

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(New Title)
New Draft of H. P. 1872, L. D. 2371
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2517

H. P. 1975 House of Representatives, February 15, 1974
Reported by Mr. Stillings from Committee on State Government and
printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Reorganize the Department of Military, Civil Defense and
Veterans Services.**

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

Sec. 1. R. S., T. 37-A, § 1, repealed and replaced. Section 1 of Title 37-A of the Revised Statutes, as enacted by section 1 of chapter 580 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 1. Department of Military, Civil Emergency Preparedness and
Veterans Services

1. Department. There is created and established a Department of Military, Civil Emergency Preparedness and Veterans Services in this Title called the "department," to coordinate and improve the discharge of State Government's responsibility relating to the military, veterans services and civil emergency preparedness, to consist of the Adjutant General and the following as heretofore created and established: The Military Bureau; the Bureau of Civil Defense, to be named the Bureau of Civil Emergency Preparedness and the Bureau of Veterans Services.

The Adjutant General shall be the commissioner of the Department of Military, Civil Emergency Preparedness and Veterans Services. The Adjutant General shall be appointed by the Governor and serve at the pleasure of the Governor. He shall have the grade not to exceed that of Major General. The Adjutant General shall administer the department, subordinate only to the Governor and shall adopt such methods of administration, not inconsistent

with the law, as he may deem necessary to render the department efficient. The Adjutant General is authorized to transfer personnel at his discretion from one bureau to another bureau within the department and is authorized to prepare a budget for the department.

The Adjutant General shall appoint a Deputy Adjutant General, subject to the approval of the Governor, whose qualifications shall be those set forth in section 213 for an Assistant Adjutant General. The duly appointed Deputy Adjutant General, regardless of rank, shall have all the powers and duties of the Adjutant General in the case of the absence of the Adjutant General or his inability to act, or in the case of vacancy in said office, until such vacancy shall have been filled by the Governor, as provided by law. He shall not hold any other state office for compensation.

2. Military Bureau. The Deputy Adjutant General shall be the director of the Military Bureau.

3. Bureau of Civil Emergency Preparedness. The Bureau of Civil Emergency Preparedness shall have a director, who shall be appointed by the Adjutant General, with the advice and consent of the Governor and Council. The director shall serve at the pleasure of the Adjutant General and shall not hold any other state office for compensation.

4. Bureau of Veterans Services. The Bureau of Veterans Services shall have a director, who shall be appointed by the Adjutant General, with the advice and consent of the Governor and Council. The director shall be a war veteran and a person qualified by experience, training and a demonstrated interest in veterans services. The director shall serve at the pleasure of the Adjutant General and shall not hold any other state office for compensation.

Sec. 2. R. S., T. 37-A, § 214, amended. The first sentence of section 214 of Title 37-A of the Revised Statutes, as enacted by section 1 of chapter 580 of the public laws of 1971, is repealed and the following enacted in place thereof:

The Adjutant General of the State shall be ex officio, chief of staff for the State.

Sec. 3. R. S., T. 37-A, § 214, amended. The 7th paragraph of section 214 of Title 37-A of the Revised Statutes, as enacted by section 1 of chapter 580 of the public laws of 1971, is repealed and the following enacted in place thereof:

The Adjutant General may appoint, subject to the approval of the Governor, an assistant adjutant general for the Army National Guard, who shall be the Deputy Adjutant General, and an assistant adjutant general for the Air National Guard. Such assistant adjutant general may hold the grade of Brigadier General and shall serve at the will and pleasure of the Adjutant General. An assistant adjutant general shall meet the qualifications set forth in section 213. Each assistant adjutant general shall be responsible for the general supervision of training and administration of the affairs of the Army

National Guard and Air National Guard, respectively, and for such other duties as are prescribed by the Adjutant General.

The Deputy Adjutant General shall be the Director of the Military Bureau. The Deputy Adjutant General, regardless of rank shall have all the powers and duties of the Adjutant General in the case of the absence of the Adjutant General or his inability to act, or in the case of vacancy in said office until such vacancy shall have been filled by the Governor, as provided by law.

Sec. 4. **Amendatory clause.** Wherever in Title 37-A of the Revised Statutes the words "Bureau of Civil Defense" appear they shall mean "Bureau of Civil Emergency Preparedness."

Wherever the words "Director of the Bureau of Civil Defense" appear they shall mean the "Director of the Bureau of Civil Emergency Preparedness."

Wherever the words "Department of Military, Civil Defense and Veterans Services" appear in the Revised Statutes, they shall mean the "Department of Military, Civil Emergency Preparedness and Veterans Services."

Sec. 5. **Appropriation reduction.** There is reduced from the appropriation from the General Fund to the Department of Military, Civil Defense and Veterans Services, Military Bureau, the sum of \$13,630 for the fiscal year ending June 30, 1975 to carry out the recommendation of the Maine Management and Cost Survey. The breakdown shall be as follows:

1974-75

MILITARY, CIVIL DEFENSE AND
VETERANS SERVICES, DEPARTMENT OF

Military Bureau

Personal Services

(1) (\$13,630)

Provides for the reduction of the position of Assistant Adjutant General (Air) as recommended by the Maine Management Survey.

STATEMENT OF FACT

Pursuant to Management and Cost Survey recommendation #1, Department of Military, Civil Defense and Veterans Services, this bill reorganizes the department. This reorganization is intended to allow the Adjutant General to devote full time efforts to supervision while delegating line responsibility to the Deputy Adjutant General, who is the Director of the Military Bureau.

The bill provides an appropriation reduction of \$13,630 representing the phase-out of one assistant adjutant general at the end of this fiscal year.