



Janet T. Mills
Governor

STATE OF MAINE
Department of Public Safety
Bureau of Highway Safety
164 State House Station
Augusta, Maine
04333-0164



Michael J. Sauschuck
Commissioner

Lauren V. Stewart
Director

CH. 87/LD 1135, "Resolve, to Convene a Working Group to Study the Use of Oral Fluid Testing in Determining Intoxication of Drivers, Aircraft Operators and Hunters"

Meeting #5 – October 6, 2025
2:00-3:30 p.m.
Champlain Conference Room and ZOOM

MEETING NOTES

1. Joshua Saucier welcomed attendees and invited attendees to introduce themselves.

Roll call attendance was conducted by Lauren Stewart. Please see end of notes for members and guests present in person and remotely.

2. Joshua Saucier invited Ellen Fraser, Toxicology Supervisor to present her analysis of oral fluid testing costs and a demonstration of various potential kits based on the New York model (kits contain either oral fluid testing equipment, blood testing equipment, or urine testing equipment) and Alabama model (kits contain either urine testing equipment or both oral fluid testing and blood testing equipment). The presentation can be found on the BHS website with other meeting materials.
3. An open discussion of the presentation followed with various questions and answers. It was ultimately determined that (without shipping related costs) introducing evidentiary oral fluid testing via the New York method would cost the state an approximate and additional \$1,008,000.00-\$1,011,000 in the first year with an ongoing, unadjusted \$338,000-342,000 annually.

Buckle Up. Drive Safely.



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4. During open discussion, Joshua Saucier asked for positions on whether the working group is ready to move on to discussion (as opposed to information gathering) and deciding what its recommendations, if any, to the legislative committee would be. All present voting members (see attendance below) were in favor of moving on to discussions. It was caveated that more questions may arise during discussions. The aforementioned positions were taken by roll call vote.

Joshua Saucier then asked the membership if it was ready to decide on which, if any, oral fluid testing the members would like to discuss further to consider recommending to the legislature: roadside OFT or evidential OFT. Each voting member present was asked for their thoughts. Unanimously, the voting members present indicated that they would NOT recommend roadside oral fluid testing; each voting member present also indicated that they would like to further discuss evidential oral fluid testing and consider recommending it to the legislature.

There was also discussion regarding time to implement and costs associated with paying for the evidentiary costs associated with new chemists, new testing protocols, new instrumentation, new kits, kit shipping. Discussion regarding how other states have covered the costs (state highway or general funded, marijuana tax, trust funds from surcharges, or a combination of these). Lauren agreed to post a question on the GHSA list serve asking states with OFT implemented, what their annual costs have been.

Senator Cyrway mentioned that given the time it will take to prepare for eventual implementation, that we consider that a statute change is relatively quick and easy, and that technology changes rapidly. Senator Cyrway mentioned that a suggested legislative change might be different from a suggested state-funding testing program.

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Justin Andrus discussed the possibility of increased fees for the Public Defense Services, including a surge in fees related hiring defense experts and to challenging and/or exploring the scientific validity of oral fluid testing.

5. A motion was called to approve the meeting minutes from Meeting #4. Justin Andrus made the motion to approve, and it was seconded by Chief Benjamin. Those in favor were Lauren Stewart, Scot Mattox, Ellen Fraser, Chief Benjamin, and Justin Andrus. Motion carried and minutes were approved with no further discussion. NOTE: it was later discovered that the guest roster incorrectly noted Dan Riley's organization as Abbott rather than Norman, Hanson, and Detroy. This has been corrected for the Meeting #5 minutes.
6. No Old Business.
7. No Public Comment.
8. Next meeting – October 20, 2025, at 1:30 p.m. to 3:00 p.m.

Attendance:
Working Group Roster – Voting Members

Name	Organization	Representing	Present	In Person/Remote
Lauren Stewart	MeBHS	Director BHS	Yes	In Person
Joshua Saucier	Dirigo Safety	TSRP	Yes	In Person
Scot Mattox	Dirigo Safety	TSRP	Yes	Remote
Lynne Gardner	SOS-BMV	Legal/Hearings	Yes	Remote
Don Finnegan	MCJA	MCJA Designee	Yes	Remote

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Ellen Fraser	DHHS-HETL	Forensic Chemistry	Yes	In Person
Chief Benjamin	Holden PD	MCOPA	Yes	Remote
Sheriff Polky	Knox County SO	MSA	No	
Patricia Mador	Maine Prosecutors	MPA	No	
Justin Andrus	Andrus Law	MACDL	Yes	Remote

Working Group Roster – Non-Voting Members

Name	Organization	Representing	Present	In Person/Remote
Jeremy Morin	MeBHS	Add'l Member	Yes	In Person
John Roma	MeBHS	Add'l Member	Yes	In Person
Haley Fleming	MeBHS	Add'l Member	No	
Jim Willis	MeBHS	Add'l Member	Yes	Remote
Anne Schools (backup)	SOS-BMV	Legal/Hearings	No	
Nicholas Johnson	Maine Warden Service	Add'l Member	No	
Christopher Ireland	SOS-BMV	Add'l Member	No	

Guests –

Name	Organization	Representing	Present	In Person/Remote
Senator Scott Cyrway	Maine Legislature	Self	Yes	In Person
Dan Riley	Norman, Hanson, Detroy	Abbott	Yes	Remote

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Tanya Emery	Maine Municipal Assoc.	MMA	Yes	Remote
Samson Omole	HETL	HETL	Yes	Remote
Marina Mozak	Senate President's Office	SPO	Yes	Remote
Michael Duschenchuk	HETL	HETL	Yes	Remote

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