

(b) Any person causing the death of another as the result of the person's negligent driving, operation, or control of a motor vehicle or vessel while intoxicated OR INTOXICATED PER SE is guilty of a misdemeanor to be known as "homicide by motor vehicle or vessel while intoxicated", and the person so convicted shall be punished by imprisonment for not more than 5 years, or by fine of not more than \$3,000 or both fine and imprisonment.

(c) A person who causes the death of another as the result of the person's negligent driving, operation, or control of a motor vehicle or vessel while under the influence of alcohol is guilty of a misdemeanor to be known as "homicide by motor vehicle or vessel while under the influence", and on conviction shall be punished by imprisonment for not more than 1 year or a fine of not more than \$1,000 or both.

(d) (1) In any indictment, information, or other charging document under this section, it is not necessary to set forth the manner and means of death.

(2) It shall be sufficient to use a formula substantially to the following effect:

(i) "That A-B on the day of, nineteen hundred and at the County (City) aforesaid, unlawfully, while intoxicated did kill C-D, against the peace, government, and dignity of the State.;" or

(ii) "That A-B on the..... day of, nineteen hundred and at the County (City) aforesaid, unlawfully, while under the influence of alcohol, did kill C-D, against the peace, government, and dignity of the State."

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved May 25, 1995.

CHAPTER 499

(Senate Bill 639)

AN ACT concerning

Freestanding Ambulatory Care Facilities—Licensing Health Care Reform Act of 1995

FOR the purpose of requiring the Health Resources Planning Commission, the Health Services Cost Review Commission, and the Health Care Access and Cost Commission to cooperate with each other in a certain manner, conduct certain meetings, and submit certain reports; altering the procedure by which the Health Resources Planning Commission reviews and reaches decisions on certain applications for certificates of need; requiring certain ambulatory surgical facilities to obtain a certificate of need from the Commission under certain circumstances; providing that hospital-based ambulatory surgical capacity may be relocated to establish an ambulatory surgical facility without obtaining a certificate of need under certain circumstances; altering the requirement that the Commission hold an evidentiary hearing in accordance