

# LD 1862: An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance

Sponsored by Sen. Chloe Maxmin  
Co-Sponsored by Cosponsored by Senator Moore & Pouliot,  
Representatives Crafts, LaRochelle, McCrea, and Warren

## MAXMIN AMENDMENT (MINORITY REPORT)

- The existing Good Samaritan law only covers the person who is calling 9-1-1 and the person who is overdosing for a **very limited set of crimes—four crimes to be specific.**
- The on-the-ground stories indicate that **the current law is deeply inadequate.** People are dying because those around them are afraid to call 911 AND people who call 911 but then get arrested.
- **According to internal data from a statewide harm reduction agency, 90% of the reversal reports received from the community, do not report calling 911** - even though they are protected under the current law from limited crimes.
- The problem is that **the current law is so limited that it's causing deadly doubt and confusion about who is covered and for what.**
- The **Maxmin Amendment provides immunity for everyone** at the scene of an overdose, starting once 9-1-1 is calling, **EXCEPT FOR ALL** violent crimes, all sexual crimes, arson, all crimes against children, conspiracy, and solicitation AND all attempts at those crimes.
- It is broad intentionally. No one is going to stop and think "am I covered if I call 911?" during a horrific moment. **Everyone needs to feel safe to call.**
- Some people ask: what if someone at the scene dealt tainted drugs throughout the region, can they get away? **This bill DOES NOT protect people from independent evidence.** If someone is dealing like that, the police will have independent evidence.
- We can think of "what if" situations all day. The reality is that people are literally dying because they're not calling 911. These are our neighbors.
- Less than 1% of overdose reversals are completed by law enforcement and 22% of reversal are completed by community members ([Sorg, December 2021](#)). This bill makes it possible for more community members to feel safe to call 9-1-1 and get the help they need.
- **This is not anti-law enforcement. It is pro-life.**
- This bill has strong bi-partisan support in the House and Senate.
- If anyone has questions, please call Chloe or Courtney.

## GOVERNOR'S AMENDMENT (MAJORITY REPORT)

- This amendment **fails to recognize the core problem** with the current law, which is that protections are so limited that they are causing deadly doubt and confusion.
- The Governor's Amendment, presented through Commissioner Sauschuck, keeps the current law and protects anyone "rendering aid" at the scene of an overdose.
- This is deeply inadequate.
- First of all, as previously mentioned, 90% of people are not calling even though they are already protected. **This is because of the limited nature of crimes that allow immunity.**
- Secondly, there is **no substantial definition of "rendering aid."** The Governor's Office said "giving first aid or looking after the person until medical help arrives." This is so vague and open to interpretation as to be almost useless. **No one should have to prove that they helped.**
- **This amendment does not extend protections from crimes and therefore does not address the problem.**