



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1030

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H.P. 760

House of Representatives, February 28, 2019

**An Act To Amend the Laws Governing the Substance Use Disorder  
Services Commission**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative PERRY of Calais.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §20065**, as amended by PL 2017, c. 407, Pt. A, §§41 to 43, is  
3 further amended to read:

4 **§20065. Membership**

5 **1. Members; appointment.** The Substance Use Disorder Services Commission, as  
6 established by section 12004-G, subsection 13-C, consists of ~~24~~ 18 members.

7 **2. Qualifications.** To be qualified to serve, members must have education, training,  
8 experience, knowledge, expertise and interest in substance use disorder in the areas of  
9 intervention, prevention, treatment and training recovery. Members must reflect  
10 experiential diversity ~~and concern for substance use disorder prevention and treatment in~~  
11 ~~the State. Members must have an unselfish and dedicated personal interest demonstrated~~  
12 ~~by active participation in substance use disorder programs such as prevention, treatment,~~  
13 ~~rehabilitation, training or research in substance use disorder~~ from across the State and  
14 must have demonstrated active participation in issues related to substance use disorder.

15 **3. Members; representation.** The commission consists of the following members:

16 A. ~~One member~~ Two members of the Senate, appointed by the President of the  
17 Senate, and ~~5~~ 2 members of the Legislature ~~who may be members of either the Senate~~  
18 ~~or the House of Representatives, appointed by the President of the Senate if Senators~~  
19 ~~or the Speaker of the House if members of the House of Representatives and 2 of~~  
20 ~~these 5 at large members of the Legislature.~~ Of the 2 members of the House of  
21 Representatives, one must be ~~members~~ a member of the joint standing committee of  
22 the Legislature having jurisdiction over health and human services matters and one  
23 must be a member of the joint standing committee of the Legislature having  
24 jurisdiction over criminal justice and public safety matters;

25 B. One physician or health care provider experienced in the treatment of substance  
26 use disorder, appointed by the Governor;

27 C. One public school ~~superintendent~~ administrator who has experience with school-  
28 based substance use disorder intervention, prevention and education programs,  
29 appointed by the Governor;

30 D. One elementary school educator, appointed by the Governor;

31 E. One representative from nominations by a statewide ~~alliance for addiction~~  
32 community-based recovery coalition, appointed by the Governor;

33 F. One ~~attorney~~ representative from the criminal justice system who represents  
34 ~~clients~~ or is involved with the substance use disorder criminal justice system,  
35 appointed by the Governor;

36 G. One educator involved in postsecondary substance use disorder intervention,  
37 prevention, treatment and recovery education, appointed by the Governor;

38 H. One substance use disorder intervention practitioner, one substance use disorder  
39 prevention practitioner, one substance use disorder ~~education~~ treatment practitioner

1 and one substance use disorder ~~treatment~~ recovery practitioner, appointed by the  
2 Governor;

3 I. One private sector employer familiar with ~~substance use disorder~~ employee  
4 assistance programs, appointed by the Governor; and

5 J. ~~Five~~ Three members of the public, appointed by the Governor. In appointing these  
6 ~~5~~ 3 members, the Governor shall select members ~~from outstanding people in the~~  
7 ~~following areas who are actively involved in the areas of:~~

8 (1) ~~Substance use disorder prevention;~~

9 (2) ~~Substance use disorder treatment;~~

10 (3) ~~Education;~~

11 (4) ~~Employers; and~~

12 (5) ~~Persons in recovery from substance use disorder for a minimum of 3 years.~~

13 (6) Co-occurring disorder services;

14 (7) Employment; and

15 (8) Substance use disorder recovery.

16 **4. Term; vacancies.** Terms of appointment begin and expire on June 1st. A  
17 vacancy in the commission does not affect the commission's powers, but must be filled in  
18 ~~the same manner as the original appointment~~ accordance with this subsection.

19 A member appointed to fill a vacancy occurring before the expiration of the term for  
20 which the member's predecessor was appointed may be appointed only for the remainder  
21 of that term.

22 A. The terms of the ~~5~~ 3 public members appointed under subsection 3, paragraph J  
23 are ~~staggered. Of the initial appointees under that paragraph, 2 are appointed for~~  
24 ~~terms of 3 years, 2 for terms of 2 years and one for a term of one year. Thereafter, all~~  
25 ~~appointments are~~ for terms of 3 years, except that a member appointed to fill a  
26 vacancy in an unexpired term serves only for the remainder of that term. Members  
27 hold office until the appointment and confirmation of their successors. A public  
28 member may not be appointed for more than 2 consecutive, 3-year terms.

29 B. Members who are members of the Legislature and appointed by the President of  
30 the Senate or the Speaker of the House of Representatives serve at the pleasure of the  
31 appointing authority.

32 **5. Reappointment; termination.** Members may be appointed for 2 consecutive  
33 terms only and may serve after the expiration of their terms until their successors have  
34 been appointed and qualified and have taken office. The appointing authority may  
35 terminate the appointment of a member for good and just cause and the appointing  
36 authority shall communicate the reason for the termination to the member terminated.  
37 The appointment of a member of the commission is terminated if a member is absent  
38 from 3 consecutive meetings without a good and just cause that is communicated to the  
39 chair of the commission.

