

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

August 2019

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STATE OF MAINE

129TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Veterans and Legal Affairs

1. Removes the requirement in the bill that free tuition be provided to the child of a veteran for a master's degree program; and
2. Provides that the tuition waiver may not exceed the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono.

Enacted Law Summary

Public Law 2019, chapter 377 changes the name of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to the Maine Bureau of Veterans' Services. It also revises the laws governing monuments erected in the Maine Veterans' Memorial Cemetery System and adds provisions regarding requirements for burial in green burial sections.

Public Law 2019, chapter 377 amends the law directing that the child of a veteran who is attending state-supported postsecondary colleges or postsecondary vocational schools must be admitted free of tuition by limiting the tuition waiver to no more than the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono, expanding the type of programs covered to include not only associate and bachelor's degree programs but also certificate programs, allowing a student 10 academic years to complete a program rather than the six years allowed under current law and removing the two-year maximum on the amount of extended time that the Director of the Maine Bureau of Veterans' Services may grant a student when the student's education has been interrupted by severe medical disability, learning disability, illness or other hardship.

LD 1807

An Act To Amend Certain Laws Related to Members of the Military and the Maine National Guard

PUBLIC 341

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T LUCHINI L	OTP	

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, makes the following changes in the laws relating to the Department of Defense, Veterans and Emergency Management.

1. It moves the law relating to parental rights and responsibilities of active-duty parents from the laws pertaining to the Military Bureau to the laws governing domestic relations.
2. It limits the award, in any civil action brought under the laws regarding preservation of status and right to benefits of members of the Maine National Guard or the Reserves of the United States Armed Forces, of reasonable attorney's fees and costs to any prevailing member of the Maine National Guard or the Reserves of the United States Armed Forces.
3. It allows any federally recognized general officer currently serving in the Maine National Guard to be appointed Deputy Adjutant General.
4. It eliminates the requirement that a federally recognized officer must command the Joint Force Headquarters.
5. It moves the law relating to security at Maine National Guard military facilities and the real property of the department from the laws pertaining to the activation of state military forces to the laws governing the organization of state military forces. It also allows the provost marshal to receive confidential criminal history records and allows the Maine National Guard to use all means necessary to protect its assets that are inherently dangerous or vital to national security.
6. It repeals the law governing retired officers and the retired list and amends the laws governing the Governor's authority to activate state military forces to allow the Adjutant General or Deputy Adjutant General to call a member

Joint Standing Committee on Veterans and Legal Affairs

or retired member of the Maine National Guard, with that member's consent, to perform active state service.

7. It amends the law prohibiting any voluntary active state service without the express order of the Governor to specify that the active state service prohibited is service without pay. It also specifies that members and retired members of the Maine National Guard in active state service pursuant to a cooperative agreement with the Federal Government are entitled to the same pay as is received by persons from the United States Armed Forces, but that the pay may not be less than pay based upon a 12-hour day at the state minimum wage nor more than that allowed pursuant to the cooperative agreement.

8. It allows the Adjutant General to sell the South Portland Air National Guard Station.

9. It adds violations under the motor vehicle laws prohibiting operating under the influence as violations under the Maine Code of Military Justice.

Enacted Law Summary

Public Law 2019, chapter 341 makes the following changes in the laws relating to the Department of Defense, Veterans and Emergency Management.

1. It moves the law relating to parental rights and responsibilities of active-duty parents from the laws pertaining to the Military Bureau to the laws governing domestic relations.

2. It limits the award, in any civil action brought under the laws regarding preservation of status and right to benefits of members of the Maine National Guard or the Reserves of the United States Armed Forces, of reasonable attorney's fees and costs to any prevailing member of the Maine National Guard or the Reserves of the United States Armed Forces.

3. It allows any federally recognized general officer currently serving in the Maine National Guard to be appointed Deputy Adjutant General.

4. It eliminates the requirement that a federally recognized officer must command the Joint Force Headquarters.

5. It moves the law relating to security at Maine National Guard military facilities and the real property of the department from the laws pertaining to the activation of state military forces to the laws governing the organization of state military forces. It also allows the provost marshal to receive confidential criminal history records and allows the Maine National Guard to use all means necessary to protect its assets that are inherently dangerous or vital to national security.

6. It repeals the law governing retired officers and the retired list and amends the laws governing the Governor's authority to activate state military forces to allow the Adjutant General or Deputy Adjutant General to call a member or retired member of the Maine National Guard, with that member's consent, to perform active state service.

7. It amends the law prohibiting any voluntary active state service without the express order of the Governor to specify that the active state service prohibited is service without pay. It also specifies that members and retired members of the Maine National Guard in active state service pursuant to a cooperative agreement with the Federal Government are entitled to the same pay as is received by persons from the United States Armed Forces, but that the pay may not be less than pay based upon a 12-hour day at the state minimum wage nor more than that allowed pursuant to the cooperative agreement.

8. It allows the Adjutant General to sell the South Portland Air National Guard Station.

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