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Testimony of Representative Laurie Osher presenting

LD 2130, An Act to Prohibit Unauthorized Paramilitary Training

Before the Joint Standing Committee on Criminal Justice and Public Safety

Senator Beebe-Center, Representative Salisbury and esteemed members of the Criminal Justice and Public Safety Committee, I am Laurie Osher and I represent District 25, the majority of Orono. Thank you for the opportunity to present **LD 2130, An Act to Prohibit Unauthorized Paramilitary Training**.

We are all aware of the events last summer regarding the attempt to create a paramilitary training facility in Springfield, Maine. While that facility did not ultimately take shape in large part as a result of significant public pressure, those events highlighted the need to clarify language in current law and provide better remedies to ensure such activity can be prevented and stopped if necessary. This legislation seeks to do exactly that.

LD 2130 will explicitly prohibit persons from taking part in paramilitary training or other similar activities. The bill also authorizes the Attorney General to bring a civil action against individuals to ensure they do not carry out such activity through the use of a temporary or permanent injunction.

While the Maine Constitution explicitly states “No standing army shall be kept up in time of peace without the consent of the Legislature, and the military shall, in all cases, and at all times, be in strict subordination to the civil power,” the ability to enforce that prohibition relies on statute. As others will point out, our current statutes regarding military parading in public and nuisance laws simply don’t properly address paramilitary activity.

This bill will remove any ambiguity over this topic clearly stating that such training is prohibited in Maine law and providing the state with the ability to address and stop such activity.

I have worked with many parties on this legislation in recent weeks and have been made aware of two objections from the ACLU of Maine regarding the bill. Regarding the creation of a new class C crime, my main goal is to ensure this activity can be stopped in the state. The new civil actions allowed in the bill seem like they will be able to achieve that end without a new crime established so I would be in support of such an amendment to the bill. Additionally, I would support amending the “knows or reasonably should know” requirement with a requirement the teacher *intends* that the information be used in an unlawful way.

I urge the committee to support this legislation so that we are not again faced with the type of situation we saw last summer or even more concerning that is taking place somewhere in the state that we don't yet know about.

Thank you and I am happy to answer any questions.