

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 223, L.D. 301, Bill, "An Act Regarding the Testing of Public Employees for Drugs"

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'Sec. 1. 26 MRSA §681, sub-§8, ¶B, as repealed and replaced by PL 1989, c. 832, §2, is amended to read:

B. This subchapter, except for section 685, subsection 2 and section 689, subsections 1 and 4, does not apply to employees subject to substance abuse testing under any federal law or regulation or under rules adopted by this State's the Department of Public Safety that incorporate any federal laws or regulations related to substance abuse testing for motor carriers. This exception does not prevent the negotiation of collective bargaining agreements that provide greater protection to employees as long as the agreements are consistent with federal law.

(1) For the purposes of applying section 685, subsection 2 to an employee under this paragraph, the employee is deemed to have previously worked in an employment position subject to random or arbitrary testing under an employer's written policy.'

STATEMENT OF FACT

This amendment replaces the original bill. The amendment clarifies that the limited exception to the substance abuse

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COMMITTEE AMENDMENT "A" to H.P. 223, L.D. 301

2 testing laws for employees subject to drug testing under federal law does not preclude negotiation of collective bargaining agreements that provide greater protection to employees.