



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 #6 – October 20, 2025
1:30-3:00 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 opened discussion and sought opinion regarding language for a necessary statutory change – specifically if we should use the New York model of "bodily fluid," "biological sample," or "oral fluid" for Maine. Ellen Fraser, Lauren Stewart, and Chief Benjamin were in favor of using the broader "bodily fluid," but Justin Andrus offered information regarding oral fluid being based on science, while other bodily fluids are not at this time and suggested this may lead to increased resistance with defense attorneys. Lynne Gardner generally agreed with Justin Andrus. Upon further discussion, the group unanimously, preliminarily agreed to use "oral fluid" for the statutory change. Justin and Lynne are pending discussion with their respective organizations and authorities (as to all final decisions).

Joshua then led a similar discussion about use of oral fluid in terms of program recommendations. All agreed that we would not be in favor of

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recommending use for roadside testing, but rather evidentiary testing only. Lauren offered some discussion regarding program procedures, such as location of kits at rural sites, etc. That discussion will be held for a later date. It was agreed that any oral fluid program will be developed in accordance with laboratory procedures and will be treated like any of the other implied consent testing programs (breath, blood, urine).

Finally, there was discussion regarding the number of places that statutory language would need to be changed/addressed. Lynne, Joshua, and Ellen will be reviewing necessary statute changes and additionally DHHS rules as applicable.

Joshua and Ellen will begin the report writing and a summary of major points will be provided to both Justin and Lynne so that they may discuss with their respective organizations.

3. No Old Business.
4. The minutes from Meeting #5 were approved by motion from Lauren Stewart and second by Chief Benjamin. No further discussion and the motion passed with six voting members present.
5. Public Comment - Senator Cyrway thanked the entire group for all the hard work to date and is looking forward to proposed legislation with the report.
6. Next meeting – TBD.

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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	No	
Lynne Gardner	SOS-BMV	Legal/Hearings	Yes	Remote
Don Finnegan	MCJA	MCJA Designee	Yes	Remote
Ellen Fraser	DHHS-HETL	Forensic Chemistry	Yes	Remote
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	

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Christopher Ireland	SOS-BMV	Add'l Member	No	
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Guests –

Name	Organization	Representing	Present	In Person/Remote
Senator Scott Cyrway	Maine Legislature	Self	Yes	In Person
Tanya Emery	Maine Municipal Assoc.	MMA	Yes	Remote

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