

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND
VETERANS' AFFAIRS**

July 2009

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STATE OF MAINE

124TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Legal and Veterans Affairs

Committee Amendment "A" (H-390)

This amendment strikes the section of the bill that stated that any person subject to the Maine Code of Military Justice who violates any state or federal criminal law must be punished as a court-martial may direct. The amendment also provides greater detail regarding a case review panel that is part of the Commission to Protect the Lives and Health of Members of the Maine National Guard. As amended, this bill was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions to the laws governing public records.

House Amendment "A" To Committee Amendment "A" (H-467)

This amendment makes clarifying changes to Committee Amendment "A" regarding confidential records of the Case Review Team of the Commission to Protect the Lives and Health of Members of the Maine National Guard.

House Amendment "A" (H-567)

This amendment adds authorization for the Adjutant General to sell the Fort Kent and Gardiner armories and allows for a real-property exchange of the armory in Portland.

Enacted Law Summary

Public Law 2009, chapter 406 amends the law to allow for the sale of the Fort Kent and Gardiner armories and allows for the sale of all or a portion of the armory in located Bath. It also allows for the transfer of property with regard to the armory located in Portland. The law also specifies that any person subject to the Code of Military Justice in accordance with Title 37-B who behaves in a manner that is prejudicial to the good order and discipline of the military forces must be punished as a court-martial may direct. The law requires a school that provides tuition assistance to veterans, their spouse or dependants to provide certain information such as enrollment verification, grade point average and transcripts so the Bureau of Veterans Services may properly administer those educational benefits. The law also establishes a case review team within the Commission to Protect the Lives and Health of Members of the Maine National Guard.

LD 1328

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot

**LEAVE TO
WITHDRAW**

Sponsor(s)

ADAMS

Committee Report

LTW

Amendments Adopted

This resolution proposes to amend the Constitution of Maine to require the Legislature to authorize a process to allow a qualified voter to vote at a polling place in or outside of the voter's election district during the 21-day period immediately preceding an election. It also changes an allowable reason for absentee voting from absence or physical incapacity to any reason deemed sufficient.