

MAINE STATE LEGISLATURE

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**JOINT STANDING COMMITTEE ON
CRIMINAL JUSTICE AND PUBLIC SAFETY**

LD 1859 An Act to Establish the Maine Emergency Medical Services Community Grant Program

ENACTED LAW SUMMARY

Public Law 2021, chapter 700 establishes the Maine Emergency Medical Services Community Grant Program as a pilot program to provide grants to communities for the review and consideration of the provision of effective and efficient emergency medical services. The grant program is administered by the Emergency Medical Services' Board which is authorized to adopt rules establishing the application and selection process and the requirements for reporting to the board. It appropriates \$200,000 in fiscal year 2022-23 in one-time, non-lapsing funding from the General Fund for the purposes of the Maine Emergency Medical Services Community Grant Program.

LD 1861 An Act to Establish the Safe Homes Program

ENACTED LAW SUMMARY

Public Law 2021, chapter 575 designates the month of September as Safe Homes Awareness Month and requires the Governor to annually issue a proclamation to raise awareness of the importance of safety in the home and of the existence of and assistance that is available from the Safe Homes Program. It establishes the Safe Homes Program to support the safe storage of prescription drugs, firearms and dangerous weapons in homes or public places by providing grants for purchasing safety devices. It authorizes providing grants to designated groups and nonprofit and community organizations serving designated groups. It establishes the Safe Homes Program Fund, a non-lapsing fund to receive funds from private and public sources. It allows the Department of Public Safety to use a small portion of the funding to administer the grant program. It provides an allocation of \$500 in fiscal year 2022-23 in Federal Expenditures Funds and \$500 in fiscal year 2022-23 in Other Special Revenue Funds.

LD 1862 An Act to Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance

ENACTED LAW SUMMARY

Public Law 2021, chapter 724 repeals and reenacts the law that protects from certain criminal legal consequences certain persons when a person calls for a medical professional or law enforcement officer for assistance when a person is suspected of having experienced a drug-related overdose.

Prior law protected the person who in good faith seeks medical assistance for or administers naloxone hydrochloride to a person experiencing a drug-related overdose as well as the person who is experiencing a drug-related overdose and is in need of medical assistance. Prior law provided protection from arrest or prosecution for unlawful possession of scheduled drugs, acquiring drugs by deception, illegal possession of hypodermic apparatuses, use of drug

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paraphernalia, or a violation of probation if the grounds for arrest or prosecution were obtained as a result of the person's needing seeking medical assistance, administering naloxone hydrochloride or experiencing a drug-related overdose.

Public Law 2021, chapter 724 does the following.

1. It provides immunity from arrest or prosecution and from revocation or termination proceedings, with some listed exceptions, for a "protected person" for crimes except certain listed "excluded crimes" from the time the medical professional or law enforcement officer arrives at the location to the time that person leaves the location. It defines "protected person" as a person who in good faith calls for assistance for another person experiencing a suspected drug-related overdose and any person rendering aid at the location. (Note: Public Law 2021, chapter 759, section C-1 further amends the definition of "protected person" to add "any person who is experiencing a suspected drug-related overdose.") It defines "rendering aid" to include looking after the person needing assistance and giving first aid or administering or assisting in the administration of naloxone hydrochloride. The list of excluded crimes includes offenses against a person; sexual assaults; sexual exploitation of a minor; kidnapping, criminal restraint and criminal forced labor; robbery; arson; aggravated sex trafficking; sex trafficking; aggravated attempted murder; abandonment of a child; endangering the welfare of a child under Title 17-A, section 554, subsection 1, paragraph A; unlawful transfer of a firearm other than a handgun to a minor; unlawful transfer of a handgun to a minor; endangering the welfare of a dependent person under Title 17-A, section 555, subsection, paragraph A or B; incest; patronizing prostitution of a minor or a person with mental disability; violation of a protection from harassment order, a protective order in crimes between family members or a protection from abuse order; a crime committed against a person who was less than 18 years of age; criminal conspiracy to commit a listed crime; criminal attempt to commit a listed crime; and criminal solicitation to commit a listed crime.
2. It provides a process by which a criminal defendant may move the court prior to trial to determine whether the defendant is immune from prosecution or revocation or termination proceedings under the law. Once the defendant has filed a motion and has presented evidence to establish immunity, the prosecution has the burden of proving that the grounds for immunity do not apply. The law allows the court to hear testimony and requires the court to make factual and legal findings as necessary to determine immunity.

LD 1886 An Act to Repeal the Law Regarding the County Jail Reimbursement Fee

ENACTED LAW SUMMARY

Public Law 2021, chapter 591 repeals the county jail reimbursement fee and repeals two corresponding cross-references to the fee in other sections of Title 17-A. The county jail reimbursement fee is a fee that a court may impose on a person who is sentenced to incarceration in a county jail that may not exceed the lower of the actual cost of incarceration or \$80 per day. The purpose of the fee is to help defray the expenses of the person's room and board in the county jail.