

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1170

DATE: 4/14/97

(Filing No. S-114)

LEGAL AND VETERANS AFFAIRS

Reported by: Senator Ferguson

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**STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 351, L.D. 1170, Bill, "An Act to Amend Department of Defense and Veterans' Affairs Laws"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 5 MRSA §285, sub-§1, ¶F-3, as enacted by PL 1993, c. 410, Pt. L, §10, is amended to read:

F-3. Any employee of the Maine State Retirement System; and

Sec. 3. 5 MRSA §285, sub-§1, ¶F-4 is enacted to read:

F-4. Any member of the Maine National Guard performing state active service pursuant to Title 37-B, section 181-A, subsection 4 or 5; and'

Further amend the bill by striking out all of sections 10, 12, 13, 14 and 15

Further amend the bill by striking out all of section 16 (page 5, lines 1 to 24 in L.D.) and inserting in its place the following:

'Sec. 16. 37-B MRSA §143, as amended by PL 1983, c. 594, §4, is repealed and the following enacted in its place:

§143. Pay and allowances

1. Pay and allowances. Members of the Maine National Guard ordered to active state service under this Title, except under section 150, are entitled to receive at least the same pay and allowance as would be payable to those persons from the United States Armed Forces. The member's pay, except for that pay of

COMMITTEE AMENDMENT

those members serving under section 150, must include a minimum pay based upon at least 12 hours a day at the state minimum wage.'

Further amend the bill in section 17 in that part designated "**§151.**" in the first paragraph in the 9th and 10th lines (page 5, lines 39 and 40 in L.D.) by striking out the following: "property and fiscal officer" and inserting in its place the following: 'Property and Fiscal Officer'

Further amend the bill in section 34 in the 3rd line (page 13, line 27 in L.D.) by inserting before the following: "Veterans' Services" the following: 'Defense and'

Further amend the bill in section 35 in the 3rd line (page 13, line 35 in L.D.) by inserting before the following: "Veterans' Services" the following: 'Defense and'

Further amend the bill by inserting at the end before the summary the following:

'Sec. 36. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1997-98	1998-99
DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF		
Veterans Services		

Personal Services	\$11,033	\$11,164
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Provides funds for the reclassification of the Director of Operations of the Division of Veterans' Services, Pay Range 28, to the Director of the Bureau of Maine Veterans' Services, Pay Range 85.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the summary the following:

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FISCAL NOTE

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1997-98

1998-99

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APPROPRIATIONS/ALLOCATIONS

8

General Fund

\$11,033

\$11,164

10

The Department of Defense and Veterans' Services will require additional General Fund appropriations of \$11,033 and \$11,164 in fiscal years 1997-98 and 1998-99, respectively, for the reclassification of the Director of Operations of the Division of Veterans' Services (Pay Range 28) to the Director of the Bureau of Maine Veterans' Services (Pay Range 85).

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The additional costs associated with paying authorized health and dental insurance for National Guard members on voluntary state active service for more than 15 days can be absorbed by the Department of Defense and Veterans' Services utilizing existing Other Special Revenue allocations.'

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SUMMARY

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This amendment clarifies a potential interpretation problem in the Maine Revised Statutes, Title 37-B, section 143 with Title 37-B, section 150 by ensuring that volunteers under section 150 would not have to be paid 12 times the minimum wage.

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It moves the entitlement for health and dental benefits from Title 37-B, section 143 in the original bill to Title 5, section 285, where individuals eligible to participate in the state group health plan are listed. This amendment omits from the bill any reference to reimbursement for official travel, vacation and sick leave.

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The amendment maintains statutory qualifications for the positions of Adjutant General and Adjutant General's assistant.

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The amendment also adds an appropriation section and a fiscal note to the bill.

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