

Introduced: 5/7/75
Referred: State Affairs

BY THE RULES COMMITTEE
BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 484

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
20 adjutant general shall make returns and reports to the Chief, National
21 Guard Bureau, and to the governor or to the officers designated by the
22 Chief, National Guard Bureau, and the governor, at the times and in the
23 form prescribed.

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

25 (c) The adjutant general must have held or hold a federally
26 recognized field-grade commission with at least five years service in
27 the Alaska Army or Air National Guard on initial appointment.

28 (d) The adjutant general, upon appointment, must have completed
29 the command general staff course or its equivalent and one of the war

1 colleges.

2 (e) The adjutant general shall be appointed from a list of not
3 less than three officers having the qualifications specified in (a) -
4 (c) of this section, submitted by majority vote of the National Guard
5 Advisory Board.

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

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

11 (1) an employee of the Department of Military Affairs who
12 is an active member of the Alaska National Guard;

13 (2) an officer in the Alaska Army National Guard, not
14 employed by the Department of Military Affairs;

15 (3) an enlisted man in the Alaska Army National Guard, not
16 employed by the Department of Military Affairs;

17 (4) an officer in the Alaska Air National Guard, not employed
18 by the Department of Military Affairs;

19 (5) an enlisted man in the Alaska Air National Guard, not
20 employed by the Department of Military Affairs;

21 (6) two interested residents from the general public.

22 (b) The National Guard Advisory Board shall

23 (1) submit lists of recommended officers for the governor's
24 consideration under sec. 160(e) of this chapter;

25 (2) recommend to the governor policies concerning the
26 administration and operation of the Alaska National Guard;

27 (3) recommend legislation that will enhance the recruitment,
28 retention, and retirement program within the Alaska National Guard;

29 (4) recommend basic force requirements and unit structuring

1 which should be pursued with the National Guard Bureau which will add
2 to the state's militia posture.

3 (c) Members appointed under (a)(1) - (5) of this section shall
4 be members of the Alaska National Guard Association, Inc.

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

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

7 (a) The headquarters staff of the Alaska National Guard is composed of
8 an Army National Guard component, an Air National Guard component, and a
9 Naval Militia component. The Army National Guard component and the Air
10 National Guard component shall each be commanded by an assistant ad-
11 jutant general appointed by the adjutant general with the concurrence of
12 the governor, subject to confirmation by the legislature. These appoin-
13 tees may not be employees of the Department of Military Affairs and
14 shall hold office for a period of three years or two years after receiv-
15 ing federal recognition in the grade of brigadier general, whichever
16 period is longer. Upon completion of his term of office, the assistant
17 adjutant general shall be transferred to the applicable reserve com-
18 ponent and retired from the state militia. An officer retired under
19 this section is eligible for appointment as adjutant general. On
20 initial appointment, an assistant adjutant general must hold a federally
21 recognized field-grade commission with at least five years service in
22 the Alaska Army National Guard or in the Alaska Air National Guard.

23 (b) If the adjutant general is an Air Force officer, he may, with
24 the approval of the governor, request that the assistant adjutant
25 general for the Army National Guard component be an employee of the
26 Department of Military Affairs and if the adjutant general is an Army
27 officer he may, with the approval of the governor, request that the
28 assistant adjutant general for the Air National Guard component be an
29 employee of the Department of Military Affairs. An employee whose

1 Alaska National Guard commission is terminated under (a) of this section
2 may be an employee of the Department of Military Affairs in a capacity
3 commensurate with his administrative ability.

4 (c) The Department of Military Affairs shall be organized along
5 civilian lines to the maximum extent possible. Notwithstanding AS 44.17,
6 there may be no more than one deputy commissioner in the department.
7 The positions established in the department may be filled by either
8 state or federal employees. A state employee who is a director of a
9 division or has a higher administrative position shall hold a federally
10 recognized position in the Alaska Army or Air National Guard or the
11 Naval Militia.

12 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
13 070(c).