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H.382

Introduced by Representatives Brennan of Colchester, Wright of Burlington,
Batchelor of Derby, Beyor of Highgate, Bissonnette of
Winooski, Bouchard of Colchester, Burditt of West Rutland,
Buxton of Tunbridge, Canfield of Fair Haven, Christie of
Hartford, Condon of Colchester, Conquest of Newbury,
Consejo of Sheldon, Corcoran of Bennington, Cupoli of
Rutland City, Donaghy of Poultney, Evans of Essex, Fagan of
Rutland City, Gage of Rutland City, Greshin of Warren, Hebert
of Vernon, Higley of Lowell, Hubert of Milton, Jerman of
Essex, Juskiewicz of Cambridge, Keenan of St. Albans City,
Kilmartin of Newport City, Komline of Dorset, Lawrence of
Lyndon, Lewis of Berlin, McCarthy of St. Albans City, McFaun
of Barre Town, Morrissey of Bennington, Myers of Essex, Peltz
of Woodbury, Potter of Clarendon, Russell of Rutland City,
Savage of Swanton, Scheuermann of Stowe, Sharpe of Bristol,
Shaw of Pittsford, Stevens of Shoreham, Strong of Albany, Till
of Jericho, Van Wyck of Ferrisburgh, Waite-Simpson of Essex,
Wilson of Manchester, and Woodward of Johnson

Referred to Committee on
Date:

1 Subject: Internal security and public safety; National Guard; Adjutant and
2 Inspector General

3 Statement of purpose of bill as introduced: This bill proposes to require that
4 all candidates for Adjutant and Inspector General shall have served in the
5 Armed Forces of the United States and have attained the rank of Lieutenant
6 Colonel or above.

7 An act relating to the qualifications for candidates for Adjutant and
8 Inspector General

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 2 V.S.A. § 12 is amended to read:

11 § 12. LEGISLATIVE ELECTIONS; UNIFORM BALLOTS

12 (a) Whenever there is a known contested election for ~~speaker of the house~~
13 ~~of representatives~~ Speaker of the House of Representatives, ~~president pro~~
14 ~~tempore of the senate~~ President Pro Tempore of the Senate, and in elections by
15 the joint assembly of the ~~legislature~~ General Assembly, the ~~secretary of state~~
16 Secretary of State shall prepare a ballot for each office, listing the names of the
17 known candidates for the office in the alphabetical order of their surnames, and
18 leaving thereon sufficient blank spaces to take care of any nominations from
19 the floor.

1 (b) A candidate for office shall, not later than one week preceding the
2 election, notify the ~~secretary of state~~ Secretary of State in writing of his or her
3 candidacy, naming the particular office. If he or she fails so to notify the
4 ~~secretary of state~~ Secretary of State, his or her name shall not be printed on the
5 ballot. No ballot may be used other than the official ballot provided by the
6 ~~secretary of state~~ Secretary of State.

7 (c) A candidate for Adjutant and Inspector General shall have served in the
8 Armed Forces of the United States and attained the rank of Lieutenant Colonel
9 or above.

10 Sec. 2. 20 V.S.A. § 363 is amended to read:

11 § 363. OFFICERS GENERALLY

12 The ~~general assembly~~ General Assembly shall biennially elect an ~~adjutant~~
13 ~~and inspector general~~ Adjutant and Inspector General, who shall also be
14 ~~quartermaster general~~ Quartermaster General with the rank of a ~~major general~~
15 Major General. A candidate for Adjutant and Inspector General shall have
16 served in the Armed Forces of the United States and attained the rank of
17 Lieutenant Colonel or above. ~~Such officer~~ The Adjutant and Inspector General
18 may appoint a deputy with appropriate rank, an ~~assistant adjutant general for~~
19 ~~army~~ Assistant Adjutant General for Army, an ~~assistant adjutant general for air~~
20 Assistant Adjutant General for Air, an ~~assistant adjutant general for joint~~
21 ~~operations~~ Assistant Adjutant General for Joint Operations, a ~~sergeant major~~

1 ~~Sergeant Major~~, and a ~~chief master sergeant~~ Chief Master Sergeant, without
2 pay, with the approval of the ~~governor~~ Governor. The ~~adjutant general~~
3 Adjutant General may remove the appointed ~~assistant adjutant generals~~
4 Assistant Adjutant Generals and ~~sergeants~~ Sergeants and shall be responsible
5 for their acts. Upon appointment, each ~~assistant adjutant general~~ Assistant
6 Adjutant General shall be a federally recognized officer of the ~~national guard~~
7 National Guard of the rank of ~~lieutenant colonel~~ Lieutenant Colonel or above,
8 and shall have a rank of ~~colonel~~ Colonel or ~~brigadier general~~ Brigadier
9 General, and the ~~sergeant major~~ Sergeant Major shall be a federally recognized
10 noncommissioned officer of the ~~national guard~~ National Guard of the rank of
11 ~~master sergeant~~ Master Sergeant or ~~first sergeant~~ First Sergeant, and the ~~chief~~
12 ~~master sergeant~~ Chief Master Sergeant shall be a federally recognized
13 noncommissioned officer of the rank of ~~senior master sergeant~~ Senior Master
14 Sergeant or ~~first sergeant~~ First Sergeant. The deputy, assistants, and sergeants
15 shall perform duties as the ~~adjutant and inspector general and quartermaster~~
16 ~~general~~ Adjutant General shall direct. In the absence or disability of the
17 officer, the deputy shall perform the duties of that office. In case a vacancy
18 occurs in the office of ~~adjutant and inspector general and quartermaster general~~
19 Adjutant General, the deputy shall assume and discharge the duties of the
20 office until the vacancy is filled. The appointments shall be in writing and
21 recorded in the ~~office of the secretary of state~~ Office of the Secretary of State.

1 All other officers of the ~~national guard~~ National Guard shall be chosen in
2 accordance with such regulations as the ~~governor~~ Governor may prescribe
3 consistent with the laws of this ~~state~~ State and the United States.

4 Sec. 3. EFFECTIVE DATE

5 This act shall take effect on July 1, 2013.