

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 339

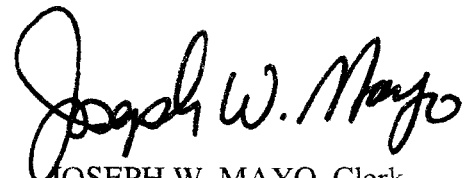
H.P. 235

House of Representatives, January 14, 1999

**An Act to Treat All Employees Equitably with Respect to Leaves of  
Absence for Legislative Service.**

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Reference to the Committee on Labor suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator: MICHAUD of Penobscot and  
Representatives: BROOKS of Winterport, DUPLESSIE of Westbrook, SAXL of Bangor.

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

4 **Sec. 1. 26 MRSA §821**, as amended by PL 1987, c. 402, Pt. A,  
§154, is repealed and the following enacted in its place:

6 **§821. Person employed in position other than temporary**

8 Any person, except a person covered under Title 20-A,  
10 section 13602, employed in a position other than a temporary  
12 position must be granted a leave of absence by that person's  
14 employer to fulfill the duties of a Legislator, as long as the  
16 person gives written notice to the employer of the person's  
18 intent to become a candidate for the Legislature within 10 days  
20 after taking action under Title 21-A to place the person's name  
22 on a primary or general election ballot. Following the person's  
24 term of service as a Legislator, the person, if still qualified  
26 to perform the duties of the position from which the person was  
28 granted leave, must be restored to the person's previous, or a  
30 similar, position with the same status, pay and seniority. The  
32 leave of absence may, within the discretion of the employer, be  
with or without pay.

24 **SUMMARY**

26 Currently, any full-time employee who becomes a Legislator  
28 must be given a leave of absence upon the request of that  
30 employee. Except for teachers, the employer may limit the  
32 person's leave to 2 years. Teachers are not limited.

This bill removes the time limit on the leave of absence  
that must be granted by an employer upon request of an employee  
fulfilling duties as a Legislator.