

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 86

S.P. 934 - L.D. 2343

Resolve, to Establish a Maine Commission to
Examine Chemical Testing of
Employees.

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is considerable evidence of substance abuse in the society-at-large and in the workplace; and

Whereas, substance abuse may increase the risk of serious injury on the job for the employee and coworkers; and

Whereas, various employers have initiated or intend to initiate programs to test employees for the presence of alcohol or drugs in their bodies; and

Whereas, the testing raises serious issues of concern for the privacy rights of individuals; and

Whereas, questions exist regarding the accuracy of that testing; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Commission established. Resolved: That the Commission to Examine Chemical Testing of Employees is established, consisting of 10 members, 5 members to be appointed by the President of the Senate and 5 members to be appointed by the Speaker of the House of Representatives; and be it further

Resolved: That the commission will examine the issues involved in testing of employees for the use of alcohol and controlled substances, including the intrusion upon the privacy interests of employees; the safety of the employee and coworkers; the impact of the use of alcohol and controlled substances upon the physical and emotional health of the employee; the accuracy and effectiveness of urinalysis, blood

analysis and other methods of testing; and the standards appropriate for determining the existence of impairment; and be it further

Resolved: That the commission meet as necessary to study the issues through examination of data from Maine and other states, to consult with recognized experts, to conduct public hearings and to prepare a report which shall be submitted, together with any accompanying legislation, no later than December 31, 1986, to the First Regular Session of the 113th Legislature; and be it further

Resolved: That the Legislative Council, the Department of Human Services, the Department of Labor and the Department of the Attorney General shall provide the commission with sufficient staff assistance and pertinent existing information to carry out these duties; and be it further

Resolved: That all members of the commission shall serve without compensation or reimbursement for travel and other expenses.

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective April 24, 1986.

CHAPTER 87

H.P. 1377 - L.D. 1940

**RESOLVE, in Favor of Edgar Warren, of
Portland, for Injuries Received
While He was a Ward of the State.**

Edgar Warren; reimbursed. **Resolved:** That there is appropriated from the General Fund the sum of \$10,000 to be paid to Edgar Warren, of Portland, as a full and final settlement of his claim against the State for injuries he received while he was a ward of the State.

Effective July 16, 1986.
