

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

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

July 2022

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4. It requires the Board of Trustees of the Maine Veterans' Homes to seek comments from the public when adopting rules.
5. It requires the Maine Veterans' Homes to submit in its annual report to the Governor and the joint standing committee of the Legislature having jurisdiction over veterans affairs a description of any efforts to seek funding and any amendments to the rules necessary to administer the homes and authorizes the committee to report out legislation based upon the report.
6. It establishes requirements that the Board of Trustees of the Maine Veterans' Homes must follow when discontinuing services at or closing a public home for veterans.
7. It directs the Department of Health and Human Services to make supplemental payments to the Maine Veterans' Homes in fiscal years 2021-22 and 2022-23 to offset budget shortfalls. As a condition of receiving the supplemental payments, the Maine Veterans' Homes must commit to continue providing services in Caribou and Machias.

Public Law 2021, chapter 528 was enacted as an emergency measure effective March 31, 2022.

### **LD 2029 An Act To Enhance the Prevention of and Response to Sexual Assault and Sexual Harassment in the Maine National Guard**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 634 enhances the prevention of and response to sexual assault and sexual harassment within the Maine National Guard. Part A directs the Attorney General to review the manner in which law enforcement agencies and prosecutors within the State investigated and prosecuted allegations of sexual assault or the crime of harassment by members of the Maine National Guard against other members of the Maine National Guard during the five-year period ending on March 31, 2022. The Attorney General shall submit a report to the joint standing committee of the Legislature having jurisdiction over veterans affairs summarizing the results of the review by February 15, 2023. The committee may report out legislation regarding the subject matter of the report to the 131st Legislature in 2023.

Part B of Public Law 2021, chapter 634:

1. Expands the crime of harassment to provide that a person commits harassment if the person engages in any course of conduct with the intent to harass, torment or threaten another person and during the previous year the person, while a member of the Maine National Guard, was notified in writing or otherwise not to engage in such conduct by a commanding officer, regardless of whether the person remains a member of the Maine National Guard when the conduct occurs and regardless of where the conduct occurs;
2. Provides that a notice to cease harassment issued to a member of the Maine National Guard by a commanding officer may, to the same extent as a notice to cease harassment issued by a law

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enforcement officer, satisfy the requirements for initiating a court proceeding for protection from harassment;

3. Adds the crime of harassment to the Maine Code of Military Justice as a military offense for which discipline may be imposed;
4. Adds a member of the military community with experience in sexual assault response, who is appointed by the Governor, to the Maine Commission on Domestic and Sexual Abuse. It also reduces from four to three the number of at-large members appointed by the Governor to serve on the commission, but provides that all currently appointed commission members may continue to serve for the remainder of their terms of appointment;
5. Requires the Adjutant General to provide current and former members of the Maine National Guard who were victims of sexual assault or sexual harassment while members with financial assistance to cover the expenses of traveling to and from and participating in administrative or Maine Code of Military Justice proceedings related to the sexual assault or sexual harassment; and
6. Requires the Adjutant General, by February 15th of each year, to submit to the joint standing committee of the Legislature having jurisdiction over veterans affairs a report containing specific information regarding reported incidents of sexual assault or sexual harassment within the Maine National Guard during the preceding 10 years, to the extent that the sharing of such information is not prohibited by federal law or regulation and does not reveal the identity of victims; a description of the sexual assault and sexual harassment prevention training provided to members of the Maine National Guard in the previous year; a description of the Maine National Guard's current practices and procedures for preventing, investigating and imposing discipline for sexual assault and sexual harassment; and a summary of the activities during the preceding year of any advisory council or special study group convened by the Governor or by the Department of Defense, Veterans and Emergency Management whose duties involve examining or making recommendations regarding the Maine National Guard's prevention of or response to sexual assault or sexual harassment. The Adjutant General shall include in the report due February 15, 2023 a copy of any report prepared by the United States National Guard Bureau, Office of Complex Investigations evaluating the Maine National Guard's policies and procedures for sexual assault prevention and response, sexual assault and sexual harassment investigations and equal opportunity programs as well as a copy of any report submitted to the Governor by the Advisory Council on Military Sexual Trauma established in Executive Order 1 FY 21/22.

### **LD 2031 An Act To Allow Outdoor Stadiums and Pool Halls To Sell Spirits**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 598 authorizes outdoor stadiums and pool halls to obtain licenses to sell spirits for on-premises consumption. Previously, outdoor stadiums and pool halls were only authorized to obtain licenses to sell malt liquor and wine for on-premises consumption.