



126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1832

S.P. 735

In Senate, March 19, 2014

An Act To Increase Employment Opportunities for Veterans

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TUTTLE of York.

Cosponsored by Representative LONGSTAFF of Waterville and

Senators: President ALFOND of Cumberland, GRATWICK of Penobscot, HASKELL of Cumberland, JACKSON of Aroostook, MASON of Androscoggin, MAZUREK of Knox, PATRICK of Oxford, VALENTINO of York, Representatives: BEAULIEU of Auburn, FOWLE of Vassalboro, GIFFORD of Lincoln, KINNEY of Limington, LUCHINI of Ellsworth, RUSSELL of Portland, SAUCIER of Presque Isle, SCHNECK of Bangor, TURNER of Burlington.

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

2 **Sec. 1. 5 MRSA §4573, sub-§5**, as amended by PL 1995, c. 393, §19, is further
3 amended to read:

4 **5. Federal Indian policy.** Nothing in this Act may be construed to prohibit any
5 employment policy or action that is permitted under 42 United States Code, Section
6 2000e-2(i) (1982) of the federal Equal Employment Opportunity Act governing
7 employment of Indians; ~~and~~

8 **Sec. 2. 5 MRSA §4573, sub-§6, ¶B**, as enacted by PL 1995, c. 393, §20, is
9 amended to read:

10 B. Nothing in this Act may be construed to preempt, modify or amend any state,
11 county or local law, ordinance, rule or regulation applicable to food handling that is
12 designed to protect the public health from individuals who pose a significant risk to
13 the health or safety of others, which can not be eliminated by reasonable
14 accommodation, pursuant to the list of infectious or communicable diseases and the
15 modes of transmissibility published by the United States Secretary of Health and
16 Human Services; ~~and~~

17 **Sec. 3. 5 MRSA §4573, sub-§7** is enacted to read:

18 **7. Veteran preference.** For a private employer to apply a voluntary veteran
19 preference, pursuant to Title 26, chapter 7, subchapter 11, to employment decisions
20 regarding hiring, promotion or retention during a reduction in workforce.

21 **Sec. 4. 26 MRSA c. 7, sub-c. 11** is enacted to read:

22 **SUBCHAPTER 11**

23 **VETERAN PREFERENCE**

24 **§876. Short title**

25 This subchapter may be known and cited as "the Voluntary Veteran Preference
26 Employment Policy Act."

27 **§877. Definitions**

28 As used in this subchapter, unless the context otherwise indicates, the following
29 terms have the following meanings.

30 **1. DD Form 214.** "DD Form 214" means an Armed Forces Report of Transfer or
31 Discharge or its predecessor or successor forms.

32 **2. Private employer.** "Private employer" means a sole proprietor, corporation,
33 partnership, limited liability company or other entity with one or more employees.

1 "Private employer" does not include the State, a county, a municipality, a township, a
2 school district or a public institution of higher education.

3 **3. Veteran.** "Veteran" means a person who has served on active duty in the United
4 States Armed Forces and was discharged or released with an honorable discharge.

5 **4. Veteran preference employment policy.** "Veteran preference employment
6 policy" means a private employer's preference for hiring, promoting or retaining a veteran
7 over another qualified applicant or employee.

8 **§878. Veteran preference employment policy**

9 A private employer may have a veteran preference employment policy. The policy
10 must be in writing and must be applied uniformly to employment decisions regarding
11 hiring, promotion or retention during a reduction in workforce. A private employer may
12 require that a veteran submit a DD Form 214 to be eligible for the preference.

13 **SUMMARY**

14 This bill allows a private employer to have a veteran preference employment policy.
15 The policy must be in writing and must be applied uniformly to employment decisions
16 regarding hiring, promotion or retention during a reduction in workforce.