

MAINE STATE LEGISLATURE

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L.D. 2138

(Filing No. S-465)

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STATE OF MAINE
SENATE
110TH LEGISLATURE
SECOND REGULAR SESSION

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SENATE AMENDMENT "B " to H.P. 2309, L.D. 2138, Bill,
"AN ACT to Clarify the 1981 Amendments Relating to the Oper-
ating Under the Influence and Habitual Offender Laws."

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Amend the bill by striking out all of section 19 and
inserting in its place the following:

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'Sec. 19. 29 MRSA §1312, sub-§6, 2nd ¶, first sen-
tence, as amended by PL 1981, c.615, §1, is further amended
to read:

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Only a duly licensed physician, registered physician's
assistant, registered nurse or a person certified by the
Department of Human Services under certification standards
to be set by that department, acting at the request of a law
enforcement officer, may draw a specimen of blood for the
purpose of determining the blood-alcohol level of a person
who ~~has not revoked his implied consent~~ is complying with
the duty to submit to a blood-alcohol test and who has se-
lected a blood test.

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Sec. 20. 29 MRSA §1312, sub-§6, 3rd ¶, as amended by
PL 1981, c. 475, §6, is further amended to read:

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A law enforcement officer may take a sample specimen of the
breath of any person whom he has probable cause to believe
has operated or attempted to operate a motor vehicle while
under the influence of intoxicating liquor and who ~~has not~~
~~revoked his implied consent~~ is complying with the duty to
submit to a blood-alcohol test and who has selected a breath
test, the sample specimen to be submitted to the Department
of Human Services or a person certified by the Department of
Human Services for the purpose of conducting chemical tests
of the sample specimen to determine the blood-alcohol level
thereof.'

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Further amend the bill by renumbering the sections to
read consecutively.

D. OF R.

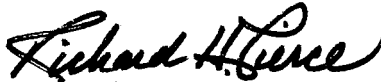
1 SENATE AMENDMENT "B" to H.P. 2309, L.D. 2138

2 STATEMENT OF FACT

3 The purpose of this amendment is to insert language
4 from Public Law 1981, c. 475 to avoid the de facto repeal of
5 this new public law.

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5583040582



7 (Sen. Pierce)

8 NAME:

9 COUNTY: Kennebec

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April 5, 1982

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