



129th MAINE LEGISLATURE

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Legislative Document

No. 1805

H.P. 1285

House of Representatives, May 30, 2019

**An Act To Amend the Laws Governing Military Leave for Officials
and State Employees**

(AFTER DEADLINE)

Submitted by the Department of Defense, Veterans and Emergency Management and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205. Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STEWART of Presque Isle.
Cosponsored by Senator LUCHINI of Hancock and
Representatives: SCHNECK of Bangor, STROM of Pittsfield, Senator: CYRWAY of
Kennebec.

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

2 **Sec. 1. 37-B MRSA §342, sub-§5, ¶B**, as amended by PL 2003, c. 583, §7, is
3 further amended to read:

4 B. ~~All officials and employees~~ An official or employee of the State who ~~are~~
5 ~~members~~ is a member of the National Guard or the Reserves of the United States
6 Armed Forces must have a leave of absence not to exceed 17 ~~work~~ days, or 136
7 hours, each calendar year from ~~their~~ the official's or employee's respective duties,
8 without loss of pay or time, when performing military duty and without loss of time
9 or leave for all other military duty, during which the ~~members are~~ member is so
10 engaged. Military leave must be credited to a full-time official or employee on the
11 basis of an 8-hour work day. Military leave must be prorated for a part-time official
12 or employee and for an official or employee on uncommon tours of duty based
13 proportionally on the average weekly number of hours in the official's or employee's
14 regularly scheduled pay cycle. The minimum charge to military leave is one hour,
15 and an official or employee may be charged only the amount of military leave
16 necessary to cover the period of military duty.

17 **SUMMARY**

18 This bill specifies that military leave given to state officials and employees who are
19 members of the National Guard or Reserves of the United States Armed Forces may not
20 exceed 17 days or 136 hours per calendar year. For full-time employees, military leave is
21 based on an 8-hour work day, and military leave is prorated for part-time employees and
22 employees on uncommon tours of duty. The bill also requires military leave to be
23 charged by the hour and only in the amount necessary to cover the period of military
24 duty.