

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

Total	\$0	\$50,000
Federal Expenditures Fund	2001-02	2002-03
All Other	\$0	\$98,412
Total	\$0	\$98,412
HUMAN SERVICES, DEPARTMENT OF		
DEPARTMENT TOTAL	2001-02	2002-03
GENERAL FUND	\$0	\$50,000
FEDERAL EXPENDITURES FUND	0	98,412
DEPARTMENT TOTALS - ALL FUNDS	\$0	\$148,412

Sec. 10. Effective date. This Act takes effect January 1, 2003.

Effective January 1, 2003.

CHAPTER 684

H.P. 1448 - L.D. 1945

An Act to Promote Organ Donation

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

Sec. 1. 26 MRSA §843, sub-§4, ¶C, as enacted by PL 1987, c. 661, is amended to read:

C. The placement of a child 16 years of age or less with the employee in connection with the adoption of the child by the employee; ~~or~~

Sec. 2. 26 MRSA §843, sub-§4, ¶D, as amended by PL 1997, c. 546, §1, is further amended to read:

D. A child, parent or spouse with a serious health condition; ~~or~~

Sec. 3. 26 MRSA §843, sub-§4, ¶E is enacted to read:

E. The donation of an organ of that employee for a human organ transplant.

Sec. 4. Posting of notice. Notwithstanding the Maine Revised Statutes, Title 26, section 42-B, the Department of Labor, Bureau of Labor Standards is not required to modify and redistribute the printed notice required by that section to reflect the changes in the laws resulting from this Act. The Bureau of Labor Standards shall modify the printed notice to reflect the changes contained in this Act when it becomes necessary to print additional notices due to an

insufficient supply of such notices or future changes in the laws.

See title page for effective date.

CHAPTER 685

H.P. 1463 - L.D. 1960

An Act to Promote Safety of Families through the Workplace

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

Sec. 1. 26 MRSA §850, sub-§1, as enacted by PL 1999, c. 435, §1, is amended to read:

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 attend to medical treatment for a victim who is the employee's daughter, son, parent or spouse; 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 or the employee's daughter, son, parent or spouse 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.

Sec. 2. 26 MRSA §850, sub-§1-A is enacted to read:

1-A. Definitions. For purposes of this subchapter, the terms "daughter," "son," "parent" and "spouse" have the same meanings as those terms have under federal regulations adopted pursuant to 29 United States Code, Section 2654, as in effect on January 1, 2002. An employer may require an employee to provide reasonable documentation of the family relationship, which may include a statement from the employee, a birth certificate, a court document or similar documents.

Sec. 3. 26 MRSA §850, sub-§2, ¶A, as enacted by PL 1999, c. 435, §1, is amended to read:

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