

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Kennebec Journal  
Augusta, Maine  
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Thereafter, the participating local district, by filing with the board of trustees a duly certified copy of its action, may discontinue any such benefit as to employees in a class hired after the effective date of the action only, and may thereupon substitute for the benefit any other benefit provided for by this chapter, including any other benefit under this subsection.

Effective September 14, 1979

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## CHAPTER 78

H. P. 307 — L. D. 402

**An Act to Define Employer's Rights after Failure to File a Separation Report in Unemployment Compensation Cases.**

Be it enacted by the People of the State of Maine, as follows:

26 MRSA § 1194, sub-§ 2, 5th ¶, 2nd and 3rd sentences, as repealed and replaced by PL 1975, c. 710, § 2, are repealed and the following enacted in their place:

**If the employer's separation report containing possible disqualifying information is received after the 10-day period and the claimant is denied benefits by a revised deputy's decision, benefits paid prior to the date of the revised decision shall not constitute an overpayment of benefits. Any benefits paid after the date of the revised decision shall constitute an overpayment.**

Effective September 14, 1979

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## CHAPTER 79

H. P. 548 — L. D. 679

**AN ACT to Clarify Sex Discrimination in the Maine Human Rights Act.**

Be it enacted by the People of the State of Maine, as follows:

5 MRSA § 4572-A is enacted to read:

§ 4572-A. **Unlawful employment discrimination on the basis of sex**

1. **Sex defined.** For the purpose of this Act, the word "sex" includes pregnancy and medical conditions which result from pregnancy.

2. Pregnant women who are able to work. It shall be unlawful employment discrimination in violation of this Act, except where based on a bona fide occupational qualification, for an employer, employment agency or labor organization to treat a pregnant woman who is able to work in a different manner from other persons who are able to work.

3. Pregnant women who are not able to work. It shall also be unlawful employment discrimination in violation of this Act, except where based on a bona fide occupational qualification, for an employer, employment agency or labor organization to treat a pregnant woman who is not able to work because of a disability or illness resulting from pregnancy, or from medical conditions which result from pregnancy, in a different manner from other employees who are not able to work because of other disabilities or illnesses.

4. Employer not responsible for additional benefits. Nothing in this section shall be construed to mean that an employer, employment agency or labor organization is required to provide sick leave, a leave of absence, medical benefits or other benefits to a woman because of pregnancy or other medical conditions which result from pregnancy, if this employer, employment agency or labor organization does not also provide sick leaves, leaves of absence, medical benefits or other benefits for his other employees.

5. Small business exception. Notwithstanding the provisions of subsection 3, employers with 15 or less employees shall not be required to provide medical benefits because of pregnancy or other medical conditions which result from pregnancy.

Effective September 14, 1979

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## CHAPTER 80

H. P. 166 — L. D. 198

**AN ACT Making Minor Revisions in the Aeronautics Law.**

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 6 MRSA § 52, sub-§ 1, ¶¶ A and B, as enacted by PL 1977, c. 678, § 32, are amended to read:

A. All resident aircraft owners basing aircraft in this State, and all nonresidents who own or operate an aircraft which is used for compensation or hire within this State, unless exempted, shall register their aircraft with the director.