

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 406, Bill, "An Act Regarding Family Leave"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 26 MRSA §843, sub-§3, ¶A, as enacted by PL 1987, c. 661, is amended to read:

A. Any person, sole proprietorship, partnership, corporation, association or other business entity that employs 25 or more employees at one location in this State;

Sec. 2. 26 MRSA §844, sub-§1, as amended by PL 1991, c. 277, §1, is further amended to read:

1. Family medical leave entitlement. Every employee who has been employed by the same employer for 12 consecutive months is entitled to up to 10 consecutive work weeks of family medical leave in any 2 years unless employed at a permanent work site by an employer with fewer than 25 employees in this State. The following conditions apply to family medical leave granted under this subchapter:

A. The employee must give at least 30 days' notice of the intended date dates upon which family medical leave will commence and terminate, unless prevented by medical emergency from giving that notice;

B. The employer may require certification from a physician to verify the amount of leave requested by the employee, except that an employee who in good faith relies on

2 treatment by prayer or spiritual means, in accordance with  
the tenets and practice of a recognized church or religious  
4 denomination, may submit certification from an accredited  
practitioner of those healing methods; and

6 C. The employer and employee may negotiate for more or less  
leave, but both parties must agree.

8  
10 **Sec. 3. Posting of notice.** Notwithstanding the Maine Revised  
Statutes, Title 26, section 701, the Bureau of Labor Standards is  
12 not required to modify and redistribute the printed notice  
required by that section to reflect the changes in the law  
14 resulting from this Act. The Bureau of Labor Standards shall  
modify the printed notice to reflect the changes contained in  
16 this Act when it becomes necessary, due to an insufficient supply  
of such notices or future changes in the law, to print additional  
18 notices.

### 20 FISCAL NOTE

The Department of Labor will incur some minor additional  
22 costs to administer certain family leave requirements. These  
costs can be absorbed within the department's existing budgeted  
24 resources.'

### 26 STATEMENT OF FACT

28  
30 This amendment replaces the original bill but retains the  
same purpose of expanding coverage of the family medical leave  
32 requirements to employers with a total of 25 or more employees in  
the State. The amendment provides that the Bureau of Labor  
34 Standards need not update its printed notice at this time. The  
amendment also adds a fiscal note.

36  
Reported by the Committee on Labor  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/21/93 (Filing No. H-178)