

April 3, 2025

Amendment Offered by Rep. Roeder to L.D. 1235 “An Act to Establish Transparency in Opioid Settlement Funds Allocated to Municipalities or Counties”

Amend the bill as follows:

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

Sec. 1. 5 MRSA §203-D is enacted to read:

§203-D. Reporting on funds received by direct share subdivisions pursuant to court settlements of opioid crisis litigation; accrued interest

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Maine Recovery Fund" means the fund described by the Memoranda of Understanding.

B. "Memoranda of Understanding" means the 2 agreements entitled "Maine State-Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds," dated and signed on January 26, 2022, and "Maine State-Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds-2023," dated and signed on May 2, 2023, including subsequent amendments and Schedule A, Core Strategies and Schedule B, Approved Uses.

2. Reports. A direct share subdivision that receives funds pursuant to the court settlements of the opioid crisis litigation, as set forth in the Memoranda of Understanding, shall submit a report to the Attorney General by January 15, 2026, and annually thereafter, detailing the amount of such funds received and expended in the prior calendar year, including a description of each such expenditure.

3. Accrued interest. A direct share subdivision that receives funds pursuant to the court settlements of the opioid crisis litigation, as set forth in the Memoranda of Understanding and that maintains these funds in an interest-bearing account, shall by December 31, 2025, and annually thereafter, transfer an amount equal to the total interest earned in the calendar year to the state, which shall place these funds into the Maine Recovery Fund for use in accordance with the terms of the Memoranda of Understanding.

As used in this section, "Memoranda of Understanding" has the same meaning as in section 203-C, subsection 1, paragraph C and "direct share subdivision" means a municipality or county that is a plaintiff subdivision identified in Exhibit 3 of the Memoranda of Understanding.

SUMMARY

This amendment adds a definition subsection. It adds language requiring a direct share subdivision that receives funds pursuant to the court settlements of the opioid crisis litigation, as

set forth in the Memoranda of Understanding and that maintains these funds in an interest-bearing account, to, by December 31, 2025, and annually thereafter, transfer an amount equal to the total interest earned in the calendar year to the state, which shall place these funds into the Maine Recovery Fund for use in accordance with the terms of the Memoranda of Understanding.