

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

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(g), 'employment' means any service performed prior to the effective date of this act which was employment as defined in this section prior to such date, and subject to the other provisions of subsection (g) service performed after the effective date of this act including service in interstate commerce, performed for wages or under any contract of hire, written or oral, expressed or implied.'

Sec. 11. P. L., 1935, c. 192, § 5 (e) (1), amended. Subsection (1) of subsection (e) of section 5 of chapter 192 of the public laws of 1935 as amended is hereby repealed and a new subsection is hereby enacted in place thereof reading as follows:

'(1) Dismissal wages or wages in lieu of notice which the employing unit is required by law to pay.'

Emergency clause. In view of the emergency set forth in the preamble hereof, this act shall take effect when approved.

Approved July 26, 1940

Chapter 313

AN ACT Relating to Registration of Veterans' Graves.

Emergency preamble. Whereas, an additional sum of \$5,000 to be paid from the general funds of the state is necessary to continue in employment a substantial number of citizens of the state in a program of registration of veterans' graves, which program has heretofore received the approval of the present legislature,

And whereas, unless this sum is appropriated, the work will be suspended or stopped,

And whereas, in the judgment of the legislature, these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Registration of veterans' graves; appropriation. There is hereby appropriated the sum of \$5,000 to be paid from the general funds of the state and expended during the fiscal year 1940-1941 under the direction of the governor and council, to carry on, in cooperation with the Works Progress Administration of the United States, the making of the record of, and plans of, places of burial of all deceased, honorably discharged

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veterans of the army, navy or other military establishment of the United States (including those of the former Confederate States of America), in accordance with the provisions of chapter 284 of the public laws of 1939.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved July 31, 1940

Chapter 314

AN ACT Relating to Employees in Military Service.

Emergency preamble. Whereas, there is a strong possibility that many reserve officers and members of the national guard and many other citizens will be called into federal service within 2 months; and

Whereas, unless this act takes effect immediately, its provisions would not be effective; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Employees in military service. Chapter 2 of the revised statutes is hereby amended by adding thereto a new section to be numbered 54-A, and to read as follows:

Sec. 54-A. Employees in military or naval service; substitutes. Whenever any employee, regularly employed for a period of at least one year by the state, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district within the state, shall in time of war, contemplated war, emergency or limited emergency enlist, enroll, be called, or ordered, or be drafted in the military or naval service of the United States, or any branch or unit thereof, he shall not be deemed or held to have thereby resigned from or abandoned his said employment, nor shall he be removable therefrom during the period of his service, but the duties of his said employment shall, if there is no other person authorized by law to perform the powers and duties of such employee during said period, be performed by a substitute, who shall be appointed for the interim by the same authority who appointed such employee if such authority shall deem the employment of such substitute necessary.