

# MAINE STATE LEGISLATURE

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SPECIAL SESSION  
NEW DRAFT OF S. P. 730—L. D. 1230

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E I G H T Y - N I N T H   L E G I S L A T U R E

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**Legislative Document**

**No. 1244**

S. P. 750

In Senate, June 7, 1940.

Reported by Senator Marden from Committee on Military Affairs and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dow of Franklin.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY

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**AN ACT Providing for Improvement in Military Preparedness.**

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**Emergency preamble.** Whereas, the armory facilities for the national guard are far from adequate and handicap proper training of the military forces within the state; and

Whereas, sufficient funds are not available for necessary improvements in the training of the national guard; and

Whereas, the present world catastrophe plainly shows the need of immediate preparedness for national defense; and

Whereas, in the judgment of this legislature, the facts hereinbefore set forth create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore,

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

**Sec. 1. Training of the national guard.** There is hereby appropriated the sum of \$15,000 to be added to the military fund out of any available funds, to provide for and facilitate the training of the national guard prior to January 1, 1941.

**Sec. 2. R. S., c. 18, § 65, amended.** Section 65 of chapter 18 of the revised statutes is hereby amended by adding at the end thereof the following paragraph:

**'Each commissioned officer shall receive from the state an initial allowance of \$50 and \$25 each year thereafter toward the purchase of his necessary uniforms, arms and equipment.'**

**Sec. 3. R. S., c. 18, § 54, amended.** Section 54 of chapter 18 of the revised statutes is hereby amended to read as follows:

**'Sec. 54. Armory commission.** ~~The adjutant general, together with four officers of the line of the national guard of or above the grade of captain, detailed by the governor in addition to their other duties, shall constitute an armory commission of which the adjutant general shall be the chairman.~~ The armory commission shall consist of 7 members, one of whom shall be the adjutant general who shall be the chairman. The other 6 members who shall be citizens of the state shall be appointed by the governor with the advice and consent of the council, as follows: 2 for a term of 1 year, 2 for a term of 2 years, and 2 for a term of 3 years, and thereafter 2 for a term of 3 years annually. In the case of any vacancy caused by death, resignation or otherwise, the governor with the advice and consent of the council shall appoint a citizen for the unexpired term, ~~whose duty is~~ ~~It shall be the duty of the commission~~ to exercise general supervision and control over all armories, drill rooms, headquarters offices, and stables, to consult and cooperate with the municipal authorities and to devise effective means of obtaining and maintaining such armories, and to fix, subject to the approval of the governor, the compensation to be allowed to the municipalities as rent for them; they shall have the power, after consulting and hearing the responsible municipal officers, to determine the administrative question of military suitability and adequate maintenance of all armories, drill rooms, offices, headquarters offices, and stables, and it shall be their duty to notify the responsible officers of all deficiencies in these respects, and should such officers fail, refuse, or neglect to take effective measures for providing such suitable buildings and their maintenance, the chairman of the commission shall initiate the prosecution prescribed by section 51. The armory commission is authorized where towns or municipalities have been relieved from compliance with the provisions of this section to provide armories, target ranges, or stables by reason of any agreement or agreements entered into between such towns or cities and the state of Maine, to hire or lease suitable buildings for drill halls, quarters, headquarters offices, or stables as may be necessary to adequately house the

national guard. The commission is authorized and directed to cooperate with the federal government under direction of the governor in establishing and coordinating national defense in the state of Maine, especially in the providing of equipment, training facilities, suitable quarters for troops and supplies, and buildings and grounds for military purposes. The commission may acquire real property by right of eminent domain, and both real and personal property by purchase, gift or otherwise for the purpose of construction and/or maintenance of armories, and military property. For each day actually employed in the transaction of the business of the armory commission the members other than the adjutant general shall receive as compensation the base pay of their grade and all members shall be reimbursed for actual traveling expenses, such accounts to be paid from the armory fund. The members of the commission shall be paid such per diem as the governor and council may direct, and be reimbursed for their actual expenses incurred in the performance of their duties to be paid from the armory fund.'

**Emergency clause.** In view of the emergency set forth in the preamble, this act shall take effect when approved.