

Date:

(Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1146, L.D. 1783, “An Act to Implement the Recommendations of the Governor's Advisory Council on Military Sexual Trauma”

Amend the bill in section 1 in the first blocked paragraph in the first 2 lines (page 1, lines 4 and 5 in L.D.) by striking out the following: "or sexual harassment"

Amend the bill by striking out all of section 4 and inserting the following:

'**Sec. 4. 37-B MRSA §390-D** is enacted to read:

§390-D. Paid leave pending completion of sexual harassment investigation or sexual assault investigation

A full-time or part-time member of the Maine National Guard who is in active state service pursuant to section 181-A and who reports that the member is a victim of a sexual assault or sexual harassment by another member of the Maine National Guard may request paid leave during any pending investigation, and paid leave must be granted if the reporting party requests it. A full-time or part-time member of the Maine National Guard who is in active state service pursuant to section 181-A and who is the responding party in an investigation of sexual assault or sexual harassment must be placed on paid leave pending completion of the investigation, unless the reporting party consents to an alternative arrangement after consultation with counsel for the Maine National Guard. If a reporting party takes paid leave but wishes to return to work prior to completion of the investigation, an evaluation of supervisory or reporting structures must be completed and modified as necessary to avoid further alleged conduct by the responding party.'

Amend the bill by striking out all of section 6 and inserting the following:

'**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training and Operations 0108

COMMITTEE AMENDMENT

1 Initiative: Provides funding to pay for paid leave costs that are not otherwise reimbursed
 2 by another entity.

3	GENERAL FUND	2023-24	2024-25
4	Personal Services	\$63,000	\$63,000
5	All Other	\$27,000	\$27,000
6			
7	GENERAL FUND TOTAL	\$90,000	\$90,000

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9 **DEFENSE, VETERANS AND EMERGENCY**
 10 **MANAGEMENT, DEPARTMENT OF**
 11 **DEPARTMENT TOTALS**

12		2023-24	2024-25
13	GENERAL FUND	\$90,000	\$90,000
14			
15	DEPARTMENT TOTAL - ALL FUNDS	\$90,000	\$90,000

16 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 17 **Purchased Social Services 0228**

18 Initiative: Provides ongoing appropriations for a military sexual trauma liaison.

19	GENERAL FUND	2023-24	2024-25
20	All Other	\$140,000	\$140,000
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22	GENERAL FUND TOTAL	\$140,000	\$140,000

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24 **HEALTH AND HUMAN SERVICES,**
 25 **DEPARTMENT OF**
 26 **DEPARTMENT TOTALS**

27		2023-24	2024-25
28	GENERAL FUND	\$140,000	\$140,000
29			
30	DEPARTMENT TOTAL - ALL FUNDS	\$140,000	\$140,000

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32 **SECTION TOTALS**

33		2023-24	2024-25
34	GENERAL FUND	\$230,000	\$230,000
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36	SECTION TOTAL - ALL FUNDS	\$230,000	\$230,000

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38 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 39 number to read consecutively.

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SUMMARY

This amendment, which is the majority report of the committee, clarifies that paid leave pending completion of a sexual harassment investigation or a sexual assault investigation is available to active status Maine National Guard members. It removes a report of sexual harassment from eligibility under the Victims' Compensation Fund.

FISCAL NOTE REQUIRED

(See attached)