

# MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D      L E G I S L A T U R E

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**Legislative Document**

**No. 503**

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H. P. 810

• House of Representatives, February 7, 1945.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Carpenter of Augusta.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT Relating to Employees in Military or Naval or Merchant Marine Service.**

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

**R. S., c. 59, § 23, amended.** Section 23 of chapter 59 of the revised statutes is hereby amended to read as follows:

**'Sec. 23. Employees in military or naval or merchant marine service; substitutes.** Whenever any employee, regularly employed for a period of at least 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 **or merchant marine** 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 ap-

pointed such employee if such authority shall deem the employment of such substitute necessary.

Such employee while in the military or naval **or merchant marine** service of the United States or still employed after draft under federal manpower 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 during the period of his federal service as in the service of the governmental agency by which he was employed at the time of his entry into such federal 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 **or merchant marine** 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 2 of chapter 300 of the public laws of 1943.