

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

Amend the bill by striking out all of section 2 (page 1, lines 8 to 11 in L.D.)

Amend the bill by striking out all of section 7 (page 2, lines 6 to 14 in L.D.) and inserting the following:

‘**Sec. 7. 37-B MRSA §536** is enacted to read:

§ 536. Case Review Team

There is created within the commission the Case Review Team, referred to in this section as "the team."

1. Composition of Case Review Team. The team consists of the chair of the commission and, as determined by the chair of the commission, may consist of any current or advisory members of the commission, as described in section 532, subsections 1 and 2, depending upon the nature and requirements of each case review. If the team includes advisory members of the commission, those members serve as nonvoting members of the team.

2. Meetings; officers. The team shall meet at such time or times as may be reasonably necessary to carry out its duties, as the team determines, and it shall meet at the call of the chair of the commission.

3. Powers and duties. The team shall examine cases involving Maine National Guard noncombat death and disability associated with military service in the Maine National Guard. The purpose of the examinations must be consistent with the provisions of this chapter. In addition, the team shall assist specific individual Maine National Guard service members as necessary.

4. Confidentiality. For the purposes of Title 1, section 402, proceedings, records, data, documents and other matters submitted to or considered by the team are confidential and are not subject to disclosure under any state law, subpoena, discovery or introduction into evidence in a civil or criminal action and must be sealed. The chair of the commission shall disclose conclusions of the team upon request but may not disclose the materials protected by this subsection.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

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.