

# MAINE STATE LEGISLATURE

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February 14, 1975

Donna Thibodeau, Director

Bicentennial Commission

Robert J. Stolt, Assistant

Attorney General

Ceremonial Colonial Militia Companies - Memo dated February 7, 1975

I understand your questions to be:

1. Whether armed military organizations (Colonial Militia Companies) organized in this State or other states of the United States may be authorized to parade and/or participate in other festivities in conjunction with bicentennial celebrations?

2. If so, what procedures must be followed to authorize such parading and/or participation in bicentennial celebration festivities?

The standard to be applied and the procedure to be followed for all such colonial militia companies, organizations, or associations is set out in 37-A M.R.S.A. § 1107. Section 1107 prohibits any body of men from parading in any city or town of this State except "associations wholly composed of soldiers and sailors honorably discharged from the service of the United States and the order known as the Sons of Veterans." Such excepted groups need only "first obtain the written permission of the city or municipal officers of the town or city in which they reside to parade" in such city or town.

Section 1107 effectively prohibits parading, etc., by out-of-state colonial militia companies in this State and by in-state colonial militia companies outside of the city or town in which they reside.

I suggest that you prepare emergency legislation to be submitted by the Governor during the regular session to address this problem.

The legislation submitted should define the type of militia organizations covered; the activities and degree of participation in such activities permissible, including use of period weaponry; the geographic participation permissible; and, the procedures to be used by such militia organizations, organized in this State or in other states of the United States, to obtain authorization to participate in bicentennial celebration festivities.

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ROBERT J. STOLT  
Assistant Attorney General

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