

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 62

H.P. 60

House of Representatives, January 9, 2007

An Act To Recognize Gold Star Parents and Family Members

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAKAS of Lewiston.
Cosponsored by Senator BOWMAN of York and
Representatives: CLARK of Millinocket, FISHER of Brewer, LORING of the Penobscot
Nation, THERIAULT of Madawaska, TIBBETTS of Columbia, TUTTLE of Sanford,
WHEELER of Kittery, Senator: TURNER of Cumberland.

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

2 **Sec. 1. 37-B MRSA §3, sub-§1, ¶D,** as amended by PL 2003, c. 590, §1, is
3 further amended to read:

4 D. Have the following powers and duties.

5 (1) The Adjutant General shall administer the department subordinate only to the
6 Governor.

7 (2) The Adjutant General shall establish methods of administration consistent
8 with the law necessary for the efficient operation of the department.

9 (3) The Adjutant General may prepare a budget for the department.

10 (4) The Adjutant General may transfer personnel from one bureau to another
11 within the department.

12 (5) The Adjutant General shall supervise the preparation of all state
13 informational reports required by the federal military establishment.

14 (6) The Adjutant General shall keep an accurate account of expenses incurred
15 and, in accordance with Title 5, sections 43 to 46, make a full report to the
16 Governor as to the condition of the military forces, and as to all business
17 transactions of the Military Bureau, including detailed statements of expenditures
18 for military purposes.

19 (7) The Adjutant General is responsible for the custody, care and repair of all
20 military property belonging to or issued to the State for the military forces and
21 shall dispose of military property belonging to the State that is unserviceable.
22 The Adjutant General shall account for and deposit the proceeds from that
23 disposal with the Treasurer of State who shall credit them to the Construction and
24 Capital Repair Account of the Military Bureau.

25 (8) The Adjutant General may sell for cash to officers of the state military forces,
26 for their official use, and to organizations of the state military forces, any military
27 or naval property that is the property of the State. The Adjutant General shall,
28 with an annual report, render to the Governor an accurate account of the sales and
29 deposit the proceeds of the sales with the Treasurer of State who shall credit them
30 to the General Fund.

31 (9) The Adjutant General shall represent the state military forces for the purpose
32 of establishing the relationship between the federal military establishment and the
33 various ~~State~~ state military staff departments.

34 (10) The Adjutant General shall accept, receive and administer federal funds for
35 and on behalf of the State that are available for military purposes or that would
36 further the intent and specific purposes of this chapter and chapter 3.

37 (11) The Adjutant General shall acquire, construct, operate and maintain military
38 facilities necessary to comply with this Title and Title 32 of the United States
39 Code and shall operate and maintain facilities now within or hereafter coming
40 within the jurisdiction of the Military Bureau.

- 1 (12) The Adjutant General may adopt rules pertaining to compliance with state
2 and federal contracting requirements, subject to ~~the Maine Administrative~~
3 ~~Procedure Act~~, Title 5, chapter 375. Those rules must provide for approval of
4 contracts by the appropriate state agency.
- 5 (13) The Adjutant General shall allocate and supervise any funds made available
6 by the Legislature to the Civil Air Patrol.
- 7 (14) The Adjutant General shall report at the beginning of each biennium to the
8 joint standing committee of the Legislature having jurisdiction over veterans'
9 affairs on any recommended changes or modifications to the laws governing
10 veterans' affairs, particularly as those changes or modifications relate to changes
11 in federal veterans' laws.
- 12 (15) The Adjutant General may receive personal property from the United States
13 Department of Defense that the Secretary of Defense has determined is suitable
14 for use by agencies in law enforcement activities, including counter-drug
15 activities, and in excess of the needs of the Department of Defense pursuant to 10
16 United States Code, Section 2576a, and transfer ownership of that personal
17 property to state, county and municipal law enforcement agencies
18 notwithstanding any other provision of law. The Adjutant General may receive
19 excess personal property from the United States Department of Defense for use
20 by the department, notwithstanding any other provision of law.
- 21 (16) The Adjutant General may establish a science, mathematics and technology
22 education improvement program for schoolchildren known as the STARBASE
23 Program. The Adjutant General may accept financial assistance and in-kind
24 assistance, advances, grants, gifts, contributions and other forms of financial
25 assistance from the Federal Government or other public body or from other
26 sources, public or private, to implement the STARBASE Program. The Adjutant
27 General may employ a director and other employees, permanent or temporary, to
28 operate the STARBASE Program.
- 29 (17) The Adjutant General shall establish a system to express formally
30 condolence and appreciation to the closest surviving family members or "gold
31 star" parents of those armed services members who are killed in action or die as a
32 consequence of wounds received in battle since September 11, 2001 if one of
33 those persons lives in this State.

34

SUMMARY

35 This bill directs the Adjutant General to establish an award to give to "gold star"
36 parents and close family members of armed services members who are killed in action or
37 die as a consequence of wounds received in battle if one of the "gold star" parents or
38 close family members lives in this State.