

59 [39-6-93](#), as last amended by Laws of Utah 2005, Chapter 2
 60 [39-6-94](#), as enacted by Laws of Utah 1988, Chapter 210
 61 [39-6-95](#), as enacted by Laws of Utah 1988, Chapter 210
 62 [39-6-96](#), as enacted by Laws of Utah 1988, Chapter 210
 63 [39-6-97](#), as enacted by Laws of Utah 1988, Chapter 210
 64 [39-6-98](#), as enacted by Laws of Utah 1988, Chapter 210
 65 [39-6-99](#), as enacted by Laws of Utah 1988, Chapter 210
 66 [39-6-100](#), as enacted by Laws of Utah 1988, Chapter 210
 67 [39-6-101](#), as enacted by Laws of Utah 1988, Chapter 210
 68 [39-6-102](#), as enacted by Laws of Utah 1988, Chapter 210
 69 [39-6-103](#), as enacted by Laws of Utah 1988, Chapter 210
 70 [39-6-104](#), as enacted by Laws of Utah 1988, Chapter 210
 71 [39-6-105](#), as enacted by Laws of Utah 1988, Chapter 210
 72 [39-6-106](#), as enacted by Laws of Utah 1988, Chapter 210

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74 *Be it enacted by the Legislature of the state of Utah:*

75 Section 1. Section [39-1-1](#) is amended to read:

76 **39-1-1. Militia -- How constituted -- Persons exempted.**

77 (1) All able-bodied citizens, and all able-bodied persons of foreign birth who have
 78 declared their intention to become citizens, who are ~~H~~→ [18] ~~S~~→ [17] 18 ←~~S~~ ←~~H~~ years of age
 78a ~~S~~→ [~~H~~→ with parental consent ←~~H~~] ←~~S~~ or older and younger than
 79 ~~H~~→ [45] 66 ←~~H~~ years of age, who are residents of this state, constitute the militia, subject
 79a to the following
 80 exemptions:

81 (a) persons exempted by laws of the United States;

82 (b) persons exempted by the laws of this state;

83 (c) all persons who have been honorably discharged from the army, air force, navy,
 84 marines, coast guard, or volunteer forces of the United States;

85 (d) active members of any regularly organized fire or police department in any city or
 86 town, but no member of the active militia is relieved from duty because of his joining any
 87 volunteer fire company or department; and

88 (e) judges and clerks of courts of record, state and county civil officers holding office
 89 by election, state officers appointed by the governor for a specified term of office, ministers of

90 the gospel, practicing physicians, superintendents, and officers and assistants of hospitals[;] and
 91 prisons and jails[; ~~conductors, brakemen, flagmen, engineers and firemen of railways, and all~~
 92 ~~other employees of railways actually employed in train service; and~~

93 [~~(f) idiots, lunatics, and persons convicted of infamous crime.~~]

94 (2) All exempted persons, except those enumerated in Subsections (1)(a) through [(f)]
 95 (e), are liable to military duty in case of war, insurrection, invasion, tumult, riot, or public
 96 disaster, or imminent danger of any of these, or after they have voluntarily enlisted in the
 97 National Guard of this state.

98 Section 2. Section 39-1-3 is amended to read:

99 **39-1-3. Governor commander in chief -- Powers and duties.**

100 (1) The governor by virtue of ~~H~~→ [his] the governor's ←~~H~~ office shall be commander
 100a in chief of the Utah
 101 National Guard and of the unorganized militia, and of any portions of the unorganized militia
 102 which may [~~hereafter~~] be organized. [~~He shall be empowered and~~]

103 (2) The governor:

104 (a) is authorized to issue all [~~such~~] orders, rules and regulations necessary to conform
 105 the Utah National Guard to Title 32 of the United States Code in its organization, government,
 106 discipline, maintenance, training, equipment, and regulations[~~;-He~~];

107 (b) shall appoint and commission all officers and select all warrant officers, subject to
 108 the provisions of Title 32 of the United State Code; provided, that any [~~such~~] appointee failing
 109 to receive federal recognition after having been [~~so~~] notified by the National Guard Bureau,
 110 shall revert to status occupied before [~~such~~] the appointment[~~;-He~~];

111 (c) shall determine and fix the home station and location of the various units of the
 112 Utah National Guard[~~;-He~~];

113 (d) shall provide armories, warehouses, maintenance and repair shops, hangars, small
 114 arms, artillery and aircraft ranges, campsites, concentration areas, training facilities, military
 115 reservations and arsenals as required for organizations of the Utah National Guard; and

116 (e) shall furnish suitable offices, or office space for regular army personnel assigned to
 117 duties with the Utah National Guard[;], the expenses of which may be paid out of the state
 118 military appropriations.

119 Section 3. Section 39-1-12 is amended to read:

120 **39-1-12. Adjutant general -- Appointment -- Term.**