

# 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 TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

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

---

---

**Augusta, Maine**  
**2019**

**1. Conditions of use of location information in proceeding.** Location information obtained pursuant to this subchapter or evidence derived from that information may be received in evidence or otherwise disclosed in a trial, hearing or other proceeding only if each party, not less than 10 days before the trial, hearing or proceeding, has been furnished with a copy of the statement of emergency filed under section 650, subsection 4 or the warrant and accompanying application under which the information was obtained.

**Sec. 18. Right To Know Advisory Committee; warrants for tracking devices and content and location information.** The Right To Know Advisory Committee shall review the law concerning the application for and issuance of search warrants authorizing the installation and monitoring of tracking devices and seeking content and location information under the Maine Revised Statutes, Title 16, chapter 3, subchapters 9-A, 10 and 11 and shall make recommendations concerning the public's right to know aggregate information about warrants, including warrants in which the application for the warrant included a request for an order to waive notice of the issuance of the warrant. The Right To Know Advisory Committee shall include in its report submitted by January 15, 2020, pursuant to Title 1, section 411, subsection 10, a summary of its review and any recommendations.

See title page for effective date.

**CHAPTER 490**

**H.P. 487 - L.D. 666**

**An Act To Protect Pregnant Workers**

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

**Sec. 1. 5 MRSA §4553, sub-§8-E** is enacted to read:

**8-E. Pregnancy-related condition.** "Pregnancy-related condition" means a known limitation of an employee's ability to perform the functions of a job due to pregnancy, childbirth or related medical conditions, including but not limited to lactation.

**Sec. 2. 5 MRSA §4572-A,** as amended by PL 1995, c. 393, §14, is further amended 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 that~~ result from pregnancy.

**2. Pregnant persons who are able to work.** It ~~shall be~~ is 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~~ person who is able to work in a different manner from other persons who are able to work.

**2-A. Accommodations for pregnancy-related conditions.** Accommodations for pregnancy-related conditions are set forth in this subsection.

A. Nothing in this section may be construed to indicate or deem that a pregnancy-related condition necessarily constitutes a disability.

B. It is unlawful employment discrimination in violation of this Act for an employer, employment agency or labor organization to fail upon request to provide a reasonable accommodation to any employee with a pregnancy-related condition, unless the employer, employment agency or labor organization can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the employer, employment agency or labor organization.

C. Reasonable accommodations for a pregnancy-related condition may include, but are not limited to providing more frequent or longer breaks; temporary modification in work schedules, seating or equipment; temporary relief from lifting requirements; temporary transfer to less strenuous or hazardous work; and provisions for lactation in compliance with Title 26, section 604.

**3. Pregnant persons who are not able to work.** It ~~shall also be~~ is 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~~ person who is not able to work because of a disability or illness resulting from pregnancy, or from medical conditions ~~which that~~ 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 may 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~~ person because of pregnancy or other medical conditions that result from pregnancy, if the employer, employment agency or labor organization does not also provide sick leaves, leaves of absence, medical benefits or other benefits for the employer's other employees and is not otherwise required to provide those leaves or benefits under other state or federal laws. Reasonable accommodations for pregnancy-related conditions are not additional benefits.

See title page for effective date.