

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LABOR

MAY 1988

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Sen. Donald F. Collins

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Rep. Ruth Joseph
Rep. Mona Walker Hale
Rep. Richard P. Ruhlin
Rep. Anne M. Rand
Rep. Ralph M. Willey
Rep. Jeanne F. Begley
Rep. Michael F. Hepburn
Rep. Stephen M. Zirnkilton

* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

| | |
|------------------|--|
| OTP | Ought to Pass |
| OTP-ND | Ought to Pass in New Draft |
| OTP-ND-NT | Ought to Pass in New Draft, New Title |
| OTP-A | Ought to Pass as Amended |
| ONTP | Ought Not to Pass |
| LVWD | Leave to Withdraw |
| INDEF PP | Indefinitely Postponed |

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

DIAMOND
PRAY
MARTIN J
DUTREMBLE D

SUMMARY

New Draft Of LD 1948

LD 1948 proposed to increase the minimum wage by 20 cents each year over the next two years. The new draft increases the minimum wage by 10 cents to \$3.75 in 1989 and by another 10 cents to \$3.85 in 1990 unless the average minimum wage of the five other New England states is less. If there are no changes in legislation in New England, the average minimum wage is projected to be \$3.81 per hour in 1990. The Governor did not sign this bill, however it became public law.

LD An Act to Ensure Confidential and Reliable Substance Abuse
2589 Testing of Employees and Applicants

VETO
SUSTAINED

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

S-519 PEARSON

SUMMARY

New Draft of LD 156, which was introduced pursuant to a Resolve

This bill was carried over from last year. LD 2589 attempts to reach a compromise position that allows random testing of certain employees with safeguards against any abuse of such testing. It allows substance abuse testing programs to be employed in the workplace, but restricts their application and ensures that proper procedures and safeguards are implemented. The bill prohibits the use of random or arbitrary substance abuse testing of employees except for those employees who work in positions where it would be difficult to discover the symptoms of an individual's substance abuse problem and in which an impaired worker would pose a substantial threat of direct and immediate serious bodily harm to the public or his coworkers.

The bill allows an employer to require substance abuse testing of any employee when he has probable cause to impose the test. The concept of probable cause is defined in the bill to prevent an employer from imposing substance abuse tests upon an employee without reliable, objective information supporting the finding of probable cause. Probable cause is not required for the testing of applicants for employment.

The bill also regulates the actual testing process to ensure that proper testing procedures are followed and that an employee's privacy rights are protected from undue intrusion. The bill requires a testing program to be conducted pursuant to a written policy developed by the employer in consultation with his employees. Certain testing procedures are also