

130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1909

H.P. 1415

House of Representatives, January 5, 2022

An Act To Remove Restrictions on Syringe Service Programs

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative McDONALD of Stonington. Cosponsored by Senator MOORE of Washington and Representatives: MEYER of Eliot, PERRY of Calais, STOVER of Boothbay, TUELL of East Machias, ZAGER of Portland.

| 1 2 | Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and |
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| 3 | Whereas, the number of deaths due to drug overdose continues to rise; and |
| 4 5 | Whereas, access to clean syringes reduces instances of life-threatening infections; and |
| 6 | Whereas, hospital resources are strained due to the COVID-19 pandemic; and |
| 7 | Whereas, this legislation is necessary to save lives and protect public health; and |
| 8 9 10 11 | 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, |
| 12 | Be it enacted by the People of the State of Maine as follows: |
| 13 | Sec. 1. 22 MRSA §1341, sub-§1-A is enacted to read: |
| 14 15 16 17 | 1-A. Hypodermic apparatus distribution. A hypodermic apparatus exchange program may not limit the number of hypodermic apparatuses given to participants of the program at any time or require the return of a used hypodermic apparatus as a condition for receiving a hypodermic apparatus. |
| 18 | Sec. 2. 22 MRSA §1341, sub-§2, ¶A-1 is enacted to read: |
| 19 20 | A-1. Procedures for hypodermic apparatus distribution that are consistent with subsection 1-A; |
| 21 22 | Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved. |
| 23 | SUMMARY |
| 24 25 26 | This bill prohibits a hypodermic apparatus exchange program from limiting distribution of hypodermic apparatuses to program participants or requiring the exchange of used hypodermic apparatuses. |