

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

'An Act To Assist Maine Military Families'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 26 MRSA §814, sub-§1, ¶B, as enacted by PL 2005, c. 523, §2, is amended to read:

B. "Employee" means any person who may be permitted, required or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment and who has been employed by the same employer for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the employee's family military leave. ~~"Employee" includes an independent contractor.~~

Sec. 2. 26 MRSA §814, sub-§2, as enacted by PL 2005, c. 523, §2, is repealed and the following enacted in its place:

2. Family military leave requirement. Subject to the requirements of subsection 3, an employer that employs 15 or more employees shall provide each eligible employee up to 15 days of family military leave per deployment, if requested by the employee. Family military leave under this subsection may be taken only during one or more of the following time frames:

- A. The 15 days immediately prior to deployment;
- B. Deployment, if the military member is granted leave; or
- C. The 15 days immediately following the period of deployment.

Family military leave granted under this section may consist of unpaid leave.

Sec. 3. 26 MRSA §843, sub-§4, ¶D, as amended by PL 2001, c. 684, §2, is further amended to read:

D. A child, parent or spouse with a serious health condition; ~~or~~

Sec. 4. 26 MRSA §843, sub-§4, ¶E, as enacted by PL 2001, c. 684, §3, is amended to read:

E. The donation of an organ of that employee for a human organ transplant; or

Sec. 5. 26 MRSA §843, sub-§4, ¶F is enacted to read:

F. The death or serious health condition of the employee's spouse, domestic partner, parent or child if the spouse, domestic partner, parent or child as a member of the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty.'

SUMMARY

This amendment expands the applicability of family military leave by reducing from 50 to 15 the number of employees that an employer must have to trigger the requirement that such leave be provided. The amendment also allows family members the option of using unpaid leave while the service member has returned on leave granted during deployment. Finally, the amendment expands the coverage of the bill's provision adding a new family medical leave authorization by providing leave if the employee is a domestic partner, parent or child of the member of the armed forces and when the member dies or incurs a serious health condition while on active duty.

FISCAL NOTE REQUIRED **(See attached)**