

# MAINE STATE LEGISLATURE

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Legislative Document

No. 780

H. P. 1269

House of Representatives, March 12, 1943.

Reported by Mr. Jordan from Committee on Military Affairs and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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**AN ACT** Relating to Employees in Military Service.

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

**Sec. 1. R. S., c. 2, § 54-A, amended.** Section 54-A of chapter 2 of the revised statutes, as enacted by section 1 of chapter 314 of the public laws of 1939, is hereby amended 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~~ **6 months** by the state, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district within the state, **and who has attained permanent status in such employment**, 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, **or shall be regularly drafted under federal man power regulations**, 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.

Such employee while in the military or naval service of the United States or still employed after draft under federal man power regulations shall be considered as on leave of absence without pay, and for the purpose of computing time in regard to pension rights and seniority, shall be considered as in the service of the state during the period of his national service. Said interim appointments may be considered permanent if the employee granted the military leave fails to report for duty within a 90-day period from the date of his discharge from the military or naval forces of the United States, and provided further that such discharge must have been effective not later than 6 months after the state of war ceases between the United States and every foreign government except in cases where a male or female veteran of World War II was receiving treatment in a hospital at the time of his or her discharge, and except in cases where such veteran has not been returned from and discharged from foreign service, in which event his or her status shall be governed by section 3 of this act.'

**Sec. 2.** P. L., 1939, c. 314, § 3, amended. Section 3 of chapter 314 of the public laws of 1939 is hereby repealed and the following enacted in place thereof:

**'Sec. 3. Duration of act.** This act shall be in force and effect for the duration of the present world war and 6 months after the state of war ceases between the United States and every foreign government, except in cases where a male or female veteran of World War II may be receiving treatment in a hospital at the time of his or her discharge or in cases where the veteran has not returned and been discharged from foreign service, and as to such persons this act shall be in force and effect for 6 months after their discharge from hospitalization or 90 days after their discharge from foreign service.'