

# MAINE STATE LEGISLATURE

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DATE: 6/14/95

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 645,  
L.D. 868, Bill, "An Act to Amend the Substance Abuse Testing Law"

Amend the amendment in section 1 by striking out all of subparagraphs (a) and (b) (page 1, lines 30 to 47 in amendment) and inserting in its place the following:

'(a) Except to the extent that costs are covered by a group health insurance plan, the costs of the public or private rehabilitation program shall must be equally divided between the employer and employee if the employer has more than 20 full-time employees. This requirement does not apply to municipalities or other political subdivisions of the State or to any employer when the employee is tested because of the alcohol and controlled substance testing mandated by the federal Omnibus Transportation Employee Testing Act of 1991, Public Law 102-143, Title V. If necessary, the employer shall assist in financing the cost share of the employee through a payroll deduction plan.

(b) Except to the extent that costs are covered by a group health insurance plan, an employer with 20 or fewer full-time employees, a municipality or other political subdivision of the State is not required to pay for any costs of rehabilitation or treatment under any public or private rehabilitation program. An employer is not required to pay for the costs of rehabilitation if the employee was tested because of the alcohol and controlled substance testing mandated by the

**HOUSE AMENDMENT**

R. S.

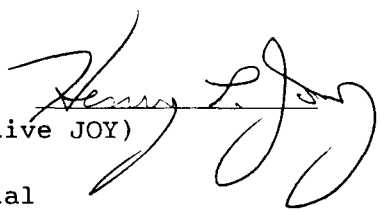
HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 645, L.D.  
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federal Omnibus Transportation Employee Testing Act of 1991, Public Law 102-143, Title V.'

**STATEMENT OF FACT**

Committee Amendment "A" exempts municipalities from the requirement that an employer with over 20 employees pay 1/2 the costs of rehabilitation following a positive test result. With this amendment, an employer who has tested an employee because of federal drug testing requirements is also exempt from the requirement to pay for 1/2 the cost of rehabilitation.

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