

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
94th LEGISLATURE

COMMITTEE AMENDMENT "A" to H. P. 1513, L. D. 891, Bill, "An Act Relating to the Military Law."

Amend said Bill by striking out the whole of section 2 and inserting in place thereof the following:

"Sec. 2.R.S., c. 12, § 9, amended. The 1st paragraph of section 9 of chapter 12 of the revised statutes, as amended by section 1 of chapter 253 of the public laws of 1947, is hereby further amended to read as follows:

'The staff of the commander-in-chief shall consist of the adjutant general, who shall be ex officio chief of staff, quartermaster-general and paymaster-general with rank of brigadier-general; the senior officer on duty with each of the staff departments; and such aides-de-camp not to exceed 5 9 in number, one of whom may be a naval ~~aide~~ aide with rank of captain and one of whom may be an air force aide, as may be appointed by the governor. ~~Except as hereinafter provided all~~ All staff officers, except in the medical department and chaplains, must be at the time of their appointment commissioned officers of the Maine national guard, or of the Maine state guard, or other authorized state military or naval forces, or of the officers' reserve corps of the army or air force of the United States, or on the retired list of the army or air force of the United States and residents of the state of Maine, on the active or retired list of or above the grade of captain but no staff officer shall be appointed from the retired list who shall have had less than 5 years of service in the Maine national guard, or in the officers' reserve corps of the army of the United States, or in the regular army of the United States the last year of which shall be within 5 years immediately preceding the appointment.'

Further amend said Bill by adding at the end of section 4 thereof the following underlined words:

'of the national military establishment'

Further amend said Bill by striking out the whole of section 6 and inserting in place thereof the following:

'Sec. 6. R.S., c. 12 § 12, amended. Section 12 of chapter 12 of the revised statutes, as amended by chapter 388 of the public laws of 1947, is hereby further amended by striking out the words "regular army" in the 2nd paragraph thereof and "war department" wherever they appear therein and inserting in place thereof the words "national military establishment."'

Further amend said Bill by striking out the whole of section 12 and inserting in place thereof the following:

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(OVER)

"Sec. 12. R.S., c. 12, § 32, amended. Section 32 of chapter 12 of the revised statutes is hereby amended to read as follows:

'Sec. 32. Flag to be carried by national guard. The flag of the state to be carried by the ~~regiments of the~~ Maine national guard of Maine shall be the same as the flag described in section 25 of chapter 1, with the addition of ~~2 scrolls~~ a scroll in red ~~one above and one below~~ the coat of arms of the state; ~~in the upper scroll the official designation of the regiment, and in the lower scroll bearing~~ the inscription, Maine National Guard State of Maine.'"

Further amend said Bill by adding thereto a new section numbered 13-A, to read as follows:

"Sec. 13-A. R. S., c. 12, § 35, amended. The next to the last sentence in section 35 of chapter 12 of the revised statutes as amended by chapter 132 of the public laws of 1945, is hereby further amended to read as follows:

'Provided, however, that all men having an honorable record of prior service in the United States army, air force, navy, marine corps, or in the national guard of the United States may be exempt from compulsory service under the provisions of this section.'

Further amend said Bill by striking from section 24 thereof in the 1st sentence of that part designated as "Sec. 62-B" and after the underlined word "appoint" the underlined word 'a.'

Further amend said Bill by adding thereto a new section numbered 33-A, to read as follows:

"Sec. 33-A R. S., c. 12, § 91, amended. Section 91 of chapter 12 of the revised statutes is hereby amended to read as follows:

'Whenever any portion of the militia not being in the service of the United States shall be on duty or ordered to assemble for duty by the governor in time of actual war, insurrection, invasion, or rebellion, or emergency due to fire, flood, or other disaster, the articles of war governing the army and air force of the United States, the articles for the government of the United States navy, and the regulations prescribed for the army, air force and navy of the United States, so far as consistent with this chapter and the regulations issued thereunder, shall be in force and regarded as a part of this chapter until said forces shall duly be relieved from such duty during such state of actual war, insurrection, invasion, or rebellion; but no punishment under such rules and articles which shall extend to the taking of life, shall in any case be inflicted until the approval by the governor of the sentence inflicting such punishment.'

Reported by the Committee on Military Affairs.

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