

WILLIAM DONALD SCHAEFER, Governor

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. The result would be to bar paternity blood testing, because no paternity blood testing technician or analyst could meet the definition of a "qualified person" as proposed in this bill.

The Department of Human Resources has, therefore, reluctantly requested that I veto House Bill 1404, and has pledged to work with the sponsors next year to reintroduce the bill without this unintended technical error.

For the above reasons, I have decided to veto House Bill 1404.

Sincerely,
William Donald Schaefer
Governor

House Bill No. 1404

AN ACT concerning

Paternity Proceedings - Blood Test - Presence
of Laboratory Technician

FOR the purpose of permitting the results of a blood test to be admitted into evidence in a paternity proceeding without the presence of a laboratory technician under certain circumstances; requiring certain information in a laboratory report in order to admit the results of a blood test into evidence in a paternity proceeding without the presence of a laboratory technician; providing that the results of a blood test are admissible as substantive evidence in a paternity proceeding under certain circumstances; requiring a State's