

MAINE STATE LEGISLATURE

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D. OF R.

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L.D. 326
(Filing No. S-36)

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STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT " A " to S.P. 111, L.D. 326,
Bill, "AN ACT to Require the Employer to Pay for Eye
Examinations Under a Company Mandated Eyeglass Safety
Program for Eyeglass Wearers."

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Amend the bill in section 1, in that part design-
ated "§591." by striking out all of subsection 3.

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Further amended the bill in section 2, by strik-
ing out everything after the amending clause and be-
fore the Statement of Fact (page 2, lines 12 to 20 in
L.D.) and inserting in its place the following:

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'§592. Charge by employer prohibited

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~~It shall be unlawful for any~~ No employer ~~to~~ may
require any employee or accepted applicant for em-
ployment to bear the medical expense of an examina-
tion when ~~such~~ that examination is ordered or re-
quired by the employer. ~~No employer may require any~~
~~employee or accepted applicant for employment to bear~~
~~the expense of an eye examination ordered or required~~
~~by the employer which is performed by a person li-~~
~~censed to perform the examinations, except that if an~~
~~employer orders or requires the eye examination to be~~
~~performed by a specific type of eye care provider, or~~
~~specific provider, the employer must pay for the ex-~~
~~amination only when performed by that specific type~~
~~of eye care provider or specific provider. Any em-~~
~~ployer who violates this section shall be liable to a~~
~~penalty of not more than~~ commits a civil violation
for which a forfeiture not to exceed \$50 for each and
every violation may be adjudged. It ~~shall be~~ is the
duty of the director to enforce this section.'

D. O. F. R.

COMMITTEE AMENDMENT " A " to S.P. 111, L.D. 326

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STATEMENT OF FACT

2 This amendment is intended to ensure that employ-
3 ers may designate a certain type of eye care
4 provider, or even a certain individual, who must per-
5 form the employee's eye exam. Employers will not be
6 required to pay for eye examinations when the employ-
7 ee fails to have the examination performed by the
8 certain type of or certain individual eye care
9 provider specified by the employer. The amendment al-
10 so limits the employer's liability to only examina-
11 tions ordered or required by the employer that are
12 performed by licensed eye examiners; this excludes
13 opticians since they are not licensed to perform eye
14 examinations in the State.

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Reported by Senator Tuttle for the Committee on Labor.
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(4/1/85)

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