

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2145

S.P. 837

In Senate, January 5, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Labor suggested. In Senate, under suspension of the Rules, Read Once, without reference to a Committee and Ordered Printed. Assigned for Second Reading the next Legislative Day.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DUTREMBLE of York.

Cosponsored by Speaker MARTIN of Eagle Lake, Representative McHENRY of Madawaska and President PRAY of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Amend the Implementation Date of the Drug Testing Laws.

(EMERGENCY)
(After Deadline)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, under the provisions of Public Law 1989, chapter 536, employee assistance programs must be certified and elements of substance abuse testing programs must be approved by the Department of Human Services under rules promulgated by the department; and

Whereas, under that Act, the Department of Labor must review and approve elements of employer-implemented substance abuse testing programs under rules promulgated by the department; and

Whereas, in order to ensure that the purposes of the drug testing law are fulfilled and that the programs developed under the Act are in compliance, it is necessary that the implementing date of January 1, 1990, be amended to provide adequate time for a full and complete review of the programs proposed by employers; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. PL 1989, c. 536, §2 is amended to read:

Sec. 2. Transition. No employer may commence a workplace substance abuse testing program after the effective date of this Act until January 1, 1990, when the substance abuse testing program must comply with this Act and rules adopted under this Act. All workplace substance abuse testing programs in existence on the effective date of this Act may continue operation until January April 1, 1990. All workplace substance abuse testing programs must comply fully with this Act and rules adopted under this Act on January April 1, 1990.

Sec. 2. Retroactivity. This Act applies retroactively to January 1, 1990.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

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STATEMENT OF FACT

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6 This bill extends the date from January 1, 1990 to April 1,
8 1990, by which time all workplace substance abuse testing
10 programs must comply with Public Law 1989, chapter 536. The bill
 retains the date of January 1, 1990, for the commencement of new
 programs, but clarifies that any such programs must comply with
 that public law.