

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Update Department of Defense, Veterans and Emergency Management Laws

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

Sec. 1. 37-B MRSA §107, as repealed and replaced by PL 1999, c. 291, §1, is amended to read:

§ 107. Qualifications for appointment of Adjutant General and assistant adjutant general

A person appointed Adjutant General or assistant adjutant general must have attained the federally recognized rank of Colonel in the Maine National Guard and meet the criteria for federal recognition as a General Officer as prescribed by federal regulation, 10 United States Code, Section 3282.

Sec. 2. 37-B MRSA §1130, sub-§1, as enacted by PL 2001, c. 460, §3, is amended to read:

1. Fund established. The Dam Repair and Reconstruction Fund, referred to in this section as the "fund," is established within the department. The department shall administer the fund and make low-interest loans from the fund for purposes pursuant to this section. The department may seek assistance from the ~~Finance Authority of Maine~~ Maine Municipal Bond Bank in administering the fund.

Sec. 3. 37-B MRSA §1130, sub-§2, as amended by PL 2007, c. 167, §12, is further amended to read:

2. Purposes. The department may use the fund to provide low-interest loans to municipalities and quasi-municipal corporations or districts for engineering, legal and construction costs involved in acquiring title to, establishing a long-term management plan for, repairs to, reconstruction of, breaching of or removal of a dam or to pay emergency costs incurred for actions taken pursuant to section 1114. For the purposes of this section, "municipality" has the same meaning as set out in Title 30-A, section 5903, subsection 7-A and "quasi-municipal corporation or district" has the same meaning as set out in Title 30-A, section 2351, subsection 4.

SUMMARY

Currently the Adjutant General and assistant adjutant general must have attained the federally recognized rank of Colonel in the Maine National Guard. This bill requires that the Adjutant General and assistant adjutant general also meet the criteria for federal recognition as a General Officer as prescribed by federal regulation, 10 United States Code, Section 3282. In addition, this bill designates the Maine Municipal Bond Bank as a potential administrative partner in the Dam Repair and Reconstruction Fund in place of the Finance Authority of Maine. It also aligns the definition of "municipality" in the laws governing the fund with the definition set out under the Maine Municipal Bond Bank authorizing statutes, and explicitly allows quasi-municipal corporations and districts to apply for loans from the fund.