

Military Affairs.
February 18, 1935.

✓ House File No. 177. L
By CRAVEN (by request).

A BILL FOR

Naval Militia
An Act to provide for a naval militia to be known as the Iowa naval militia and to provide for the government and discipline thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. There shall be allowed in addition to the
2 national guard provided for under section seven (7) of the
3 military code of Iowa, a naval militia to be known as the
4 Iowa naval militia, which shall be governed by the pro-
5 visions of the military code of the state of Iowa, except
6 as the same may be in conflict with the provisions of this
7 act. The Iowa naval militia shall be recruited by volunteer
8 enlistments from persons of the state eligible to military
9 duty.

1 Sec. 2. The governor shall be the commander-in-chief
2 of the Iowa naval militia, except when it is called into
3 the service of the United States. He is authorized to make
4 and publish, through the adjutant general, regulations and
5 orders for the government, discipline and uniforming of the
6 Iowa naval militia. When not otherwise provided for, the
7 Iowa naval militia shall be subject to the articles and
8 regulations for the government of the United States navy
9 to the same extent as the national guard of the United
10 States and of the state of Iowa, are subject to the articles

11 of war and regulations of the United States army.

1 Sec. 3. The Iowa naval militia shall consist of one
2 battalion of not to exceed eight divisions, and shall be
3 composed of such officers, warrant officers, petty officers,
4 and enlisted men as the governor shall prescribe to conform
5 to such requirements as may be laid down from time to time
6 by the secretary of the navy of the United States.

1 Sec. 4. Officers shall be commissioned by the governor
2 with rank from the date of their appointment, subject to
3 such examination as may be prescribed by federal law and
4 regulations. All officers of the grade of commander or
5 above shall be selected and appointed by the governor upon
6 the recommendation of the examining board, and approved
7 by the adjutant general and the commander, Iowa naval
8 militia. No officer shall be commissioned in a rank
9 higher than that of ensign upon his first appointment,
10 except that the commander, Iowa naval militia and his
11 staff officers set out in sections five (5) and six (6),
12 who shall be originally commissioned in the ranks set forth,
13 to rank from the date of their appointment.

1 Sec. 5. The Iowa naval militia shall be under the
2 command of the adjutant general and an officer appointed
3 by the governor, who shall be the ranking officer of the
4 Iowa naval militia, to be known as the commander, Iowa
5 naval militia. The commander, Iowa naval militia shall
6 hold the rank of lieutenant commander until such time as

7 the Iowa naval militia shall consist of four divisions,
8 when he may hold the rank of commander and when the Iowa
9 naval militia shall consist of six or more divisions he
10 may hold the rank of captain. He shall have been an officer
11 of the line of the naval reserve of the United States for
12 not less than five years. The commander, Iowa naval militia
13 shall be in direct charge of the administration and training
14 of the Iowa naval militia.

1 Sec. 6. The commander, Iowa naval militia shall have
2 an organization to be known as his staff to be comprised
3 of the following officers; who shall be officers of the
4 appropriate branches of the naval reserve of the United
5 States:

6 A Judge Advocate—an officer of the line with same rank,
7 but junior to the commander, I. N. M.

8 A Medical Officer—an officer of the staff of the same
9 rank as commander, I. N. M.

10 A Supply Officer—an officer of the staff of the same
11 rank as commander, I. N. M.

12 An Executive Officer—an officer of the line to be com-
13 missioned, lieutenant, Iowa naval
14 militia,

15 and such other officers and enlisted men as the commander,
16 Iowa naval militia may deem necessary, with the consent of
17 the governor, to properly handle the administration and
18 training of the Iowa naval militia.

1 Sec. 7. The governor may appoint an examining board
2 whose duty it shall be to determine the qualifications
3 and capabilities of candidates for commission or of com-
4 missioned officers sent before it for promotion. The
5 membership of said board shall consist of not less than
6 three or more than five commissioned officers of the
7 Iowa naval militia except that one officer of said board
8 may be an officer in the United States navy assigned by
9 the commandant ninth naval district, at the request of
10 the governor of the state of Iowa, to act on said board.

1 Sec. 8. Petty officers shall be appointed by the
2 commander, Iowa naval militia upon the recommendation of
3 their commanding officer.

1 Sec. 9. Men of the state eligible to military duty
2 shall be recruited by volunteer enlistment and mustered
3 in for the term of four (4) years unless sooner discharged
4 by competent authority. Every recruit shall sign an en-
5 listment paper, the form of which shall be prescribed by
6 the adjutant general of the state of Iowa and which shall
7 contain an oath of allegiance to the state of Iowa and the
8 United States.

1 Sec. 10. The naval militia shall perform such duty as
2 may be required by the governor. The word armory shall be
3 held to include any vessel anchored, moored or secured
4 to land, or any boat, boat house or dock used for the
5 purpose of instruction, drill or defense. The word division

6 used herein shall be held to be the same organization as a
7 company.

1 Sec. 11. No provision of this act shall be construed as
2 providing for the appropriation of any moneys to or for the
3 use of the Iowa naval militia or for the payment of any com-
4 pensation by the state of Iowa to the officers and enlisted
5 men of the Iowa naval militia, unless by separate act pro-
6 vided, unless the naval militia be called to perform duty
7 by the Governor, when the officers and men shall be entitled
8 to the same pay and allowances as prescribed for the navy of
9 the United States in their rank and rate.

1 Sec. 12. Should the courts of this state or of the
2 United States declare any of the provisions of this act
3 unconstitutional, illegal or void, such decision shall not
4 invalidate any other provision herein contained.