is the House chair of the
29 commission

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

38 **Sec. 5. Duties. Resolved:** That the commission shall examine and make
39 recommendations on the feasibility of establishing a recovery high school in this State. The
40 duties include but are not limited to the following

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1 Reviewing the need for establishing a recovery high school or another educational model that is designed specifically for students in recovery from substance use disorder or co-occurring disorders. Factors include the need for such a facility in the State, an understanding of both services and staffing required for such a facility, the optimal location for such a facility, the type of entity best equipped to operate and manage such a facility and any other factors relevant to establishing such a facility,

2. Identifying and considering mechanisms that could be used to address any obstacles or challenges in establishing a facility identified in subsection 1, including, but not limited to, state funding, state licensure, workforce needs and facility construction or adaptation; and

3. Conducting a review of states that have recovery high schools or other educational models designed specifically for students in recovery from substance use disorder

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

Sec. 7. Report. Resolved: That, no later than December 6, 2023, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Education and Cultural Affairs. The joint standing committees are authorized to report out legislation to the Second Regular Session of the 131st Legislature

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

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

SUMMARY

This amendment replaces the bill, which is a concept draft, with a resolve that establishes the Commission to Study the Feasibility of Establishing a Recovery High School in the State. The commission is tasked with reviewing the need for establishing a recovery high school or other educational model in this State that is designed specifically for students in recovery from substance use disorder or co-occurring disorders. The commission must submit a report, with recommendations, to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Education and Cultural Affairs by December 6, 2023

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 291

LR 908(02)

An Act to Support Young People Affected by Substance Use Disorder

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-258)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,148 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 balance 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 Department of Health and Human Services and the Department of Education to be members of the commission are expected to be minor and can be absorbed within existing budgeted resources.