

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1678

H.P. 1202

House of Representatives, May 2, 2019

**An Act To Authorize the Commissioner of Corrections To Designate
Additional Employees of the Department of Corrections To Collect
Biological Samples**

Submitted by the Department of Corrections pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered
printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MARTIN of Greene.
Cosponsored by Representatives: COREY of Windham, GATTINE of Westbrook.

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

2 **Sec. 1. 25 MRSA §1575, sub-§2-A**, as amended by PL 2005, c. 329, §5, is
3 further amended to read:

4 **2-A. Person to collect biological sample.** A person described in subsection 2, a
5 corrections officer or other staff member of a county jail ~~or Department of Corrections~~
6 ~~facility~~ who is designated by the sheriff or jail administrator of that county jail or a
7 corrections officer, probation officer, juvenile community corrections officer or other
8 staff member of the Department of Corrections who is designated by the Commissioner
9 of Corrections and is trained to collect biological samples, ~~a probation officer or a~~
10 ~~juvenile community corrections officer~~ may collect a biological sample that is not a blood
11 sample.

12 **SUMMARY**

13 Current law allows for the collection of biological samples that are not blood
14 samples, such as saliva samples, from convicted adults and adjudicated juveniles by
15 various staff of the Department of Corrections, including corrections officers and
16 probation officers and also including other staff if they work at a department facility and
17 are designated by the Commissioner of Corrections and are trained to collect the samples.
18 This bill allows for collection by any staff member of the Department of Corrections who
19 is designated by the commissioner and is trained to collect biological samples, not just a
20 staff member of a facility.