

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to S.P. 314, L.D. 1082, Bill, "An Act to Amend the State's Overtime Law"

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

'Sec. 1. 26 MRSA §603, sub-§5 is enacted to read:

5. Exception for nurse. Notwithstanding subsection 2, a nurse may not be disciplined for refusing to work more than 12 consecutive hours. A nurse may be disciplined for refusing mandatory overtime in the case of an unforeseen emergent circumstance when overtime is required as a last resort to ensure patient safety. Any nurse who is mandated to work more than 12 consecutive hours, as permitted by this section, must be allowed at least 10 consecutive hours of off-duty time immediately following the worked overtime.

This subsection does not apply to overtime for performance of services described in subsection 3, paragraph A or C.'

FISCAL NOTE

The additional minor costs associated with changes in the overtime provisions of law can be absorbed by the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services utilizing existing budgeted resources.

SENATE AMENDMENT

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SUMMARY

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This amendment replaces the bill. It provides that a nurse may not be disciplined for refusing to work more than 12 consecutive hours, unless an unforeseen emergent circumstance occurs and the overtime is required as a last resort to ensure patient safety. If overtime is required in such a circumstance, the nurse must be given at least 10 consecutive hours off duty immediately following the overtime. This provision does not apply in an emergency declared by the Governor, or when necessary to protect the public health or safety outside the normal course of business.

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SPONSORED BY: 
(Senator PENDLETON)

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COUNTY: Cumberland

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