

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1537

S.P. 516

In Senate, April 10, 2003

An Act To Clarify that the Maine Military Authority Is Part of the Military Bureau

(EMERGENCY)

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KNEELAND of Aroostook.
Cosponsored by Representative CLARK of Millinocket.

2 **Emergency preamble. Whereas,** Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** the Maine Military Authority is encountering
substantial difficulties in executing its cooperative agreements
with the United States Department of Defense, National Guard
8 Bureau because it is not absolutely clear that the Maine Military
Authority is part of the Department of Defense, Veterans and
10 Emergency Management, Military Bureau; and

12 **Whereas,** the Military Bureau employs close to 200 employees
at the former Loring Air Force Base and the Maine Military
14 Authority is funded solely by federal funds; and

16 **Whereas,** the Military Bureau plans to bid on a large federal
contract within the next few months before nonemergency
18 legislation would take effect and clarification in this Act will
facilitate the continued operation and expansion of the Maine
20 Military Authority; and

22 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
24 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
26 safety; now, therefore,

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

30 **Sec. 1. 37-B MRSA §391,** as enacted by PL 2001, c. 374, §8, is
amended to read:

32 **§391. Maine Military Authority established**

34
36 The Maine Military Authority is established as a body
corporate and politic and a public instrumentality of the State
Military Bureau, and the exercise of the powers conferred by this
38 chapter is deemed and held to be the performance of essential
governmental functions. The authority consists of the Maine
40 Readiness Sustainment Maintenance Center and shall report to the
Adjutant General. The authority exists for the purpose of, but
42 is not limited to, operating the Maine Readiness Sustainment
Maintenance Center, which maintains, rebuilds, repairs, stores
44 and manufactures equipment for the United States Department of
Defense, National Guard Bureau, and maintaining, rebuilding,
46 repairing, storing and manufacturing equipment for the State and
its political subdivisions, for the United States Department of
48 the Army, Department of the Air Force, Department of the Navy and
Department of the Treasury and for foreign governments in

2 conjunction with the foreign military sales program of the United
States Department of Defense.

4 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

6
8 **SUMMARY**

10 This bill clarifies that the Maine Military Authority is a
part of the Department of Defense, Veterans and Emergency
12 Management, Military Bureau.