2 June 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1079, “An Act to Provide a Defense to Criminal Prosecution for Persons Reporting a Drug-related Medical Emergency.”

This bill would allow those who witness an overdose to successfully argue in court that they should have immunity from any unlawful possession of schedule drugs if they sought medical assistance for someone who was experiencing an overdose.

This bill and those like it that propose immunity for drug users make me wonder, “What’s next?” Would these people actually let their friends die in order to avoid a misdemeanor offense that probably would go unpunished anyway? I believe the answer to this question would be “no.”

It has long been known that a good way to get drug users off drugs is for them to get into the criminal justice system. Once arrested, drug users can qualify for drug court and the treatment and hope that can be found in that program. If this bill were to pass, it would be a deterrent for law enforcement officers to arrest someone who called in an overdose. That person would then not be able to benefit from the help that can be found once arrested.

For these reasons, I return LD 1079 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

Paul R. LePage
Governor