

# MAINE STATE LEGISLATURE

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L.D. 1777  
(Filing No. H- 430)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
111TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "**B**" to H.P. 1337, L.D. 1777,  
Bill, "AN ACT to Amend the Military Laws of the State  
of Maine."

Amend the bill in section 2, in paragraph D,  
subparagraph (12), in the last line (page 3, line 33  
in L.D.) by inserting after the underlined word "re-  
quirements" the following: 'subject to the Maine  
Administrative Procedure Act, Title 5, chapter 375'

Further amend the bill in section 7, in the first  
paragraph in the 4th line (page 5, line 1 in L.D.) by  
inserting after the underlined word "rules" the fol-  
lowing: 'under the emergency rule-making provisions  
of the Maine Administrative Procedure Act, Title 5,  
section 8054, which are'

Further amend the bill in section 7, in the 2nd  
paragraph in the 9th line (page 5, line 18 in L.D.)  
by striking out the underlined word "shall" and  
inserting in its place the following: 'may'

Further amend the bill in section 7, in the 2nd  
paragraph by striking out all of the 3rd and 4th  
underlined sentences (page 5, lines 19 to 26 in L.D.)

Further amend the bill in section 13, in para-  
graph A, in the 7th line (page 8, line 10 in L.D.) by  
striking out the underlined words "The Military" and  
inserting in their place the following: 'In accor-  
dance with applicable state laws and rules, the Mili-  
tary'

Further amend the bill in section 13, in para-  
graph A, in the 16th line (page 8, line 19 in L.D.)  
by inserting after the underlined word and punctu-  
ation "buildings." the following: 'If the officers

HOUSE AMENDMENT "B" to H.P. 1337, L.D. 1777

1 of a municipality disagree with the sum fixed by the  
2 Adjutant General, they may appeal within 30 days of  
3 the determination by the Adjutant General by filing a  
4 complaint with the Superior Court in the county in  
5 which the municipality is located.

6 STATEMENT OF FACT

7 The purpose of this amendment is:

8 1. To clarify that the Maine Administrative  
9 Procedure Act applies to certain actions of the Adju-  
10 tant General;

11 2. To remove specific language pertaining to the  
12 issuance of temporary restraining orders during emer-  
13 gencies, thus, leaving it to the discretion of the  
14 courts to determine whether a restraining order is  
15 warranted;

16 3. To clarify that when the Military Bureau  
17 builds an armory, the applicable state environmental  
18 laws and rules apply; and

19 4. To provide an appeal mechanism for municipal-  
20 ities which disagree with the sum established by the  
21 Adjutant General as the municipalites contribution  
22 toward the cost of armory construction.

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