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## **Testimony of the Maine Municipal Association (MMA)**

### **In Opposition to**

*LD 1078, An Act to Support Maine's Public Health Objectives by  
Increasing Access to Hypodermic Apparatus Exchange Programs*

March 24, 2025

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Senator Ingwersen, Representative Meyer and distinguished members of the Joint Standing Committee on Health and Human Services, my name is Amanda Campbell, and I am submitting testimony in opposition to LD 1078 on behalf of the Maine Municipal Association's 70-member Legislative Policy Committee (LPC).

Municipal officials appreciate the important role that hypodermic apparatus exchange programs play in the process of healing and recovery. However, the continued total lack of municipal input into the approval and certification process of such facilities resulted in a unanimous vote by the LPC in opposition to LD 1078.

As drafted, LD 1078 would place into statute language included in two pandemic-era executive orders allowing needle exchange programs to operate in locations other than the location authorized by the facility's certification. The initial executive order limited this expansion to additional locations within the same municipality while the subsequent order expanded the allowance further to include any location within the same county as the originally certified facility.

Local officials certainly appreciate that during the pandemic and resulting stay-safe-at-home orders, special arrangements were in order across the board to ensure safety and continued quality care of all kinds.

However, at no point in the process of certification, from the time 22 MRSA §1341 was enacted, has the hosting municipality been given the opportunity to participate in the process. Rule Chapter 252, outlining the procedures for syringe services programs, requires no municipal input in the application process. A vague mention of "appropriate law enforcement agencies" is mentioned regarding notification from the Director of the Center for Disease Control when a certification decision has been made, but there is no further explanation of "appropriate" leaving it unclear if a local police department is included. In addition,

the rules outlining the application process don't include questions concerning a facility's proposed location as it relates to schools or public parks and facilities. If municipal officials were afforded the opportunity to coordinate with the department or, at the very least, be given the opportunity to comment on a proposed application, state officials could be made aware of any location specific concerns local officials may have.

It is this lack of communication and respect for the municipal officials who know their communities best that led to the LPC's unanimous vote in opposition. This lack of consideration creates a missed opportunity to bolster the state-municipal partnership, cooperation that, in this case, could only strengthen the positive outcomes of these incredibly important and necessary social services.

Thank you for your consideration of the municipal perspective on this important topic. Please feel free to contact any member of the LPC or the MMA Advocacy team with any questions relating to municipal operations.