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1 IN THE HOUSE

2 HOUSE BILL NO. 434

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the organization of the Alaska
7 National Guard; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 26.05.160(a) is amended to read:

10 (a) The adjutant general of the state is appointed by the governor
11 for a term of three years. However, if the National Guard Advisory
12 Board, within 90 days from the date the three-year term expires, recom-
13 mends a second three-year term by majority vote, the adjutant general
14 may serve a second term, subject to the approval of the governor. After
15 service of six years employment as adjutant general, employment with
16 the Department of Military Affairs shall be terminated permanently.

17 The governor shall prescribe the grade of the adjutant general which
18 shall not exceed major general. To be eligible for appointment as
19 adjutant general, a person shall be a citizen of the state. The adju-
20 tant general shall make returns and reports to the Chief, National Guard
21 Bureau, and to the governor or to the officers designated by the Chief,
22 National Guard Bureau, and the governor, at the times and in the form
23 prescribed.

24 * Sec. 2. AS 26.05.160 is amended by adding new subsections to read:

25 (c) The adjutant general, upon appointment, must have completed
26 the command general staff course or its equivalent and one of the war
27 colleges.

28 (d) The adjutant general shall be appointed from a list of three
29 officers having the qualifications specified in (a) - (d) of this

1 section, submitted by majority vote of the National Guard Advisory
2 Board.

3 * Sec. 3. AS 26.05 is amended by adding a new section to read:

4 Sec. 26.05.165. NATIONAL GUARD ADVISORY BOARD. (a) There is
5 created the National Guard Advisory Board, whose members are appointed
6 by the governor and serve at his pleasure. The National Guard Advisory
7 Board is composed of the following:

8 (1) two enlisted men, one from the Alaska Army National Guard
9 and one from the Alaska Air National Guard;

10 (2) two officers, one from the Alaska Army National Guard and
11 one from the Alaska Air National Guard;

12 (3) five interested residents from the general public.

13 (b) The National Guard Advisory Board shall

14 (1) submit the names of three recommended officers for the
15 governor's consideration under sec. 160(d) of this chapter;

16 (2) recommend to the governor policies concerning the admin-
17 istration and operation of the Alaska National Guard;

18 (3) recommend legislation that will enhance recruitment and
19 retention within the Alaska National Guard;

20 (4) recommend basic force requirements and unit structuring
21 which should be pursued with the National Guard Bureau which will add to
22 the state's militia posture.

23 * Sec. 4. AS 26.05.180 is repealed and re-enacted to read:

24 Sec. 26.05.180. HEADQUARTERS STAFF OF THE ALASKA NATIONAL GUARD.

25 (a) The headquarters staff of the Alaska National Guard is composed of
26 an Army National Guard component, an Air National Guard component, and a
27 Naval Militia component. The Army National Guard component and the Air
28 National Guard component shall each be administered by a deputy commis-
29 sioner of military affairs who is appointed by the governor, subject to

1 confirmation by the legislature. Deputy commissioners shall be civilians
2 at the time of their appointment. Members of the Alaska National Guard
3 with not more than eight years of service are eligible for consideration
4 as deputy commissioner; any person who has ever been an employee of the
5 Alaska National Guard is not eligible for appointment as a deputy com-
6 missioner.

7 (b) The Department of Military Affairs shall be organized along
8 civilian lines to the maximum extent possible. Notwithstanding AS 44.17,
9 there may be no more than two deputy commissioners in the department.
10 The positions established in the department may be filled by either
11 state or federal employees.

12 * Sec. 5. AS 26.05 is amended by adding a new section to read:

13 Sec. 26.05.348. DEFINITIONS. As used in this chapter, unless
14 the context otherwise requires,

15 (1) "employee" means a person who receives remuneration for
16 full-time personal services regularly rendered over more than six months
17 of the calendar year, without regard to whether the source of remunera-
18 tion is federal or state funds;

19 (2) "member" means a person, not an employee, considered a
20 member in good standing of the Alaska National Guard.

21 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-
22 070(c).