

STATE OF MAINE

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MAINE PROSECUTORS ASSOCIATION **SHIRA BURNS, EXECUTIVE DIRECTOR**

“An Act Regarding Health Care in the State”
Before the Committee on Health Coverage, Insurance and Financial Services
Public Hearing Date: March 5, 2024
Testimony neither for nor against LD 227

Senator Bailey, Representative Perry and members of the Committee on Health Coverage, Insurance and Financial Affairs. My name is Shira Burns and I represent the Maine Prosecutors Association including the Office of the Attorney General. This testimony is submitted neither for nor against LD 227, but solely to provide information regarding prosecution of our State laws.

Currently as drafted, the Maine Prosecutors Association does **not** see any changes to criminal penalties or definitions of crimes that would affect our ability to prosecute Maine’s criminal statutes. Furthermore, in section 9003, the language states that “an aggrieved person may not bring an action under this section if the hostile litigation is based on conduct for which a civil, criminal or administrative action would exist under the laws State (sic) if the conduct or course of conduct that forms the basis for liability in the hostile litigation had occurred entirely within this State.” Our reading of this section is that a civil action cannot be brought if the conduct is illegal in Maine.

For these reasons, Maine Prosecutors Association does not see any language in the bill that will hamper a prosecutor’s discretion and ability to prosecute Maine’s criminal statutes.