

CHAPTER 106

MILITARY AND VETERANS

SENATE BILL 95-058

BY SENATORS Johnson, Feeley, Rupert, Thiebaut, Weddig, and Wham;
also REPRESENTATIVES Chlouber and Schwarz.

AN ACT

CONCERNING THE DEPARTMENT OF MILITARY AFFAIRS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 28-3-103 (9), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

28-3-103. General provisions. (9) The governor may authorize the appointment or enlistment of ~~female citizens of the state in the medical corps, nurses corps, and other noncombatant branches and services of the organized militia;~~ WOMEN IN THE STATE MILITARY FORCES, CONSISTENT WITH FEDERAL LAW AND REGULATIONS GOVERNING THE APPOINTMENT OR ENLISTMENT OF WOMEN IN THE ARMED SERVICES, and while so serving they shall have the same status as male members of the military forces.

SECTION 2. 28-3-105 (1), Colorado Revised Statutes, 1989 Repl. Vol., is amended, and the said 28-3-105 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

28-3-105. Adjutant general - assistants. (1) There shall be an adjutant general of the state who shall be appointed by the governor, WITH THE ADVICE AND CONSENT OF THE SENATE, who shall be a staff officer, who at the time of appointment shall be a commissioned officer of the national guard of this state with not less than ten years' military service in the armed forces of this state or of the United States at least five of which have been commissioned service in the Colorado national guard, and who has attained the grade of lieutenant colonel or a higher grade with federal recognition in such grade at least one year prior to his appointment as adjutant general. ~~The term of appointment for the adjutant general shall be for a period of five years, but he shall~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~continue to hold such office under his appointment until his successor for the new term is appointed and qualified or until he is reappointed to succeed himself, unless retired prior to that time by reason of withdrawal of federal recognition, resignation, or disability or for cause as determined by a court-martial or efficiency board legally convened for that purpose.~~ THE ADJUTANT GENERAL SHALL SERVE AT THE PLEASURE OF THE GOVERNOR.

(5) NO ADVERSE PERSONNEL ACTION SHALL BE TAKEN AGAINST AN OFFICER OR ENLISTED MEMBER OF THE MILITARY FORCES AS A CONSEQUENCE OF COMMUNICATING WITH ANY MEMBER OF THE GENERAL ASSEMBLY.

SECTION 3. 28-3-703, Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

28-3-703. Property and fiscal officer - appointment - duties. The governor, pursuant to federal authority, shall appoint, designate, or detail an officer of the national guard who shall be regarded as property and fiscal officer for the United States. THE PROPERTY AND FISCAL OFFICER SHALL SERVE AT THE PLEASURE OF THE GOVERNOR. ~~He~~ THE PROPERTY AND FISCAL OFFICER shall receipt and account for all funds and property belonging to the United States in possession of the national guard of this state and shall make such returns and reports concerning the same as may be required by federal law and regulations. ~~He~~ THE PROPERTY AND FISCAL OFFICER shall render, through the United States department of defense, such accounts of federal funds entrusted to ~~him~~ THE PROPERTY AND FISCAL OFFICER for disbursement as may be required by the United States treasury department. Before entering upon the performance of ~~his~~ THE duties as property and fiscal officer, ~~he~~ THE PROPERTY AND FISCAL OFFICER shall be required to give good and sufficient bond to the United States, the amount thereof to be determined by federal laws or regulations, for the faithful performance of ~~his~~ THE duties OF THE OFFICE and for the safekeeping and proper disposition of federal property and funds entrusted to ~~his~~ THE PROPERTY AND FISCAL OFFICER'S care.

SECTION 4. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 21, 1995