

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

July 2003

Staff:

*Danielle D. Fox, Legislative Analyst
Lucia Nixon, Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

Members:

*Sen. Kenneth T. Gagnon, Chair
Sen. Kenneth F. Lemont
Sen. Arthur F. Mayo III*

*Rep. Joseph E. Clark, Chair
Rep. John L. Patrick
Rep. Patricia A. Blanchette
Rep. Marilyn E. Canavan
Rep. Rodney C. Jennings
Rep. Roger A. Landry
Rep. Gary W. Moore
Rep. Kevin J. Glenn
Rep. Richard B. Brown
Rep. Randy E. Hotham*

Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Legal and Veterans' Affairs

LD 1513

**An Act To Update the Department of Defense, Veterans and
Emergency Management Laws**

PUBLIC 404

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK MAYO	OTP-AM	H-468

LD 1513 proposed to allow a member of the Maine National Guard on active state service for more than 15 days to elect to be a member of the Maine State Retirement System after September 1, 1995 to elect to be a member of the Maine State Retirement System, pay contributions or have pick-up contributions made on or receive any service credit for the period from September 1, 1995. The bill proposed to allow the Adjutant General of the Maine National Guard to receive excess personal property from the United States Department of Defense for use by the Department of Defense, Veterans and Emergency Management. It proposed to clarify that an application for a stay of court or administrative proceeding by a military member does not constitute an appearance. The bill proposed to require that the certificate of release or discharge from active military duty filed with any state, local or county government be held confidential for a period of 75 years. It proposed to specify that the Governor may agree to hold harmless the Federal Government against claims arising from debris and wreckage removal relating to a major disaster or emergency. It also proposed to add 2 members to the River Flow Advisory Commission. Finally, the bill proposed to name the armory located in Caribou the Nelson J. Solman Armory.

Committee Amendment "A" (H-468) proposed to revise the provision of the bill regarding optional membership in the Maine State Retirement System for certain Maine National Guard members to clarify that election is irrevocable and to eliminate the retroactive purchase of retirement benefits that was included in the bill. The amendment also proposed to add a provision to the bill authorizing the Adjutant General to sell the Saco Armory. The amendment proposed to add a fiscal note to the bill.

Enacted Law Summary

Public Law 2003, chapter 404 allows a member of the Maine National Guard on active state service for more than 15 days to elect to be a member of the Maine State Retirement System. The law allows the Adjutant General of the Maine National Guard to receive excess personal property from the United States Department of Defense for use by the Department of Defense, Veterans and Emergency Management. The law clarifies that an application for a stay of court or administrative proceeding by a military member does not constitute an appearance. The law requires that the certificate of release or discharge from active military duty filed with any state, local or county government be held confidential for a period of 75 years. The law specifies that the Governor may agree to hold harmless the Federal Government against claims arising from debris and wreckage removal relating to a major disaster or emergency. The law adds 2 members to the River Flow Advisory Commission. This law authorizes the Adjutant General to sell the armory located in Saco. Finally, the law names the armory located in Caribou the Nelson J. Solman Armory.