

# MAINE STATE LEGISLATURE

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Date: 6/6/19

L.D. 1676  
(Filing No. H-512)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1200, L.D. 1676, Bill, "An Act To Enhance the Ability of the State To Prosecute the Crime of Operating Under the Influence"

Amend the bill by striking out all of section 3.

Amend the bill by striking out all of section 8 and inserting the following:

'Sec. 8. 29-A MRSA §2528, as amended by PL 2013, c. 459, §12, is further amended to read:

**§2528. Liability**

A physician, ~~physician's assistant;~~ physician assistant; registered nurse; ~~other health care provider;~~ other person whose occupational license or training allows that person to draw blood, including but not limited to an emergency medical services person or law enforcement officer; ~~hospital or other health care provider;~~ emergency medical service; or law enforcement agency in the exercise of due care is not liable for an act done or omitted in collecting or withdrawing specimens of blood at the request of a law enforcement officer pursuant to this chapter.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment makes the language on liability of persons who draw blood at the request of a law enforcement officer consistent with the language in the committee amendment to S.P. 76, L.D. 264, "An Act Regarding the Taking of a Blood Sample from an Operator of a Motor Vehicle Involved in a Fatal Accident."

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 129th MAINE LEGISLATURE

LD 1676

LR 2343(02)

**An Act To Enhance the Ability of the State To Prosecute the Crime of Operating Under the Influence**

Fiscal Note for Bill as Amended by Committee Amendment

*A(H-512)*

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

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## Fiscal Note

Minor revenue decrease - General Fund

### Fiscal Detail and Notes

Any loss of revenue from the Department of Health and Human Services due to certain tests being performed in non-DHHS certified laboratories are expected to be minor and can be absorbed within existing budgeted resources.