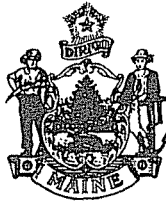


MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1990

Legislative Document

No. 42

H.P. 32

House of Representatives, December 11, 1990

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.
Cosponsored by Senator VOSE of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Strengthen the Operating-under-the-influence Laws.

(EMERGENCY)



2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 Whereas, the safety of persons using Maine roadways is a
vital concern to the State; and

8 Whereas, the safety of these persons is jeopardized by
drivers under the influence of lawfully used prescription drugs;
10 and

12 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
14 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
16 safety; now, therefore,

18 **Be it enacted by the People of the State of Maine as follows:**

20 29 MRSA §1312-B, sub-§1-B, as enacted by PL 1989, c. 784,
§4, is repealed.

22 **Emergency clause.** In view of the emergency cited in the
24 preamble, this Act takes effect when approved.

26
28 **STATEMENT OF FACT**

30 This bill repeals the provision of the
operating-under-the-influence laws that provides that ignorance
of the effects of a lawfully and prescription drug is an
32 affirmative defense.