

MAINE STATE LEGISLATURE

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L.D. 2589

(Filing No. S-519)

STATE OF MAINE
SENATE
113TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " A " to S.P. 975, L.D. 2589,
Bill, "AN ACT to Ensure Confidential and Reliable
Substance Abuse Testing of Employees and Applicants."

Amend the bill in section 1, in that part
designated "§683." in subsection 1, by striking out
all of the last 2 underlined sentences.

Further amend the bill in section 1, in that part
designated "§683." in subsection 6, by striking out
all of paragraph D (page 10, lines 24 to 36 and page
11, lines 1 to 14 in L.D.)

Further amend the bill in section 1, in that part
designated "§683." in subsection 11, in the 2nd line
(page 13, line 12 in L.D.) by striking out the
underlined word "shall" and inserting in its place the
underlined word 'may'

Further amend the bill in section 1, in that part
designated "§686." in the 4th line (page 21, line 20
in L.D.) by inserting after the following: "chapter
375," the following: 'necessary'

Further amend the bill in section 1, by striking
out all of that part designated "§689." (page 23,
lines 8 to 22 in L.D.)

Further amend the bill by striking out all of

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SENATE AMENDMENT " A " to S.P. 975, L.D. 2589

1 section 4.

2 STATEMENT OF FACT

3 This amendment deletes the following provisions of
4 the bill in order to remove any fiscal impact. The
5 deleted provisions include:

6 1. A requirement that the Department of Human
7 Services certify the employee assistance programs of
8 employers who conduct substance abuse test programs.
9 No certification is now required;

10 2. A requirement that the Department of Human
11 Services adopt rules regulating quality control at
12 substance abuse testing laboratories. Testing
13 laboratories are still subject to the other quality
14 control requirements specified in the bill;

15 3. A requirement that the Department of Human
16 Services adopt rules regulating substance abuse
17 testing procedures in other ways. This rule-making
18 authority is made permissive rather than mandatory
19 under the bill. This permits the department to adopt
20 any necessary rules as possible within its existing
21 budget;

22 4. A requirement that the Department of Labor
23 retain records regarding employee substance abuse
24 testing in the State and report its findings to the
25 Legislature; and

26 5. The appropriation section of the bill is
27 deleted since this amendment renders it unnecessary.

28 5744042088

29 (Sen. PEARSON)

30 SPONSORED BY: Michael Pearson

31 COUNTY: Penobscot