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**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
SENATE  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 632, L.D. 1641, Bill, “An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 39-A MRSA §311, sub-§1, ¶¶E and F**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, are amended to read:

E. The taking of unfair advantage of an employee's physical, mental or economic problems or shortcomings; ~~and~~

F. Interrogations or investigations conducted under such circumstances as to be severely intimidating to the employee-; ~~and~~

**Sec. 2. 39-A MRSA §311, sub-§1, ¶G** is enacted to read:

G. Continued questioning by an investigator, employer or employer's representative of an employee after that employee requests that a representative of the employee's choice be present during the questioning and that request is denied; this paragraph applies, without limitation, to questions regarding the employee's ability to work and job modifications.'

**SUMMARY**

This amendment, which is the majority report of the Joint Standing Committee on Labor, Commerce, Research and Economic Development, replaces the bill with a provision that expands the list of statements that are inadmissible in proceedings under the Maine Workers' Compensation Act of 1992 to include statements obtained after continued questioning of an employee by an investigator, employer or an employer's representative after that employee's request to have a representative of the employee's choice present has been denied.

**COMMITTEE AMENDMENT**