**An Act to Improve Safety for Individuals Living in Recovery Residences**

L.D. 109

Date: (Filing No. H- )

**Criminal Justice and Public Safety**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE**

**HOUSE OF REPRESENTATIVES**

**131st Legislature**

**First Special Session**

COMMITTEE AMENDMENT “      ” 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:

A. A member representing the interests of the recovery community;

B. A member with expertise and experience in building construction, including in the construction of buildings used as recovery residences; and

C. A member who is a resident of a recovery residence.

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

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

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

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

2. Review of and development of recommendations regarding the scope and requirements of the standards and certification requirements for recovery residences provided by the National Alliance for Recovery Residences and the Maine Association of Recovery Residences; and

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

**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 Criminal Justice and Public Safety. After reviewing the report, the committee may report out legislation related to the report.'

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

**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)**