

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1520

H.P. 1117 House of Representatives, May 11, 1987  
Submitted by the Department of Defense and Veterans'  
Services pursuant to Joint Rule 24.

Referred to the Committee on Aging, Retirement and  
Veterans. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative LEBOWITZ of Bangor.

Cosponsored by Representatives PERRY of Mexico, HICKEY of  
Augusta and STEVENS of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Clarify the Definition and  
Application of Active State Service in  
the Defense Laws.

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5 Be it enacted by the People of the State of Maine as  
6 follows:

7 Sec. 1. 37-B MRSA §102-A is enacted to read:

8 §102-A. Active state service defined

9 As used in this Title, "active state service"  
10 means all military duty performed as a member of the  
11 state military forces in a pay status described in  
12 section 143 by order of the Governor under this Title  
13 or performed under the United States Code, Title 32.

14 Sec. 2. 37-B MRSA §402, sub-§2, as enacted by PL  
15 1983, c. 460, §3, is repealed.

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STATEMENT OF FACT

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This bill repeals the Maine Revised Statutes, Title 37-B, section 402, subsection 2, and enacts Title 37-B, section 102-A. The reason for repealing the Title 37-B, section 402, subsection 2, which provides a definition of active state service, or state active duty, and enacting Title 37-B, section 102-A, is that the status of the individual military member logically follows a description of the composition of the state military forces. Also, the status of the individual military member has implications across the spectrum of military operations far beyond the narrow disciplinary focus of the Maine Code of Military Justice.

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