

1 H.420

2 Introduced by Representatives Lewis of Berlin, Beyor of Highgate, Devereux
3 of Mount Holly, Donahue of Northfield, Fagan of Rutland City,
4 Fiske of Enosburgh, Grad of Moretown, Hebert of Vernon,
5 Higley of Lowell, Jerman of Essex, Morrissey of Bennington,
6 Savage of Swanton, Shaw of Pittsford, Tate of Mendon, and
7 Wright of Burlington

8 Referred to Committee on

9 Date:

10 Subject: Internal security and public safety; National Guard; Adjutant and
11 Inspector General

12 Statement of purpose of bill as introduced: This bill proposes to require that
13 all candidates for Adjutant and Inspector General shall have served in the
14 U.S. Armed Forces and have attained the rank of lieutenant colonel or above.

15 An act relating to the qualifications for candidates for Adjutant and
16 Inspector General

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

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

2 § 12. LEGISLATIVE ELECTIONS; UNIFORM BALLOTS

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

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

17 (c) A candidate for Adjutant and Inspector General must:

18 (1) be a resident of Vermont;

19 (2) have attained the rank of lieutenant colonel or above;

1 (3) be a commissioned officer or former commissioned officer of the
2 U.S. Army, the U.S. Air Force, the U.S. Army Reserve, the U.S. Air Force
3 Reserve, the Army National Guard, or the Air National Guard;

4 (4) be a current member of the U.S. Armed Forces or eligible to be
5 recalled to active duty; and

6 (5) be a graduate of a Senior Service College or eligible to graduate
7 during the biennium in which the candidate would first be appointed.

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

9 § 363. OFFICERS GENERALLY

10 The ~~general assembly~~ General Assembly shall biennially elect an ~~adjutant~~
11 ~~and inspector general~~ Adjutant and Inspector General, who shall also be
12 ~~quartermaster general~~ Quartermaster General with the rank of a major general.
13 ~~Such officer~~ A candidate for Adjutant and Inspector General shall have served
14 in the U.S. Armed Forces and attained the rank of lieutenant colonel or above.
15 The Adjutant and Inspector General may appoint a deputy with appropriate
16 rank, an ~~assistant adjutant general for army~~ Assistant Adjutant General for
17 Army, an ~~assistant adjutant general for air~~ Assistant Adjutant General for Air,
18 ~~an assistant adjutant general for joint operations~~ Assistant Adjutant General for
19 Joint Operations, a ~~sergeant major~~ Sergeant Major, and a ~~chief master sergeant~~
20 Chief Master Sergeant, without pay, with the approval of the ~~governor~~
21 Governor. The ~~adjutant general~~ Adjutant and Inspector General may remove

1 the appointed ~~assistant adjutant generals~~ Assistant Adjutant Generals and
2 sergeants and shall be responsible for their acts. Upon appointment, each
3 ~~assistant adjutant general~~ Assistant Adjutant General shall be a federally
4 recognized officer of the ~~national guard~~ National Guard of the rank of
5 lieutenant colonel or above, and shall have a rank of colonel or brigadier
6 general, and the ~~sergeant major~~ Sergeant Major shall be a federally recognized
7 noncommissioned officer of the ~~national guard~~ National Guard of the rank of
8 master sergeant or first sergeant, and the ~~chief master sergeant~~ Chief Master
9 Sergeant shall be a federally recognized noncommissioned officer of the rank
10 of senior master sergeant or first sergeant. The deputy, assistants, and
11 sergeants shall perform duties as the ~~adjutant and inspector general and~~
12 ~~quartermaster general~~ Adjutant and Inspector General shall direct. In the
13 absence or disability of the officer, the deputy shall perform the duties of that
14 office. In case a vacancy occurs in the office of ~~adjutant and inspector general~~
15 ~~and quartermaster general~~ Adjutant and Inspector General, the deputy shall
16 assume and discharge the duties of the office until the vacancy is filled. The
17 appointments shall be in writing and recorded in the ~~office of the secretary of~~
18 ~~state~~ Office of the Secretary of State. All other officers of the ~~national guard~~
19 National Guard shall be chosen in accordance with such regulations as the
20 ~~governor~~ Governor may prescribe consistent with the laws of this ~~state~~ State
21 and the United States.

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on July 1, 2015.