

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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

J.S. McCarthy Company
Augusta, Maine
1999

§850. Employment leave for victims of violence

1. Required leave. An employer must grant reasonable and necessary leave from work, with or without pay, for an employee to:

A. Prepare for and attend court proceedings;

B. Receive medical treatment; or

C. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The leave must be needed because the employee is a victim of violence, assault, sexual assaults under Title 17-A, chapter 11, stalking or any act that would support an order for protection under Title 19-A, chapter 101. An employer may not sanction an employee or deprive an employee of pay or benefits for exercising a right granted by this section.

2. Exceptions. Subsection 1 is not violated if:

A. The employer would sustain undue hardship from the victim's absence;

B. The request for leave is not communicated to the employer within a reasonable time under the circumstances; or

C. The requested leave is impractical, unreasonable or unnecessary based on the facts then made known to the employer.

3. Civil penalties. The Department of Labor may assess civil penalties of up to \$200 for each violation of this section, if notice of the violation was given to the employer and the department within 6 months of the occurrence.

Sec. 2. Notice. The Bureau of Labor Standards shall include notice of the provisions of this Act in its next reprinting of the Regulation of Employment poster.

Sec. 3. Report. The Department of Labor shall report back to the Joint Standing Committee on Labor regarding workplace safety as it pertains to violent crime by December 31, 1999. The committee is authorized to report out legislation to the Second Regular Session of the 119th Legislature in response to the report.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1999-00

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards

All Other \$9,500

Provides funds on a one-time basis for the cost of adopting rules and holding public hearings and forums related to the granting of leave for employees who are victims of violence and abuse.

See title page for effective date.

CHAPTER 436

S.P. 240 - L.D. 662

An Act to Amend Maine's Boating Laws Pertaining to Noise Limits on Watercraft

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

Sec. 1. 12 MRSA §7801, sub-§33, as enacted by PL 1997, c. 739, §6, is amended to read:

33. Operating airmobile or motorboat that exceeds noise limits. A person is guilty of operating a watercraft that exceeds the noise limit if that person operates an airmobile or motorboat ~~powered by an engine constructed~~ in such a manner as to exceed:

~~A. On or after January 1, 1998 that emits more than 78 decibels of sound pressure at a distance of 50 feet using a method~~ A noise level of 90 decibels when subjected to a stationary sound level test as prescribed by the commissioner; or

~~B. Before January 1, 1998 that emits more than 82 decibels of sound pressure at a distance of 50 feet using a method~~ A noise level of 75 decibels when subjected to an operational test measured as prescribed by the commissioner.

Sec. 2. Transfer authorized. A transfer of \$6,000 in fiscal year 1999-00 is authorized from the Carrying Balance Account program within the Department of Inland Fisheries and Wildlife to the Enforcement Operations - Inland Fisheries and Wildlife program for the purchase of 5 noise meters.

See title page for effective date.