

MAINE STATE LEGISLATURE

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M
R.D.S.

L.D. 709

DATE: 4-1-99

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MAJORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 502, L.D. 709, Bill, "An Act to Create a Uniform Standard Governing Legislative Leave of Absence"

Amend the bill in section 2 in that part designated "~~§821.~~" in the first paragraph in the 3rd and 4th lines (page 1, lines 24 and 25 in L.D.) by striking out the following: "Legislator, as long as the person gives" and inserting in its place the following: 'Legislator. The person shall give'

Further amend the bill in section 2 in that part designated "~~§821.~~" in the 7th line (page 1, line 28 in L.D.) by inserting after the following: "ballot" the following: 'unless that person is subject to Title 20-A, section 13602'

Further amend the bill by inserting after section 2 the following:

'Sec. 3. 26 MRSA §824, sub-§1, as enacted by PL 1983, c. 128, §1, is amended to read:

1. Request. An employer who feels that granting the leave of absence required by this subchapter will cause unreasonable hardship for his the employer's business may appeal for relief by filing a written notice of appeal to with the chairman chair of the State Board of Arbitration and Conciliation. If the notice of appeal is not filed within 14 days of receipt of the employee's notice requesting a leave of absence, the employer waives his the right to appeal. The notice of appeal shall must

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 502, L.D. 709

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state the name of the employee and the reasons for the alleged unreasonable hardship. Payment for the services of a member of the State Board of Arbitration and Conciliation must be shared by the parties in accordance with section 931. This section provides the exclusive remedy for an employer claiming unreasonable hardship as a result of a request for leave of absence.'

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SUMMARY

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This amendment retains the current notice requirements for teachers to request a leave of absence for legislative service. The original bill had conflicting requirements.

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This amendment also clarifies how payment is provided for the services of the State Board of Arbitration and Conciliation, which hears appeals to the leave-of-absence requirement for employers who believe the leave would constitute an unreasonable hardship.