



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 #1 – August 11, 2025
2:00-3:30 p.m.
Fallen Heroes Conference Room and ZOOM

MEETING NOTES

1. Welcome and attendee introductions led by Lauren Stewart. Lauren Stewart briefly described the history of LD 1135, its subsequent Resolve convening this Working Group and ensured members had printed materials or the website for where to find the meeting materials.
2. Roll call attendance was conducted by Lauren Stewart. Please see end of notes for members and guests present in person and remotely.
3. Lauren Stewart asked Joshua Saucier to review the Working Group proposed Bylaws and Meeting Rules as drafted by Joshua Saucier. Joshua Saucier led the Working Group through the purpose and scope of work to be completed, the Resolve stated membership, meeting protocols and rules of order, duties of the chair, reporting, and dissolution. Lauren asked for a motion to adopt and received a motion to approve by Sheriff Polky and a second by Don Finnegan. After clarification that Anne Schools was voting on behalf of Lynn Gardner, no further discussion was held before a voting member roll call vote was conducted by Joshua Saucier:

Chief Benjamin-	yes
Anne Schools-	yes
Sheriff Polky-	yes
Don Finnegan-	yes

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Ellen Fraser- yes
Lauren Stewart- yes
Joshua Saucier- yes

4. Lauren Stewart asked Joshua Saucier to lead the Working Group in a review of the proposed Remote Meeting and Participation Policy. Joshua Saucier explained the requirement for the Working Group to follow Title 1, Section 403-B of the Maine Revised Statutes and led the Group through the background, legal authority, remote meeting requirements, requirements for public notice of meetings, materials, voting, recording and duration of the Working Group. Discussion included that the Resolve requires the final report to the Criminal Justice and Public Safety Committee no later than January 1, 2026. Lauren Stewart asked for a motion to adopt and received a motion to approve by Don Finnegan and a second by Chief Benjamin. No further discussion was held before a roll call vote was conducted by Lauren Stewart.

Chief Benjamin- yes
Anne Schools- yes
Sheriff Polky- yes
Don Finnegan- yes
Ellen Fraser- yes
Lauren Stewart- yes
Joshua Saucier- yes

5. Ellen Fraser provided an overview of the current testing conducted by DHHS HETL for breath, urine, and blood and a brief discussion of required tools, equipment, and materials currently used and what would be required to implement evidentiary testing for oral fluid. Ellen shared that she has done some research and has information to share for the next

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meeting that may be helpful regarding costs, etc. Joshua Saucier provided an overview of current statutes and there was brief discussion regarding a need for statute change regardless of intended use of oral fluid (roadside probable cause or evidentiary).

6. Lauren Stewart asked the Working Group if anyone had a current perspective regarding the need for, use of, or otherwise wished to comment on oral fluid testing. John Roma and Haley Fleming both discussed reconsidering use and statutes surrounding portable breath testing devices (PBTs) given that oral fluid swabs are similar in nature. Anne Schools said she is anxious to learn what she can about oral fluid and Nicholas Johnson led a discussion regarding difficulty obtaining DREs, Forensic Phlebotomists, and in general remote testing and how a tool like this could be helpful in remote areas in Maine.
7. Lauren Stewart asked the Working Group to review the proposed meeting dates occurring twice per month through December and asked for discussion regarding the next meeting date. Joshua Saucier suggested that Doodle Polls may be the best way to get meetings on calendars and the Working Group agreed that getting all remaining meetings on the calendar would work best for most. Joshua Saucier agreed to send Doodle Polls for all remaining meeting dates.
8. Following a brief discussion about inviting vendors and other state representatives to our meetings to present their experiences using oral fluid, there was no further discussion and no public comment and a motion to adjourn was made and seconded and the meeting was adjourned at approximately 3:10 p.m.

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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	No	
Lynne Gardner	SOS-BMV	Legal/Hearings	No	
Don Finnegan	MCJA	MCJA Designee	Yes	In Person
Ellen Fraser	DHHS-HETL	Forensic Chemistry	Yes	In Person
Chief Benjamin	Holden PD	MCOPA	Yes	Remote
Sheriff Polky	Knox County SO	MSA	Yes	In Person
Patricia Mador	Maine Prosecutors	MPA	No	
Justin Andrus	Andrus Law	MACDL	No	

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	Yes	In Person
Jim Willis	MeBHS	Add'l Member	Yes	Remote
Anne Schools (backup)	SOS-BMV	Legal/Hearings	Yes	Remote
Nicholas Johnson	Maine Warden Service	Add'l Member	Yes	Remote

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