

Representative Paul Ray proposes the following substitute bill:

NATIONAL GUARD GENERAL OFFICER AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill modifies benefits received by full-time, state employed general officers of the Utah National Guard.

Highlighted Provisions:

This bill:

- ▶ provides that general officers of the Utah National Guard shall receive pay and allowances that are commensurate with their military grade or assigned position, time in grade, and time in service as established in the United States Department of Defense Finance and Accounting Services annual pay and allowances chart; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

39-1-2, as last amended by Laws of Utah 2005, Chapter 65

39-1-21, as last amended by Laws of Utah 2012, Chapter 369



26 **39-1-24**, as last amended by Laws of Utah 2012, Chapter 215



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

29 Section 1. Section **39-1-2** is amended to read:

30 **39-1-2. Militia divided into two parts.**

31 (1) The militia of this state shall be divided into two parts: the National Guard and the
32 unorganized militia.

33 (2) The National Guard shall consist of:

34 (a) a joint forces headquarters commanded by the adjutant general and authorized a
35 general officer as deputy commander;

36 (b) a department for army commanded by [~~a general officer~~] the assistant adjutant
37 general for the army; and

38 (c) a department for air commanded by [~~a general officer~~] the assistant adjutant general
39 for air.

40 (3) The numerical strength, composition, distribution, organization, arms, uniforms,
41 equipment, training and discipline of the National Guard shall be prescribed by the governor in
42 conformity with the laws and regulations of the United States and the laws of this state.

43 (4) The unorganized militia shall consist of all members of the militia not members of
44 the National Guard.

45 Section 2. Section **39-1-21** is amended to read:

46 **39-1-21. General Officers -- Salary.**

47 [~~The adjutant general~~] Full-time, state employed general officers shall:

48 (1) receive a salary [~~established by the governor within the salary range fixed in Title~~
49 ~~67, Chapter 22, State Officer Compensation~~]that makes their total federal and state
50 compensation at least commensurate with the pay and allowances for their military grade or
51 assigned position, time in grade, and time in service as established in the United States
52 Department of Defense Finance and Accounting Services annual pay and allowances chart; and

53 (2) devote all of [~~the adjutant general's~~] the general officer's time during the office
54 hours of the military department to the duties of [~~the office~~] the general officer's respective
55 offices.

56 Section 3. Section **39-1-24** is amended to read:

57 **39-1-24. Duties of assistant adjutants general.**

58 (1) The assistant adjutant general detailed for permanent duty shall serve in the office
59 of the adjutant general, performing duties assigned him by the adjutant general. In the absence
60 or disability of the adjutant general he shall perform the duties of the adjutant general, unless
61 otherwise delegated by the adjutant general to another qualified officer. The assistant adjutant
62 general detailed for permanent duty shall serve with pay from the state.

63 (2) The assistant adjutant general not detailed for permanent duty in the office of the
64 adjutant general [~~shall~~] may serve [~~without~~] with pay from the state and perform duties
65 assigned him by the adjutant general.

66 Section 4. **Effective date.**

67 If approved by two-thirds of all the members elected to each house, this bill takes effect
68 upon approval by the governor, or the day following the constitutional time limit of Utah
69 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
70 the date of veto override.