

Testimony of the Maine Municipal Association

In Support of

LD 904, An Act to Exempt from Fees Certain Services Performed by the Health and Environmental Testing Laboratory for Criminal Investigations

March 24, 2025

Sen. Ingwersen, Rep. Meyer and distinguished members of the Health and Human Services Committee, my name is Rebecca Graham, and I am submitting testimony in support for LD 904, *An Act to Exempt from Fees Certain Services Performed by the Health and Environmental Testing Laboratory for Criminal Investigations*, at the direction of MMA's Legislative Policy Committee (LPC). Our LPC is made up of individuals from across Maine with municipal officials elected by their peers across Maine's 35 Senate districts representing communities with very different access to available enforcement resources and local capacity.

Laboratory testing to determine the presence of impairing levels of alcohol or other illegal substances is not only crucial to hold individuals accountable for criminal behavior associated with the need for the testing but also to protect the rights of individuals involved in the cases. Under the current law enacted in 2021, in limited circumstances where there is a nexus to profit motivated crime, restitution for the costs of some laboratory testing in criminal cases can be recovered through restitution. That is not the case for testing for most other criminal investigations where the flat fee of \$155 per test is borne exclusively by the investigating agency. This has increased the costs for agencies making it more expensive to investigate criminal behavior that significantly harms the lives of others and not related to trafficking of drugs for profit. This includes crimes such as rape, murder, fatal accidents from impaired drivers, abuse and endangerment of children, domestic violence and other violent crime that may require testing of both the suspect and victims depending on the circumstances.

These victims deserve and need the support of state resources to address the basic costs to run a state laboratory and not rely on revenue generated from the cost of investigations paid by the investigating agency.

Municipal resources are already stretched thin and municipal and county police budgets, supported only through property tax, cannot adequately anticipate the realized costs of future investigations for crimes not yet reported or committed. The annual costs for such testing is adding an estimated \$10,000 dollars to police budgets, but can easily exceed that budget line based on investigative needs. Criminal investigations should never be subjected to locally available or budgeted funds, and all-in revenue generation sources should be used to protect victims and state interest in criminal investigations.

For these reasons, municipal officials respectfully ask you to consider adequately resourcing the Health and Environmental Testing Laboratory for this purpose and shift the burden for laboratory testing for criminal investigations to broader based revenue sources and away from the property tax.