

VETOES

RUNNING WITH THE LAND TO COLLECT PAYMENTS OR CHARGES BASED ON THE VALUE OF REAL PROPERTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 1987.

June 2, 1987

The Honorable Thomas V. Mike Miller
President of the Senate
State House
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 946.

Senate Bill 946 provides that in paternity proceedings, a copy of a laboratory report of blood test results signed by the technician or analyst who performed the test is admissible as evidence without the presence of the technician or analyst. The bill further requires that the laboratory report must identify the technician or analyst as a "qualified person" as defined in Section 10-304 of the Courts and Judicial Proceedings Article.

While Senate Bill 946 was intended only to clarify and permit the current practice of admitting blood test reports without the presence of the laboratory technician or analyst, an inadvertent error has been found in the definition of a "qualified person" under this bill. Section 10-304 of the Courts and Judicial Proceedings Article defines "qualified person" as being "a person who has received training in the use of the equipment in a training program approved by the toxicologist under the Postmortem Examiner's Commission and who is either a police officer, a police employee, or an employee of the office of the Chief Medical Examiner." The "equipment" referred to in Section 10-304 is equipment used to test breath or blood for alcohol content when the individual is accused of driving while intoxicated or impaired.

I have been advised by the Department of Human Resources that the laboratory technicians and analysts who perform the paternity blood testing are not police officers, police employees, or employees of the Chief Medical Examiner. Furthermore, these technicians and analysts are not approved by the toxicologist under the Postmortem Examiners Commission, but rather operate under permits issued by the Laboratory Administration of the Department of Health and Mental Hygiene.