

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 19

January 13, 1947. By GENERAL LEGISLATIVE COMMITTEE.
Passed on File.

A BILL FOR

An Act to amend the military code of Iowa (Code 1946).

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section twenty-nine point two, (29.2), Code
2 1946, is hereby amended by striking from line seventeen (17)
3 thereof, the word "flight" and inserting in lieu thereof the
4 word "squadron".

5 Said section is hereby further amended by inserting in
6 line twenty-three (23) thereof, following the word "and" the
7 word "group".

1 Sec. 2. Section twenty-nine point twenty-one, (29.21),
2 Code 1946, is hereby amended by inserting after the word
3 "received" in line seventeen (17) thereof the following: "or
4 as a result of illness or disease contracted".

1 Sec. 3. Section twenty-nine point twenty-three, (29.23),
2 Code 1946, is hereby amended by striking the words "state staff
3 corps and detachment" wherever they appear in this section, and
4 inserting in lieu thereof the words "state headquarters and
5 headquarters detachment".

1 Sec. 4. Section twenty-nine point thirty-one, (29.31), Code

2 1946, is hereby amended by striking all of said section after
3 the word "compensation" appearing in line three (3) thereof and
4 inserting in lieu thereof the following: "of officers and
5 enlisted men and expenses of the national guard and claims for
6 death, injury and illness of the members thereof, incurred in
7 line of duty, shall be paid out of any funds in the state
8 treasury not otherwise appropriated."

1 Sec. 5. Section twenty-nine point forty-two, (29.42),
2 Code 1946, is hereby amended by striking from line twelve (12)
3 thereof the words "the rank of brigadier general" and inserting
4 in lieu thereof the following: "such rank as is consistent
5 with federal law and regulations and his compensation shall be
6 the same pay and allowances as fixed for the same rank or grade
7 for service in the United States Army."

1 Sec. 6. Section twenty-nine point forty-five, (29.45),
2 Code 1946, is hereby amended by inserting in line seven (7)
3 thereof following the word "land" the words "equipment,
4 maintenance,".

5 Said section is hereby further amended by inserting in line
6 nine (9) thereof following the word "purchased" the words "or
7 leased".

8 Said section is hereby further amended by inserting in line
9 eleven (11) thereof following the word "purchased" the words
10 "or leased".

11 Said section is hereby further amended by inserting in
12 line thirteen (13) thereof following the word "buildings" the

13 words "equipment, maintenance,".

1 Sec. 7. Section twenty-nine point forty-six, (29.46), Code
2 1946, is hereby amended by striking from line four (4) thereof
3 the words "The net proceeds therefrom" and inserting in lieu
4 thereof the words "Any revenue or income derived from the
5 operation of the swimming pool or other sources or facilities
6 at Camp Dodge".

1 Sec. 8. Section twenty-nine point fifty-three, (29.53),
2 Code 1946, is hereby amended by striking from said section all
3 of the first paragraph thereof and inserting in lieu thereof
4 the following:

5 "The governor may order the national guard into camp for
6 field training for such period or periods as he may direct. He
7 may, in his discretion, order such organizations or personnel
8 of the National Guard, as he may deem proper, to active service,
9 or duty, or to assemble for purposes of drill, instruction,
10 parade, ceremonies, guard and escort duty, and schools of
11 instruction, and prescribe all regulations and requirements
12 therefor."

1 Sec. 9. This act being deemed of immediate importance
2 shall be in full force and effect from and after its passage and
3 publication in the, a newspaper published
4 at, Iowa, and in the, a
5 newspaper published at, Iowa.

EXPLANATION OF H. F. 19

The following explanation of this bill is presented herewith:
Section 1 amends section 29.2 of the military code—General Definitions. What was

formerly defined as a *flight* of the air service by the army air corps is now defined as a *squadron* and what was formerly defined as a *squadron* is now defined as a *group*.

Sec. 2 amends section 29.21. This section at the present time provides that in the event any officer or enlisted man shall be killed or shall die as a result of injury received while on duty or in active service in line of duty, his dependents as defined by the workmen's compensation law of the state, shall receive the maximum compensation as provided by the said law. It makes no provision, however, for the dependents of officers or enlisted men who die as a result of illness or disease contracted while on duty or in active service in line of duty. As far as the dependents of an officer or enlisted man are concerned, they are left in the same situation whether the officer or enlisted man dies by accident or by illness or disease. It is felt that if a man dies from illness or disease contracted while on active duty in the service of the state, his dependents should be entitled to the same consideration as those of a man who is killed or dies as a result of an accident while on active duty.

Sec. 3 amends section 29.23. The phrase "*state headquarters and headquarters detachment*" is that now used by the war department in designation of what formerly was the "state staff corps and detachment."

Sec. 4 amends section 29.31 for clarification.

Sec. 5 amends section 29.42. The purpose of eliminating the words "the rank of brigadier general" and inserting in lieu thereof "*such rank as is consistent with federal law and regulations*" is based on the fact that the war department under tables of organization provides for the federal recognition of the adjutant general according to the strength of the national guard in each state. The grade under war department tables of organization of the adjutant general sometimes changes and changing the phraseology in this section as indicated enables the governor to appoint an adjutant general with the grade consistent with war department tables of organization without changing the basic state law.

It will be noted that the new section also states "his compensation shall be the same pay and allowances as fixed for the same rank or grade for service in the United States Army." In a number of states, the compensation of the adjutant general is set by law as the same base pay and allowances as an officer of like grade in the regular army. The duties and responsibilities of a state adjutant general have grown to exceed the duties and responsibilities of officers of the regular army of like grade. In the state of Iowa, for instance, the administrative duties of the Adjutant General of the Iowa National Guard which will be in excess of 12,000, are commensurate with those of a division commander of the regular army. Under the war department tables of organization, the adjutant general of a state with this number of troops is a brigadier general.

Sec. 6 amends section 29.45 by inserting in lines 7 and 13, the words "*equipment, maintenance*". This will enable the governor and the adjutant general to expend from the permanent Camp Dodge improvement fund, funds for the purchasing of equipment, labor, materials, and for maintenance of the camp site.

This section also inserts in lines 9 and 11, the words "*or leased*", following the word "purchased". Frequently rifle ranges at home stations of units are on land leased rather than owned by the state or federal government.

Sec. 7 amends section 29.46. There has been considerable complaint from the farmers on land adjacent to the Camp Dodge military reservation, due to the fact the seed from weeds from the reservation constantly blow onto their lands thereby creating considerable of a nuisance. In trying to eliminate this situation, the state has placed such land under cultivation as will not interfere with the training of the national guard. It is felt any revenue derived from crops or any other sources at Camp Dodge should be placed in the permanent Camp Dodge improvement fund, as well as any proceeds that may be derived from the operation of the Camp Dodge swimming pool.

Sec. 8 amends section 29.53 by striking all of the first paragraph and inserting in lieu thereof the words shown in the bill.

This authorizes the governor to order such organizations or personnel of the national guard as he may deem proper to active duty or service, to assemble for purposes of drill, instruction, parade, ceremonies, guard and escort duty and schools of instruction. The words "to active service or duty" reconcile this section with the definitions contained in section 29.2, and authorize the pay for personnel and organizations of the guard when such duty requires the entire time of the personnel or organizations.