

MAINE STATE LEGISLATURE

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DATE: June 13, 1995

(Filing No. S- 259)

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

SENATE AMENDMENT " A " to H.P. 860, L.D. 1191, Bill, "An Act to Amend the Substance Abuse Testing Laws"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 26 MRSA §681, sub-§8, ¶B, as repealed and replaced by PL 1989, c. 832, §2, is amended to read: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

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

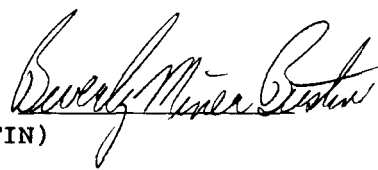
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SENATE AMENDMENT "A" to H.P. 860, L.D. 1191

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STATEMENT OF FACT

This amendment clarifies that the limited exception to the substance abuse 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.

SPONSORED BY: 
(Senator BUSTIN)

COUNTY: Kennebec