

State Government  
Rush, Chairperson  
Ashcraft  
Carr

FILED FEB 22 1978

SENATE FILE 2141

By CARR

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the state military code.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section twenty-nine A point eleven (29A.11),  
2 Code 1977, is amended to read as follows:

3 29A.11 ADJUTANT GENERAL--APPOINTMENT, TERM AND REMOVAL.

4 There shall be an adjutant general of the state who shall  
5 be appointed and commissioned by the governor ~~upon the~~  
6 ~~recommendation of a majority of the advisory council--When~~  
7 ~~a majority of the members of the advisory council are in~~  
8 ~~federal service in time of war, said appointment shall be~~  
9 ~~made by the governor without such recommendation~~ with the  
10 approval and confirmation of two-thirds of the senate and  
11 who shall serve at the pleasure of the governor. The rank  
12 of the adjutant general shall be at least that of brigadier  
13 general and he or she shall hold office for a term of four  
14 years. At the time of his appointment he the adjutant general  
15 shall be a federally recognized commissioned officer ~~of the~~  
16 ~~national guard~~ with not less than ten years military service  
17 in the armed forces ~~of this state or of the United States,~~  
18 at least five of which have been commissioned service, and  
19 who shall have reached the grade of a field officer. He shall  
20 ~~be removed only upon conviction of a felony or upon conviction~~  
21 ~~by a court martial or upon termination of his federal~~  
22 ~~recognition.~~

23 Sec. 2. Section twenty-nine A point thirteen (29A.13),  
24 Code 1977, is amended to read as follows:

25 29A.13 MILITARY LAND. The adjutant general, with the  
26 approval of the governor, is authorized to expend from the  
27 funds appropriated for the support and maintenance of the  
28 national guard, ~~and the permanent Camp Dodge improvement fund,~~  
29 such amounts as he or she may deem necessary for the purchase  
30 of additional land, constructing, equipping, and improving  
31 state military reservations, installations, and firing ranges,  
32 owned or leased by the state of Iowa or the United States  
33 for the use and benefit of the national guard and for the  
34 maintenance of all such facilities.

35 Sec. 3. Section twenty-nine A point fourteen (29A.14),

1 Code 1977, is amended to read as follows:

2 29A.14 LEASING FACILITIES. The adjutant general shall  
3 have authority to operate or lease any of the facilities at  
4 Camp Dodge. Any income or revenue derived from such operation  
5 or leasing shall be deposited with the state treasurer as  
6 ~~a-Camp-Dodge-permanent-improvement-fund~~ and credited to the  
7 general fund of the state.

8 Sec. 4. Section twenty-nine A point sixteen (29A.16),  
9 unnumbered paragraph one (1), Code 1977, is amended to read  
10 as follows:

11 The governor shall appoint a deputy adjutant general, who  
12 shall be a commissioned officer ~~of-the-army-national-guard~~  
13 ~~or-the-air-national-guard~~, and an assistant adjutant general  
14 for the army national guard who shall be a commissioned officer  
15 ~~of-the-army-national-guard~~, and an assistant adjutant general  
16 for the air national guard who shall be a commissioned of-  
17 ficer ~~of-the-air-national-guard~~, upon the recommendation of  
18 the adjutant general. They shall have such rank as is  
19 consistent with federal law and regulations to and including  
20 the rank of brigadier general and at the time of their  
21 appointment shall be federally recognized commissioned officers  
22 ~~of-the-national-guard~~ with not less than five years' service  
23 ~~in-the-national-guard-or-in-the-armed-forces-of-the-United~~  
24 ~~States~~, at least three years of which shall have been  
25 commissioned service and they shall have reached the grade  
26 of a field officer. They shall be removed upon termination  
27 of their federal recognition.

28 Sec. 5. Any unencumbered or unobligated moneys remaining  
29 in the Camp Dodge permanent improvement fund on the effective  
30 date of this Act, shall revert to the general fund of the  
31 state on the effective date of this Act.

32 Sec. 6. Section twenty-nine A point one (29A.1), subsection  
33 eleven (11), Code 1977, is repealed.

34 Sec. 7. This Act is effective January 1, 1979.

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EXPLANATION

1 This bill provides that the appointment of the adjutant  
2 general be subject to senate confirmation with service at  
3 the pleasure of the governor. The bill removes certain  
4 restrictions thus expanding the field from which the governor  
5 can appoint the adjutant general, deputy adjutant general,  
6 and assistant adjutant generals.

7 Section 6 of the bill abolishes the advisory council which  
8 under present law recommends to the governor a candidate for  
9 the position of adjutant general.

10 This bill also abolishes the Camp Dodge permanent improve-  
11 ment fund.

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