

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

Chapter 300

AN ACT Relating to Employees in Military Service.

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 during the period of his federal service as in the service of the state ~~during the period of his national service~~ 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 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 chapter 314 of the public laws of 1939.'

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.'

Sec. 3. R. S., c. 2, § 54, amended. Section 54 of chapter 2 of the revised statutes, as amended by chapter 161 of the public laws of 1937, is hereby further amended by adding at the end thereof the following:

'; provided, however, that for the duration of the war with Germany and Japan, aliens may be employed by the state if it is deemed expedient by the proper department head.'

Effective July 9, 1943

Chapter 301

AN ACT Exempting Certain Property of Agricultural Societies, and Farmers from the Regulations in re Motor Vehicles Used in Intrastate Traffic.

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

P. L., 1935, c. 146, § 10, amended. Paragraph (A) of section 10 of chapter 146 of the public laws of 1935, as amended by chapter 208 of the public laws of 1937, and by chapter 140 of the public laws of 1939, and by chapter 212 of the public laws of 1941, is hereby further amended to read as follows:

'(A) Exemptions. There shall be exempted from the provisions of the foregoing sections 2 to 9, inclusive, the operation over the highways of motor vehicles (1) while being used within the limits of a single city or town in which the vehicle is registered by the secretary of state or in which the owner maintains a regular and established place of business, or within 15 miles, by highway in this state, of the point in such single city or town where the property is received or delivered, but no person, firm or corpora-