

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
AT THE
SPECIAL SESSION

January 24, 1972

to

March 10, 1972

Application for such a permit shall be made in writing to the Commissioner of Agriculture at least 10 days prior to the date on which such event is contemplated, and shall give the name of the person, firm, corporation or unincorporated society or association holding such event and the date and place the event is to be held, provided that one application and one permit may include one or more separate events when so specified. Permits granted under this section shall not be transferable.

Any person, firm, corporation or unincorporated association or society which conducts or causes to be conducted any public or private pulling event between animals or pairs of animals within the State, without a permit from the Commissioner of Agriculture, shall be punished in accordance with Title 15, section 1741.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 18, 1972

CHAPTER 586

AN ACT to Promote Vocational Education.

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

R. S., T. 26, § 1043, sub-§ 11, ¶ F, sub-¶ (6-1), additional. Paragraph F of subsection 11 of section 1043 of Title 26 of the Revised Statutes, as amended, is further amended by adding a new subparagraph (6-1) to read as follows:

(6-1) Services performed by a student attending an elementary or secondary school while participating in a cooperative program of education and occupational training.

Effective June 9, 1972

CHAPTER 587

AN ACT to Clarify the Laws on Veterans Reemployment Rights in Public Service.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Maine veterans are being deprived of reemployment in some public service jobs after returning from service in the Armed Forces of the United States; and

Whereas, Maine statutes cover certain veterans seeking reemployment by governmental units other than federal, and such statutes do not presently afford adequate protection in many instances or are ambiguous; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 5, § 555, amended. The first 2 paragraphs of section 555 of Title 5 of the Revised Statutes are amended to read as follows:

Whenever any employee, regularly employed in other than a temporary position 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 Armed Forces 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. **Temporary for the purpose of this section shall be defined to mean employment based on a seasonal or on-call basis or employment based on a contract of less than 6 months' duration.**

Such employee while in the Armed Forces 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, **annual and sick leave accumulation**, 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. Such employee ~~shall be entitled to reemployment~~ if he reports for duty within a 90-day period from the date of his separation under conditions other than dishonorable from the Armed Forces of the United States ~~In case such employee is~~ or if receiving treatment in a hospital at the time of his separation as aforesaid, he ~~shall report~~ reports for duty within 90 days from his discharge from the hospital, shall

1. **Qualified.** If still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status and pay; or

2. **Not Qualified.** If not qualified to perform such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of his preservice employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances in his case.

Any employee restored to a position under this section shall not be discharged from such position without cause within one year after restoration to such position.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.