

Military Affairs.
February 18, 1935.

Senate File No. 95.✓
By BILLINGSLEY (By Request)

Naval Militia

A BILL FOR

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 provisions
5 of the military Code of the state of Iowa, except as the same
6 may be in conflict with the provisions of this act. The
7 Iowa naval militia shall be recruited by volunteer enlistments
8 from persons of the state eligible to military duty.

1 Sec. 2. The governor shall be the commander-in-chief of
2 the Iowa naval militia, except when it is called into the
3 service of the United States. He is authorized to make and
4 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 to
9 the same extent as the national guard of the United States
10 and of the state of Iowa, are subject to the articles of war
11 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 compos-
3 ed of such officers, warrant officers, petty officers, and
4 enlisted men as the governor shall prescribe to conform to
5 such requirements as may be laid down from time to time by the
6 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 such
3 examination as may be prescribed by federal law and regulations.
4 All officers of the grade of commander or above shall be
5 selected and appointed by the governor upon the recommendation
6 of the examining board, and approved by the adjutant general
7 and the commander, Iowa naval militia. No officer shall be
8 commissioned to a rank of higher than that of ensign upon his
9 first appointment, except that the commander, Iowa naval
10 militia and his staff officers set out in sections five (5)
11 and six (6), who shall be originally commissioned in the ranks
12 set forth, to rank from the date of their appointment.

1 Sec. 5. The Iowa naval militia shall be under the command
2 of the adjutant general and an officer appointed by the
3 governor, who shall be the ranking officer of the Iowa naval
4 militia, to be known as the commander, Iowa naval militia.
5 The commander, Iowa naval militia shall hold the rank of
6 lieutenant-commander until such time as the Iowa naval militia
7 shall consist of four divisions, when he may hold the rank of
8 commander and when the Iowa naval militia shall consist of six

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

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

5 A judge advocate—an officer of the line with same rank,
6 but junior to the commander, Iowa naval militia.

7 A medical officer—an officer of the staff of the same
8 rank as commander, Iowa naval militia.

9 A supply officer—an officer of the staff of the same
10 rank as commander, Iowa naval militia.

11 An executive officer—an officer of the line to be
12 commissioned, lieutenant, Iowa naval militia.

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

1 Sec. 7. The governor may appoint an examining board whose
2 duty it shall be to determine the qualifications and capabilities
3 of candidates for commission or of commissioned officers sent
4 before it for promotion. The membership of said board shall
5 consist of not less than three or more than five commissioned

6 officers of the Iowa naval militia except that one officer of
7 said board may be an officer in the United States navy assigned
8 by the commandant ninth naval district, at the request of the
9 governor of the state of Iowa, to act on said board.

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

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

1 Sec. 10. The naval militia shall perform such duty as may be
2 required by the governor. The word armory shall be held to
3 include any vessel anchored, moored or secured to land, or any
4 boat, boat house or dock used for the purpose of instruction,
5 drill or defense. The word division used herein shall be held
6 to be the same organization as a 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 use
3 of the Iowa naval militia or for the payment of any compensation
4 by the state of Iowa to the officers and enlisted men of the
5 Iowa naval militia, unless by separate act provided, unless the
6 naval militia be called to perform duty by the governor, when

7 the officers and men shall be entitled to the same pay and
8 allowances as prescribed for the navy of the United States in
9 their rank and rate.

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