

1981 Senate Bill 268

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CHAPTER 35 , Laws of 1981

AN ACT to amend 15.31, 21.18 (1) and (3), 21.19 (5), 21.20, 21.30, 21.32 and 21.48 (3) of the statutes, relating to the term of appointment of the adjutant general, the titles and tenure of the deputy and assistant adjutants general and creation of the positions of chief surgeon for army and chief surgeon for air.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.31 of the statutes is amended to read:

15.31 Department of military affairs; creation. There is created a department of military affairs under the direction and supervision of the adjutant general who shall be appointed by the governor for a ~~40-year~~ 5-year term beginning on November 1, 1981, unless terminated earlier by resignation, disability or for cause ~~as determined by a court-martial legally convened for that purpose~~. The adjutant general may be reappointed to ~~succeed himself~~ successive terms and shall cease to hold office on becoming ~~65~~ 62 years of age.

Appointees shall be officers of the ~~army national guard of Wisconsin or air national guard of Wisconsin~~ who have had at least 5 years of federally recognized commissioned service in the active army national guard of Wisconsin or active air national guard of Wisconsin or a combination thereof and have attained at least the rank of major lieutenant colonel.

SECTION 2. 21.18 (1) and (3) of the statutes are amended to read:

21.18 (1) The military staff of the governor shall consist of the adjutant general, with a minimum rank of brigadier general; a deputy adjutant general for army, who may be a general officer; an assistant adjutant general for army, who may be a general officer; an assistant adjutant general for readiness and training for army, who may be a general officer; a deputy adjutant general for air, who may be a general officer; a chief surgeon; and for army with a minimum rank of brigadier general; a chief surgeon for air with a minimum rank of brigadier general; not more than 5 aides-de-camp with the rank of colonel; and such other officers as the governor deems necessary. Vacancies in positions other than those of the adjutant general and aides-de-camp shall be filled by through appointment by the ~~governor~~ adjutant general.

(3) All staff officers, appointed under sub. (1), except the aides-de-camp who shall hold office at the pleasure of the governor and except the adjutant general whose tenure is governed by s. 15.31, shall hold their positions until they have reached the age of ~~65~~ 60 years, unless retired prior to that time by reason of resignation, disability or for cause ~~to be determined by a court martial legally convened for that purpose. The terms of the deputy adjutants general for army and air shall be 5 years beginning on the first day of the 7th month of the term of the adjutant general. The deputy adjutants general may be reappointed to successive terms.~~ Vacancies among said officers, other than aides-de-camp, shall be filled by appointment from officers of the Wisconsin national guard.

SECTION 3. 21.19 (5) of the statutes is amended to read:

21.19 (5) In the absence or incapacity of the adjutant general the senior ranking deputy adjutant general for army or air shall have all the powers and duties of the adjutant general.

SECTION 4. 21.20 of the statutes is amended to read:

21.20 Civil service status. All full-time state-paid employees of the department of military affairs, except the adjutant general, and the deputy adjutant adjutants general and the assistant adjutant general for army and air, shall be under the classified service.

SECTION 5. 21.30 and 21.32 of the statutes are amended to read:

21.30 (title) Chief surgeons; powers and duties. The chief ~~surgeon~~ surgeons for army and air shall, under direction of the adjutant general, have general supervision of the medical units of the Wisconsin national guard and state guard when organized. The chief ~~surgeon~~ surgeons shall make recommendations concerning procurement of medical supplies for state active duty operations, for the procurement and training of medical personnel and for the publication of Wisconsin national guard directives on medical subjects. The chief ~~surgeon~~ surgeons shall submit an annual report of the affairs and expenses of ~~his or her department~~ their departments to the adjutant general.

21.32 Physical examinations. The chief ~~surgeon~~ surgeons for army and air shall provide for such physical examinations and inoculations of officers, enlistees and applicants for enlistment, Wisconsin national guard, as may be prescribed by department of defense and national guard regulations.

SECTION 6. 21.48 (3) of the statutes is amended to read:

21.48 (3) The governor may order, with their consent, to active duty in the department of military affairs, any departmental officers of his staff, including the adjutant general and the deputy ~~adjutant~~ adjutants general, and while so assigned the officers shall receive

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the pay, but not the allowances, of an officer of equal grade in the armed forces of the United States.
