

§266. Prohibited acts

1. Destruction of equipment. The penalties for destruction of equipment are as follows.

A. Any person who knowingly or recklessly destroys, injures or defaces any article of military property belonging to the State or the United States, or uses it for an unauthorized purpose, or has or retains the property in violation of law or rule is guilty of a Class E crime. [PL 1987, c. 208, §1 (NEW).]

B. In case an officer or enlisted person of the state military forces through carelessness or inattention loses, destroys or causes the loss or destruction of government property that has been issued for that officer's or enlisted person's use, the Adjutant General shall retain, out of the pay, allowances or money due the officer or enlisted person for any military services an amount equal to the value of the property lost or destroyed. That portion of the money that is for state property must be turned in to the Treasurer of State and credited to the Military Fund. That portion that is for United States property must be turned in to the United States Treasury and credited to the State on its property returns. [RR 2019, c. 1, Pt. B, §18 (COR).]

[RR 2019, c. 1, Pt. B, §18 (COR).]

2. Equipment not to be sold. Except as otherwise provided by law, the clothes, arms, military outfits and accoutrements furnished by or through the State to any member of the state military forces shall not be sold, bartered, exchanged, pledged, loaned or given away. Any unauthorized person who has possession of clothes, arms, military outfits or accoutrements furnished as a result of unlawful disposition shall have no right, title or interest in them. Those items may be seized as contraband by a civil officer of the State and shall be delivered to a commanding officer or other officer authorized to receive them, who shall make an immediate report to the Adjutant General. The possession of the clothes, arms, military outfits or accoutrements by any person not a member of the military forces of the State or of the United States shall be prima facie evidence of unauthorized sale, barter, exchange, pledge, loan or gift.

A. Any person who knowingly sells or offers for sale, barter, exchanges, pledges, loans or gives away, secretes or who retains, after demand made by any civil or military officer of the State, any clothes, arms, military outfits or accoutrements furnished by or through the State to a member of the state military forces is guilty of a Class E crime. [PL 1987, c. 208, §2 (NEW).]

B. Whoever knowingly receives by purchase, barter, exchange, pledge, loan or gift any such clothes, arms, military outfits or accoutrements commits a civil violation for which a forfeiture of not more than \$500 may be adjudged. [PL 1987, c. 208, §2 (NEW).]

[PL 1987, c. 208, §2 (RPR).]

3. Uniform forbidden to unauthorized persons. It is unlawful for any person not an officer or enlisted person in the federal or state military forces to wear the duly prescribed uniform of any military forces or any distinctive part of the uniform, or a uniform any part of which is similar to a distinctive part of a prescribed uniform. This subsection may not be construed to prevent authorized persons from wearing the uniforms. The term "distinctive part of the uniform" in this subsection must be construed to mean such parts of the uniform as may be designated as "distinctive" by the regulations of the federal military establishment. Violation of this subsection is a Class E crime.

[RR 2019, c. 1, Pt. B, §19 (COR).]

SECTION HISTORY

PL 1983, c. 460, §3 (NEW). PL 1983, c. 594, §12 (AMD). PL 1987, c. 208, §§1,2 (AMD). RR 2019, c. 1, Pt. B, §§18, 19 (COR).

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