

No. 1998-59

AN ACT

SB 981

Amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further adding to the powers and duties of the Adjutant General; further providing for maintenance, construction and repair contracts to be performed by the Armory Board; and making a repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 902 of Title 51 of the Pennsylvania Consolidated Statutes is amended to read:

§ 902. General powers and duties of Adjutant General.

The Adjutant General as head of the department is responsible to the Commonwealth and to the Governor for the organization and functioning of said department, and the performance and carrying out of all the duties, powers and responsibilities given or delegated. In addition he is hereby authorized and directed to:

(1) Maintain an office through which correspondence on military affairs between the Commonwealth and the Federal Government will be conducted, including that pertaining to funds and property issued by the Federal Government for organization and training of the Pennsylvania military forces.

(2) Maintain all military records until transferred to the Pennsylvania archives or, where so directed, to the proper Federal department.

(3) Maintain historical outlines and permanent historical records of organizations of the Pennsylvania military forces.

(4) Maintain armories, arsenals, military reservations, air bases and all property and equipment intended for the use and training of the Pennsylvania military forces.

(5) Obtain and issue medals in accordance with regulations promulgated under this title.

(6) Prepare all citations, when required, and make arrangements for the proper presentation of the decoration, medal or award.

(7) Convene boards of officers to consider and make recommendations upon such matters as may be referred to them.

(8) Maintain a list of active and retired members of the Pennsylvania National Guard with name, rank, organization, date of appointment, date of retirement and residence.

(9) Execute and enforce the policies of the Commonwealth relative to the Pennsylvania military forces.

(10) Make such bylaws, rules and regulations for the management, general direction and control of the property of the Pennsylvania Soldiers' and Sailors' Home or homes wherever situate.

(11) Coordinate with other Commonwealth agencies and departments, and the respective agencies of the Federal Government, all matters relating to veterans' affairs within this Commonwealth.

(12) Appoint a Director of the Bureau for Veterans' Affairs.

(13) Approve issuance of a policy or policies of group life insurance to an association or associations to cover members of the Pennsylvania National Guard.

(14) Authorize the admittance of any member of a group which has been granted veterans status by the Secretary of Defense and any spouse of a member to State veterans' homes, using admission criteria and procedures as established by the department by regulation.

Section 2. Section 1512 of Title 51 is amended to read:

§ 1512. Maintenance, *construction and repairs.*

Notwithstanding the provisions of any other law to the contrary, the Armory Board may carry out all maintenance activities with respect to an armory if the cost does not exceed \$100,000[.] *and may carry out contracts for repair or construction of armories and other State-owned buildings or facilities under the jurisdiction of the department up to an amount of \$100,000.*

Section 3. Nothing in this act shall be construed to grant the Department of Military and Veterans Affairs the authority to construct or enter into contracts for the construction of new armories or to enter into contracts for the construction or acquisition of any armory, building or facility that may be deemed a capital project pursuant to Article XVI-B of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

Section 4. Nothing in this act shall affect the operation of:

(1) The act of May 1, 1913 (P.L.155, No.104), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings."

(2) The act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act.

Section 5. Section 508 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is repealed to the extent it conflicts with the amendment of 51 Pa.C.S. § 1512 contained in section 2 of this act.

Section 6. This act shall take effect immediately.

APPROVED—The 15th day of May, A.D. 1998.

THOMAS J. RIDGE