

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-364)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT"<sup>1</sup>" to H.P. 760, L.D. 940, Bill, "AN ACT to Increase Job Security for Employment for Employees Elected to the Legislature, Excluding Employees Covered under Provisions Dealing with Teachers."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'26 MRSA c. 7, sub-c. V-A is enacted to read:

SUBCHAPTER V-A

LEAVE OF ABSENCE AS A STATE LEGISLATOR

§21. Person employed in position other than temporary

Any person, except persons covered under Title 20, section 2001, who is employed in a position other than a temporary position by any employer shall be granted a leave of absence to fulfill the duties of a State Legislator during the time the Legislature is in session. Nothing in this section shall prohibit an employer and an employee from agreeing to a longer period of time for an employee's leave of absence. For the purpose of this section a certified teacher in a private school approved by the Department of Educational and Cultural Services shall be considered as having the protection afforded by Title 20, section 2001.

In order to take advantage of this section an employee shall give written notice of his intent to become a candidate to his employer at least 90 days prior to his becoming a candidate as defined in Title 21, sections 441 to 497 and 921.

Following his time of service as a State Legislator, the employee, if he is still qualified to perform the duties of the position from which he was granted leave, shall be entitled to be restored to his previous or a similar position with the same pay, seniority and accumulated benefits, except that an employer may discontinue employer-paid benefits or make them contributory during the time of the leave of absence. The leave of absence may be with or without pay at the discretion of the employer. This section shall not apply to employers who employ fewer than 10 employees.'

Statement of Fact

The purpose of this amendment is to allow a greater number of Maine citizens to serve in the Legislature under terms which are reasonable to both the employer and the employee.

Filed by Mr. McMahon of Kennebunk  
Reproduced and distributed under the direction of the  
Clerk of the House.  
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