



General Assembly

January Session, 2005

**Raised Bill No. 1011**

LCO No. 3181

\*03181\_\_\_\_\_VA\_\*

Referred to Committee on Select Committee on Veterans Affairs

Introduced by:  
(VA)

**AN ACT REVISING CHAPTERS 504 AND 505A OF THE GENERAL STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-1 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3 (a) [All male] Except as provided in subsection (b) of this section, all  
4 United States citizens and all [male residents of the state] other  
5 individuals who have declared their intention to become citizens of the  
6 United States, who reside in the state, and who are between the ages of  
7 eighteen and forty-five years [, not exempt by law,] shall be subject to  
8 military [duty] service and designated as the militia. [All female  
9 citizens and all female residents of the state who have declared their  
10 intention to become citizens of the United States, between the ages of  
11 eighteen and forty-five years, may enlist voluntarily in any women's  
12 unit of the armed forces of the state.]

13 (b) The following individuals are not subject to military service: (1)  
14 Individuals ineligible or exempt from military service under the laws  
15 or regulations of the state or the United States; (2) commissioners of

16 state agencies; (3) judges of the courts of the state; and (4) members  
17 and staff of the General Assembly.

18 Sec. 2. Section 27-2 of the general statutes is repealed and the  
19 following is substituted in lieu thereof (*Effective July 1, 2005*):

20 [The militia shall be divided into four classes as follows: The  
21 unorganized militia, the organized militia, the National Guard and the  
22 naval militia. The National Guard for the purposes of this chapter shall  
23 consist of the National Guard and the Air National Guard. The  
24 unorganized militia shall consist of all male citizens and all male  
25 residents of the state who have declared their intention to become  
26 citizens of the United States, between the ages of eighteen and forty-  
27 five years, not exempt from military duty by federal or state laws or by  
28 such reasons of physical or mental disabilities as shall be prescribed in  
29 general orders or regulations published by the Adjutant General and  
30 approved by the Governor and who are not members of the organized  
31 militia or of the National Guard or of the naval militia, and all female  
32 citizens and all female residents of the state who have declared their  
33 intention to become citizens of the United States, between the ages of  
34 eighteen and forty-five years, who may voluntarily offer their services  
35 to the state. The organized militia shall consist of the Governor's  
36 Guards, the State Guard and such other military forces as may be  
37 designated by the Governor as commander-in-chief, which may  
38 hereafter be organized under the provisions of the laws of this state.  
39 The National Guard shall consist of such forces as may be organized  
40 and maintained by this state pursuant to the laws and regulations of  
41 the United States relating to the National Guard. The naval militia  
42 shall consist of such persons as may enlist or be appointed or  
43 commissioned therein as a special force for coast protection and as a  
44 naval reserve and shall be organized and maintained by this state  
45 pursuant to the laws and regulations of the United States relating to  
46 the naval militia and may include a marine corps branch of the naval  
47 militia subordinate thereto in all matters pertaining to command,  
48 discipline or administration. The organized militia, the National

49 Guard, the naval militia and marine corps branch of the naval militia,  
50 whenever organized, shall be, for all purposes under the general  
51 statutes, the armed forces of the state.]

52 (a) The military establishment of the state is the militia. The militia  
53 shall be divided into three classes as follows: The unorganized militia,  
54 the organized militia and the National Guard.

55 (b) The unorganized militia consists of all individuals subject to  
56 military duty who are not serving in one of the other classes of militia.

57 (c) The organized militia shall be divided into two classes as  
58 follows:

59 (1) The Governor's Guards, which consist of a regimental  
60 commander, the first and second companies of the Governor's Foot  
61 Guards and the first and second companies of the Governor's Horse  
62 Guards;

63 (2) The State Guard, which consists of the State Guard and other  
64 military forces as may be designated by the Governor as commander-  
65 in-chief, and which may on or after July 1, 2005, be organized under  
66 the provisions of the laws of this state.

67 (d) The National Guard, which consists of the Connecticut Army  
68 National Guard and the Connecticut Air National Guard, organized  
69 and maintained by this state pursuant to the laws and regulations of  
70 the United States relating to the National Guard.

71 (e) The State Guard and the National Guard not in the service of the  
72 United States shall be, for all purposes under the general statutes, the  
73 armed forces of the state.

74 Sec. 3. Section 27-2a of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective July 1, 2005*):

76 The organized militia [or] and the National Guard [is] are deemed

77 to be [a] law enforcement [agency] agencies solely for the purpose of  
78 participation in any federal asset forfeiture or military surplus  
79 [programs] program.

80 Sec. 4. Section 27-3 of the general statutes is repealed and the  
81 following is substituted in lieu thereof (*Effective July 1, 2005*):

82 In time of peace, the number of enlisted personnel and the number  
83 of officers in the National Guard shall be not less than the minimum  
84 required by the laws of the United States. The National Guard [and  
85 naval militia] shall be organized, uniformed, armed, equipped, trained  
86 and disciplined as required by the laws and regulations of the United  
87 States relating to the National Guard, [and naval militia.] The various  
88 organizations and units of the National Guard [and naval militia] shall  
89 be located throughout the state with reference to [the military wants  
90 thereof, means of concentration and other military] requirements. The  
91 Governor may, in case of war, invasion, insurrection, riot, emergency,  
92 act of terrorism or imminent danger thereof, increase said force and  
93 organize the same according to the laws of the United States.

94 Sec. 5. Section 27-4 of the general statutes is repealed and the  
95 following is substituted in lieu thereof (*Effective July 1, 2005*):

96 The inactive National Guard shall be organized and maintained as  
97 provided by the laws and regulations of the United States relating to  
98 the inactive National Guard.

99 Sec. 6. Section 27-6a of the general statutes is repealed and the  
100 following is substituted in lieu thereof (*Effective July 1, 2005*):

101 The first and second companies of the Governor's Foot Guards may  
102 each consist of one major, grade 0-4; one captain, grade 0-3; three first  
103 lieutenants, grade 0-2; one second lieutenant, grade 0-1; one ensign  
104 with the rank of second lieutenant, grade 0-1; one warrant officer,  
105 grade W-4, to be bandmaster, one quartermaster who shall serve on  
106 the major's staff with the rank of captain, grade 0-3, and the following

107 enlisted personnel: One sergeant major, grade E-9; two first sergeants,  
108 grade E-8; one sergeant first class, grade E-7, and designated as  
109 quartermaster sergeant; four staff sergeants, grade E-6, two designated  
110 as quartermaster sergeants, one as ordnance sergeant, and one as  
111 company clerk; two sergeants, grade E-5, color-bearers, together with  
112 twelve sergeants, grade E-5; eight corporals, grade E-4; ninety-six  
113 enlisted persons, twenty-four of whom shall be privates first class,  
114 grade E-3; and the balance to be privates grade E-2 or E-1. Each  
115 company is authorized a band of twenty-eight musicians with the  
116 following grades: One sergeant first class, grade E-7; two staff  
117 sergeants, grade E-6; four sergeants, grade E-5; seventeen corporals,  
118 grade E-4; four privates first class, grade E-3, and twenty-eight persons  
119 for field music with the following grades: One sergeant first class,  
120 grade E-7; two staff sergeants, grade E-6; four sergeants, grade E-5;  
121 seventeen corporals, grade E-4; four privates first class, grade E-3. The  
122 commander of any company of the Governor's Guards may appoint  
123 either of its sergeants to be an orderly sergeant and may displace such  
124 orderly sergeant and make a new appointment as occasion may  
125 require. The commander of each company of the Governor's Foot  
126 Guards shall report to the regimental commander on matters related to  
127 the Governor's Guards.

128 Sec. 7. Section 27-7 of the general statutes is repealed and the  
129 following is substituted in lieu thereof (*Effective July 1, 2005*):

130 The first and second companies of the Governor's Horse Guards  
131 may each consist of one major, one captain, two first lieutenants, two  
132 second lieutenants, one cornet with the rank of second lieutenant, one  
133 master sergeant, one first sergeant, two staff sergeants, twelve  
134 sergeants, twelve corporals, thirty-two privates first class and sixty-  
135 four privates. The commander of each company of the Governor's  
136 Horse Guards shall report to the regimental commander on matters  
137 related to the Governor's Guards.

138 Sec. 8. Section 27-8 of the general statutes is repealed and the

139 following is substituted in lieu thereof (*Effective July 1, 2005*):

140 (a) The Governor's Guards shall be organized in four companies  
141 that are administratively subordinate to the regimental commander of  
142 the Governor's Guards. The regimental commander shall report to the  
143 Adjutant General on matters relative to the Governor's Guards.

144 (b) The Governor's Guards, when required as directed by the  
145 Governor, shall escort the Governor, Lieutenant Governor or other  
146 designated dignitary; support ceremonial and civic activities,  
147 including inaugurations, parades and scholastic programs; maintain the  
148 required military skills and certifications necessary for service in the  
149 armed forces of the state; and perform other duties as assigned.

150 (c) The Governor's Guards [,] shall be subject to the provisions of  
151 their charters, bylaws and of the general statutes as to organization,  
152 training and discipline. [, shall be organized militia, with the  
153 immunities and privileges provided by law, and, in time of war,  
154 invasion, rebellion or riot or reasonable apprehension thereof, may be  
155 ordered out by the Governor for duty.]

156 Sec. 9. Section 27-9 of the general statutes is repealed and the  
157 following is substituted in lieu thereof (*Effective July 1, 2005*):

158 (a) Whenever the [Connecticut] National Guard is called into the  
159 federal service or whenever such a call, in the opinion of the Governor,  
160 is deemed to be imminent, or whenever in the Governor's opinion to  
161 be in the public interest the Governor shall [forthwith] raise, organize,  
162 maintain and govern, from the unorganized militia, a body of troops  
163 for military duty. Said body of troops, when so organized, shall be  
164 known as "the [Connecticut] State Guard" and for and during the time  
165 of its existence as [herein] provided in this chapter, it shall be a part of  
166 the organized militia.

167 (b) The Adjutant General shall adopt procedures governing the  
168 efficient raising, organization, maintenance and administration of such

169 body of troops from the unorganized militia.

170 Sec. 10. Section 27-10 of the general statutes is repealed and the  
171 following is substituted in lieu thereof (*Effective July 1, 2005*):

172 (a) Former members of the armed forces of the United States,  
173 Governor's Guards or individuals with professional skills required by  
174 the State Guard may enroll in the State Guard.

175 (b) State Guard personnel shall be (1) enlisted, appointed,  
176 commissioned, warranted or assigned by the Governor or the Adjutant  
177 General, as the Governor's designee, and (2) subject to serve on state  
178 active duty at the call and by order of the Governor.

179 (c) The Governor shall order the [Connecticut] State Guard or any  
180 component thereof into active service whenever [he deems it]  
181 necessary, in the opinion of the Governor, for the interests of the state,  
182 [and] The Governor shall prescribe the number of officers and enlisted  
183 personnel required for [that] such service, from time to time, as [the  
184 necessity of] the public interest requires. [He] The Governor or the  
185 Adjutant General, as the Governor's designee, shall organize the  
186 [Connecticut] State Guard in such a manner as will best accomplish its  
187 mission. [He] The Governor shall appoint and commission qualified  
188 persons as officers of the [Connecticut] State Guard.

189 (d) The Adjutant General shall adopt procedures relative to  
190 command, organization, discipline, training and administration of the  
191 State Guard.

192 Sec. 11. Section 27-11 of the general statutes is repealed and the  
193 following is substituted in lieu thereof (*Effective July 1, 2005*):

194 Whenever it appears to the Governor that the public interest no  
195 longer requires the active service of the [Connecticut] State Guard or  
196 any portion thereof, [he] the Governor or the Adjutant General, as the  
197 Governor's designee, shall [forthwith] order so many of said troops [as  
198 he believes may safely be dispensed with] whose service is no longer

199 required into inactive service as members of the [Connecticut] State  
200 Guard reserve or may disband and discharge them, or any portion of  
201 them. [, as he may see fit.]

202 Sec. 12. Section 27-12 of the general statutes is repealed and the  
203 following is substituted in lieu thereof (*Effective July 1, 2005*):

204 A minimum strength of enlisted personnel in the National Guard [,  
205 naval militia] and organized militia combined to the number of two  
206 thousand five hundred shall be maintained.

207 Sec. 13. Section 27-13 of the general statutes is repealed and the  
208 following is substituted in lieu thereof (*Effective July 1, 2005*):

209 To the extent permitted by the Constitution of the United States, the  
210 Governor may, at any time, order, authorize or recognize such  
211 organizations of the unorganized militia, or of designated classes  
212 thereof, or of volunteers therefrom, as [he deems to be for] are, in the  
213 opinion of the Governor, in the public interest, and may prescribe  
214 therefor such parts of the regulations governing the organized militia  
215 as may be applicable thereto or establish such regulations therefor, as  
216 [he may deem] are, in the opinion of the Governor, proper. The  
217 Governor, or the Adjutant General, as the Governor's designee, may, at  
218 any time, provide for a separate organization, or authorize the  
219 enlistment in organizations of the unorganized militia, of all persons  
220 volunteering for such service, not otherwise subject to military duty  
221 under section 27-1, as amended by this act.

222 Sec. 14. Section 27-14 of the general statutes is repealed and the  
223 following is substituted in lieu thereof (*Effective July 1, 2005*):

224 (a) The Governor shall be the Captain-General and, as such,  
225 commander-in-chief of the militia, and of the National Guard, [and the  
226 naval militia,] not in the service of the United States, and may employ  
227 it, or any part of it, for the defense or relief of [the] this or any state of  
228 the United States or any [part] of its inhabitants or part of its territory.

229 [; and]

230 (b) The Governor shall have all the powers necessary to carry into  
231 effect the provisions of this chapter. [He]

232 (c) The Governor shall issue all orders and prescribe all regulations  
233 for the organization and government of the organized militia [ ] and  
234 the National Guard [and the naval militia] when not in the service of  
235 the United States. Such orders and regulations shall not be in conflict  
236 with the laws and regulations of the United States. [He] The Governor  
237 shall issue all orders and regulations necessary to cause the National  
238 Guard [and naval militia] to conform at all times to the laws and  
239 regulations of the United States relating thereto.

240 Sec. 15. Section 27-15 of the general statutes is repealed and the  
241 following is substituted in lieu thereof (*Effective July 1, 2005*):

242 (a) The Governor shall appoint the military staff that shall consist of  
243 the Adjutant General, who shall be chief of staff with the rank of  
244 lieutenant general; the assistant adjutant generals, one of whom shall  
245 serve as deputy chief of staff as provided under subsection (c) of  
246 section 27-24, as amended by this act; the chief of staff for the  
247 Connecticut Air National Guard; an air aide-de-camp with the rank of  
248 colonel, who shall be the senior aviation officer of the Connecticut  
249 National Guard; a Surgeon General, who shall be the senior medical  
250 officer of the National Guard; one aide-de-camp with the rank of  
251 colonel from the United States Air Force Reserve; one aide-de-camp  
252 with the rank of captain from the United States Naval Reserve; one  
253 aide-de-camp with the rank of colonel from the United States Marine  
254 Corps Reserve; one aide-de-camp with the rank of colonel from the  
255 United States Army Reserve; one aide-de-camp with the rank of  
256 lieutenant commander from the United States Coast Guard Reserve;  
257 five aides-de-camp, two with the rank of colonel, two with the rank of  
258 lieutenant colonel and one with the rank of major, all of whom shall be  
259 from the National Guard; and two enlisted aides-de-camp with the  
260 rank of sergeant major from the National Guard. Such military staff

261 shall serve by virtue of military position held on July 1, 2005, and at the  
262 pleasure of the Governor.

263 (b) Members appointed from the [armed forces of the state]  
264 National Guard or organized militia shall retain their federal or state  
265 grades and shall remain subject to duty therein and, if appointed to  
266 such staff in a rank lower than the highest grade attained in federal or  
267 state service, shall serve on the staff in their highest recognized grade.  
268 Any requirement of this section that any member of the Governor's  
269 military staff shall be a member of, or hold any rank in, the National  
270 Guard shall be inapplicable whenever the National Guard is in active  
271 service with the Army, Navy or Air Force of the United States and at  
272 such time the military staff of the Governor may be appointed by the  
273 Governor from the organized or unorganized militia, [ex-members]  
274 former members of the United States Army or Navy or the Connecticut  
275 National Guard, or from civil life. [; and in]

276 (c) In addition to the active military staff the Governor may [, at said  
277 Governor's discretion,] appoint honorary staff members from the  
278 former National Guard [or naval militia] then on active military duty.  
279 The Governor, at any other time, may appoint honorary staff members  
280 to the Connecticut National Guard without regard to affiliation who  
281 shall serve without the pay, honors, privileges and benefits afforded  
282 the active staff members, including, but not limited to, allowances and  
283 tuition waivers.

284 (d) The regimental commander of the Governor's Guards, majors  
285 commandant of the first and second companies Governor's Foot  
286 Guards and the Governor's Horse Guards shall be ex-officio members  
287 of the Governor's military staff. The Governor shall also appoint the  
288 immediate predecessors of such regimental commander and majors  
289 commandant to serve as additional ex-officio members.

290 (e) In addition to the [above-named] officers named in subsections  
291 (a) to (d), inclusive, of this section, the Governor shall appoint three  
292 [additional] staff members, one of whom shall be a colonel or of

293 equivalent naval rank and two of whom shall be majors or of  
294 equivalent naval rank.

295 Sec. 16. Section 27-16 of the general statutes is repealed and the  
296 following is substituted in lieu thereof (*Effective July 1, 2005*):

297 (a) In time of war, invasion, rebellion, riot, emergency, acts of  
298 terrorism or disaster, or reasonable apprehension thereof, or upon  
299 requisition by the President of the United States, the Governor shall  
300 order out for active service such portion of the militia as [he deems] is  
301 necessary in the opinion of the Governor. Whenever it is necessary in  
302 case of invasion, disaster, insurrection, riot or breach of the peace, or  
303 imminent danger thereof, the Governor may direct the members of the  
304 unorganized militia or such of them as may be necessary to be drafted,  
305 under such regulations as [he] the Governor may prescribe, into the  
306 active service of the state, to serve as directed. [by him.]

307 (b) The Governor may order the organized militia or any part  
308 thereof to serve outside the borders of this state in order to perform  
309 military duty of every description, [and to participate] including, but  
310 not limited to, participation in parades, reviews, [cruises,] conferences,  
311 encampments, maneuvers, [or other] training, [and to participate in  
312 small arms and other] emergency relief, military operations or  
313 competitions and [to attend] attendance at service schools.

314 Sec. 17. Section 27-17 of the general statutes is repealed and the  
315 following is substituted in lieu thereof (*Effective July 1, 2005*):

316 In case of riot or civil commotion in any place in this state, any  
317 official whose duty it is to enforce the civil authority at such place may,  
318 if he or she considers that the force at his or her disposal is not  
319 sufficient, inform the Governor, who may order out such portion of the  
320 armed forces of the state as [he thinks advisable] necessary, in the  
321 opinion of the Governor, and may direct the commanding officer of  
322 the force selected to communicate with the [person] official making  
323 application to assist such [person] official in preserving the peace and

324 to use such portion of [his] the force as may be necessary therefor.

325 Sec. 18. Section 27-18 of the general statutes is repealed and the  
326 following is substituted in lieu thereof (*Effective July 1, 2005*):

327 Whenever any [civil officer] official whose duty it is to enforce the  
328 civil authority in any place in this state finds it impossible to  
329 communicate immediately with the Governor and deems the danger  
330 too imminent to [admit of] delay, [he] such official may make written  
331 requisition for assistance, containing a statement that [he is unable to  
332 communicate] communication with the Governor is impossible, upon  
333 the senior officer of any part of the organized militia or National  
334 Guard located in [his] such official's town, city or county. [; and such  
335 commanding] Such senior officer is authorized thereupon to exercise,  
336 with respect to calling out the troops under his or her command, the  
337 powers conferred by law upon the Governor under subsection (a) of  
338 section 27-14, as amended by this act, until he or she receives  
339 instructions or orders from the Governor, the Adjutant General or a  
340 superior commanding officer.

341 Sec. 19. Section 27-20 of the general statutes is repealed and the  
342 following is substituted in lieu thereof (*Effective July 1, 2005*):

343 [The Adjutant General shall make such returns and reports to such  
344 officers as may be prescribed by the Department of Defense in  
345 regulations pertaining to the National Guard and naval militia, at such  
346 times and in such form as may, from time to time, be prescribed. The  
347 Adjutant General shall keep a record of all officers and enlisted  
348 personnel and shall also keep in the office all records and papers  
349 required by law or regulations to be filed therein. The Adjutant  
350 General is charged, in all matters pertaining to the command,  
351 discipline or administration of the military establishment of this state,  
352 with the duty of recording, authenticating and communicating to  
353 troops and individuals in the military service of this state all orders,  
354 instructions and regulations issued by order of the Governor for the  
355 National Guard, naval militia and organized militia and by the

356 Secretary of Defense for the National Guard and the naval militia; of  
357 preparing and distributing commissions; of compiling and issuing the  
358 register of the National Guard, naval militia and organized militia; of  
359 conducting internal audits and investigations; of organizing and  
360 coordinating the participation of the organized militia in military and  
361 civic ceremonies; of organizing and coordinating inaugurals; and of  
362 managing the recruiting for the National Guard, naval militia and  
363 organized militia. In event of emergency use of the militia and with the  
364 approval of the Governor, the Adjutant General may be disbursing  
365 officer of all funds appropriated by the General Assembly for the  
366 expense of the office of the Adjutant General. The Adjutant General  
367 may make such regulations pertaining to the preparation and  
368 rendering of reports and returns and to the care and preservation of  
369 public property as in the Adjutant General's opinion the conditions  
370 demand, such regulations to be operative and in force when  
371 promulgated in the form of general orders, circulars or circular letters.  
372 The Adjutant General shall have charge and care of all state military  
373 property and all United States military property issued to the state of  
374 Connecticut, and shall cause to be kept an accurate and careful account  
375 of all receipts and issues of the same. The Adjutant General shall  
376 require to be kept a careful memorandum of all public military  
377 property on hand in the state arsenal or storehouses and in the  
378 possession of the several organizations of the military forces of the  
379 state and shall guard such property against injury and loss to the  
380 greatest extent possible. The Adjutant General shall require each  
381 accountable and responsible officer of the state military forces to  
382 account for any deficiency in public military property in such officer's  
383 possession immediately after such deficiency is discovered. The  
384 Adjutant General shall cause annual inspections to be made of all  
385 public military property and a complete inventory of such property  
386 and the places where it is deposited shall be kept. The Adjutant  
387 General may adopt a seal for use in the office of the Adjutant General.  
388 The Adjutant General shall require that each unit of the armed forces  
389 of the state be inspected at least twice in each calendar year and issue

390 service medals and service records. The Adjutant General shall,  
391 annually, as provided in section 4-60, make a report to the Governor of  
392 the strength, condition and equipment of the military and naval forces  
393 of the state and of the expenditures of the office since the last annual  
394 report. The Adjutant General may enter into contracts for the  
395 furnishing by any person or agency, public or private, of services  
396 necessary to the proper execution of the duties of the Adjutant  
397 General's office subject to the approval of the Attorney General.]

398 (a) The Adjutant General shall make such returns and reports to  
399 such officers as may be prescribed by the Department of Defense in  
400 regulations pertaining to the National Guard, at such times and in such  
401 form as prescribed. The Adjutant General shall (1) keep a record of all  
402 officers and enlisted personnel, (2) issue authorized service medals,  
403 ribbons and documents, and (3) maintain all records and documents  
404 required by law or regulation.

405 (b) In all matters pertaining to the command, discipline,  
406 employment or administration of the military establishment of this  
407 state, the Adjutant General is charged with the duty of: (1) Appointing  
408 the regimental commander of the Governor's Guards; (2) recording,  
409 authenticating and communicating to members of the militia of this  
410 state all orders, instructions and regulations issued by order of (A) the  
411 Governor or the Adjutant General, as the Governor's designee, for the  
412 militia, and (B) the Secretary of Defense for the National Guard; (3)  
413 preparing and distributing commissions; (4) compiling and issuing the  
414 register of the National Guard and the organized militia; (5)  
415 conducting internal audits and investigations; (6) organizing and  
416 coordinating the participation of the militia in military and civic  
417 ceremonies; (7) organizing and coordinating inaugurals; and (8)  
418 managing the force and recruiting for the National Guard and the  
419 organized militia.

420 (c) In the event of emergency use of the militia and with the  
421 approval of the Governor, the Adjutant General may be the disbursing

422 officer of all funds appropriated by the General Assembly for the  
423 expenses of the office of the Adjutant General.

424 (d) The Adjutant General may promulgate rules pertaining to the  
425 preparation and rendering of reports and returns and to the care and  
426 preservation of public property as in the Adjutant General's opinion  
427 the conditions demand. Such rules shall be operative and in force  
428 when promulgated in the form of general orders, circulars or circular  
429 letters.

430 (e) The Adjutant General shall have charge and care of all state  
431 military property and all United States military property issued to the  
432 state of Connecticut, and shall cause to be kept an accurate and careful  
433 account of all receipts and issues of such property. The Adjutant  
434 General shall require to be kept a record of all public property on hand  
435 in the state in the possession of the organized militia and shall guard  
436 such property against injury and loss to the greatest extent possible.  
437 The Adjutant General shall cause annual inspections to be made of all  
438 public military property and shall keep a complete inventory of such  
439 property and the places where it is deposited. The Adjutant General  
440 shall require each accountable and responsible officer of the organized  
441 militia to account for any deficiency in public property in such officer's  
442 possession immediately after such deficiency is discovered. The  
443 Adjutant General shall require that each unit of the organized militia  
444 be inspected at least once each calendar year. The Adjutant General  
445 shall, annually, as provided in section 4-60, make a report to the  
446 Governor of the strength, condition and equipment of the military  
447 forces of the state and of the expenditures of the office since the last  
448 annual report.

449 (f) The Adjutant General may adopt a seal for use in the office of the  
450 Adjutant General.

451 (g) The Adjutant General may enter into contracts or agreements  
452 with any person or agency, public or private, for goods, services or  
453 property necessary and proper for execution of the duties of the

454 Adjutant General's office subject to the approval of the Attorney  
455 General.

456 (h) The Adjutant General may delegate as many duties to Military  
457 Department officials as necessary, in the opinion of the Adjutant  
458 General, for the efficient operation of said department.

459 Sec. 20. Section 27-21 of the general statutes is repealed and the  
460 following is substituted in lieu thereof (*Effective July 1, 2005*):

461 (a) The Adjutant General [is directed to] shall issue to the [organized  
462 militia] armed forces of the state such arms, equipment, ammunition  
463 and uniforms as the commanding officer of each [company] unit may  
464 make requisition for, provided such requisition shall be approved by  
465 the Governor. [; and the cost of such supplies shall be paid by the  
466 Comptroller.]

467 (b) The Adjutant General shall issue to the Governor's Guards such  
468 arms, equipment and uniforms as the commanding officer of each unit  
469 of the Governor's Guards may make requisition for, provided such  
470 requisition shall be approved by the Governor.

471 (c) The cost of requisitions under subsections (a) and (b) of this  
472 section shall be paid by the Comptroller.

473 Sec. 21. Section 27-24 of the general statutes is repealed and the  
474 following is substituted in lieu thereof (*Effective July 1, 2005*):

475 (a) The Adjutant General shall appoint an assistant adjutant general  
476 for the Connecticut Army National Guard, who shall hold office at the  
477 pleasure of the Adjutant General. [He] The assistant adjutant general  
478 shall hold the rank of brigadier general and shall be a member of the  
479 Governor's military staff during his or her incumbency of the office,  
480 and shall have had at least five years of commissioned service in the  
481 Connecticut Army National Guard or the armies of the United States  
482 or a total of five years in both services.

483 (b) The Adjutant General shall appoint an assistant adjutant general  
484 for the Connecticut Air National Guard, who shall hold office at the  
485 pleasure of the Adjutant General. [He] The assistant adjutant general  
486 shall hold the rank of brigadier general and shall be a member of the  
487 Governor's military staff during his or her incumbency of the office.  
488 He or she shall have had at least five years of commissioned service in  
489 the Connecticut Air National Guard or the air forces of the United  
490 States or a total of at least five years in both services.

491 (c) The Adjutant General shall designate either the assistant adjutant  
492 general for the Connecticut Army National Guard or the assistant  
493 adjutant general for the Connecticut Air National Guard to serve as  
494 administrative assistant and deputy to the Adjutant General and as  
495 deputy chief of staff to the Governor. Such assistant adjutant general  
496 shall (1) [shall] perform all of the duties of the Adjutant General in his  
497 or her absence, during his or her inability or by his or her direction,  
498 and (2) [shall] devote all of his or her time, during the office hours of  
499 the department, to the duties of his or her office. The assistant adjutant  
500 general not so designated shall perform such duties, consistent with  
501 his or her grade and position, as the Adjutant General shall direct.

502 (d) No person shall be appointed to the office of, or continue to  
503 serve as, assistant adjutant general upon attaining the age of sixty-four  
504 years.

505 Sec. 22. Section 27-25 of the general statutes is repealed and the  
506 following is substituted in lieu thereof (*Effective July 1, 2005*):

507 The Adjutant General shall appoint a property and procurement  
508 officer who shall be the assistant of the Adjutant General in the care of  
509 all military property and who shall hold office at the pleasure of the  
510 Adjutant General. [He] The property and procurement officer shall  
511 devote all of his or her time, during the office hours of the department,  
512 to the duties of [his] the office.

513 Sec. 23. Section 27-28 of the general statutes is repealed and the

514 following is substituted in lieu thereof (*Effective July 1, 2005*):

515 The senior medical officer of the National Guard shall be the  
516 Surgeon General. [He] The Surgeon General shall (1) advise the  
517 Adjutant General in all matters pertaining to the health of the members  
518 of the armed forces of the state, [. He shall] (2) recommend for  
519 appointment post surgeons to serve the armed forces of the state, [. He  
520 shall] and (3) review physical examinations of officers and enlisted  
521 personnel when any question exists as to their physical qualifications  
522 and [render his] make recommendations to the Adjutant General. [His]  
523 The compensation for such services shall be [five hundred dollars per  
524 year] paid in accordance with section 27-61, as amended by this act.

525 Sec. 24. Section 27-29 of the general statutes is repealed and the  
526 following is substituted in lieu thereof (*Effective July 1, 2005*):

527 The Adjutant General shall appoint post surgeons, removable at  
528 pleasure, to determine exemptions from military duty for physical and  
529 mental disabilities as prescribed [in general orders; and officers of the  
530 medical department of the National Guard and organized militia shall  
531 be appointed for such duty in their respective towns] by the laws or  
532 regulations of the state or the United States.

533 Sec. 25. Section 27-33 of the general statutes is repealed and the  
534 following is substituted in lieu thereof (*Effective July 1, 2005*):

535 (a) The [armed forces of the state] organized militia or National  
536 Guard may assemble for military operations, drill, escort duty or any  
537 special service as ordered by the Governor and shall participate in  
538 military operations, encampments, maneuvers or other exercises,  
539 including outdoor target practice, as may be required by the laws and  
540 regulations of the United States relating to the National Guard [or  
541 naval militia] or as may be ordered by the Governor.

542 (b) Each officer and employee of the state who is a member of the  
543 [armed forces of the state] organized militia or of any reserve

544 component of the armed forces of the United States shall be entitled to  
545 absent himself or herself from his or her duties or service while  
546 engaged in the performance of [regularly] ordered [military or naval]  
547 duty. No such officer or employee shall be subjected by any person,  
548 directly or indirectly, by reason of such absence, to any loss or  
549 reduction of vacation or holiday privileges or be prejudiced by reason  
550 of such absence with reference to promotion or continuance in office or  
551 employment or to reappointment to office or to reemployment. While  
552 engaged in the performance of [regularly] ordered [military or naval  
553 service] duty, each officer or employee who is a bona fide member of  
554 the National Guard, [naval militia, reserve corps or] organized militia  
555 or armed forces of the United States shall receive his or her salary or  
556 compensation as such officer or employee, provided the period of  
557 absence in any calendar year shall not exceed thirty days.

558 Sec. 26. Section 27-33a of the general statutes is repealed and the  
559 following is substituted in lieu thereof (*Effective July 1, 2005*):

560 The employer of any employee who, as a part of such employee's  
561 military service, is [required] ordered to [attend] duty in the armed  
562 forces of the United States, military reserve, [or] National Guard  
563 [meetings or drills during regular working hours] or organized militia  
564 shall allow such employee leave of absence for such purpose. No such  
565 employee shall be [subjected by any person, directly or indirectly, to  
566 any loss or reduction of] required to use vacation or holiday privileges  
567 [by reason of such absence] for the performance of such military duty,  
568 or be prejudiced by reason of such absence with reference to  
569 promotion or continuance in office or employment, or to  
570 reappointment to office or reemployment.

571 Sec. 27. Section 5-259d of the general statutes is repealed and the  
572 following is substituted in lieu thereof (*Effective July 1, 2005*):

573 (a) As used in this section, (1) "state employee" or "employee" means  
574 any elected official, officer or full-time employee of the Executive,  
575 Legislative or Judicial Department, and (2) "part pay" means the

576 difference between the state employee's base rate of pay, plus  
577 longevity, in the employee's primary position on the date the  
578 employee is called to active service in the armed forces of any state or  
579 the United States and the total compensation the employee receives for  
580 such active service, as certified to the State Comptroller by the  
581 employing state agency in a manner acceptable to the State  
582 Comptroller.

583 (b) Notwithstanding any provision of the general statutes or any  
584 public or special act, the state shall continue to provide coverage,  
585 under a group hospitalization and medical and surgical insurance plan  
586 sponsored by the state under section 5-259, for the dependents of any  
587 state employee and the state employee who is a member of the armed  
588 forces of any state or of any reserve component of the armed forces of  
589 the United States and who has been called to active service in the  
590 armed forces of any state or the United States for [(1) Operation  
591 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency  
592 operation or a military operation whose mission was substantially  
593 changed as a result of the attacks of September 11, 2001, or (4) federal  
594 action or state action authorized by the Governor in support of the  
595 federal Department of Homeland Security's Operation Liberty Shield,  
596 military operations that are authorized by the President of the United  
597 States that entail military action against Iraq, or federal action or state  
598 action authorized by the Governor to combat terrorism within the  
599 United States, for] the duration of such [call-up] call to active service,  
600 provided such state employee and dependents were covered by the  
601 insurance plan on the date the state employee was called to active  
602 service and the state employee continues to pay any amount that the  
603 employee was required to pay for coverage before being called to  
604 active service. Any payment required to be made by the employee for  
605 coverage under this subsection may be deducted from compensation  
606 provided under subsection (c) of this section. The state shall reimburse  
607 any state employee who has paid premiums for the continuation of  
608 any such group hospitalization and medical and surgical insurance  
609 plan [between the date such state employee was called to active service

610 and November 20, 2001] during the period of such active service. The  
611 reimbursement shall be in the amount of the state's portion of the  
612 premiums so paid.

613 (c) Notwithstanding any provision of the general statutes or any  
614 public or special act, any state employee who is a member of the  
615 armed forces of any state or of any reserve component of the armed  
616 forces of the United States and who has been called to active service in  
617 the armed forces of any state or the United States [for (1) Operation  
618 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency  
619 operation or a military operation whose mission was substantially  
620 changed as a result of the attacks of September 11, 2001, or (4) federal  
621 action or state action authorized by the Governor in support of the  
622 federal Department of Homeland Security's Operation Liberty Shield,  
623 military operations that are authorized by the President of the United  
624 States that entail military action against Iraq, or federal action or state  
625 action authorized by the Governor to combat terrorism within the  
626 United States,] shall be entitled to a leave of absence with pay as  
627 provided in section 27-33 from the date on which the employee was  
628 called to active service. After the expiration of such leave of absence  
629 with pay, the state employee shall receive part pay for the duration of  
630 such [call-up] call to active service if the compensation received by the  
631 state employee for such active service is less than the employee's base  
632 rate of pay, plus longevity, in the employee's primary position. The  
633 state employee shall not be required to exhaust accrued vacation or  
634 sick time in order to be eligible for the paid leave of absence and part  
635 pay under this subsection.

636 Sec. 28. Section 27-39 of the general statutes is repealed and the  
637 following is substituted in lieu thereof (*Effective July 1, 2005*):

638 (a) The Adjutant General is charged with the responsibility for the  
639 use and maintenance of all armories, rifle ranges, reservations and  
640 other military property under the provisions for such use imposed by  
641 the statutes. Each [armory] military facility shall be under the charge of

642 a commissioned officer, designated by the Adjutant General, and may  
643 be [rented] leased by him or her as [herein] prescribed in this section.  
644 Each application for the [rental] lease of [an armory] a military facility  
645 shall be made to the officer in charge of such [armory] facility, who  
646 shall forward such application, with recommendations, to the Adjutant  
647 General, who shall approve or disapprove such application. [and so  
648 advise the applicant through such armory officer.] The Adjutant  
649 General shall limit the lease of military facilities to nonprofit  
650 organizations, organizations receiving state aid and governmental  
651 agencies. Proceeds from the [rental] lease of [armories] military  
652 facilities shall be paid to the Adjutant General and shall be [by him]  
653 paid by the Adjutant General promptly into the Treasury of the state.  
654 The Adjutant General shall, in state [armories] military facilities where  
655 space is available, assign quarters to [camps and posts of war veterans]  
656 veterans' organizations for their joint uses, subject to the regulations  
657 concerning [armories. Such quarters shall be provided for in any new  
658 armory which may be built] such military facilities. Units of the armed  
659 forces of the state, the Governor's guards and [veteran] veterans'  
660 organizations quartered in [armories] military facilities, or entitled by  
661 law to quarters, shall be allowed the use of the drill shed and such  
662 other portions of the building as are usually included when [armories]  
663 military facilities are leased, upon proper application through regular  
664 channels and subject to the following: [conditions and terms:] (1) When  
665 no admissions are charged, rental shall be free up to midnight on the  
666 regular meeting night of the organization making application, [. If] (2)  
667 if the use of the [armory] military facility is required after midnight,  
668 the regular military rental fee shall be charged, [. At] (3) all other times  
669 and for entertainments when admissions are charged, the military  
670 rental fee shall be charged to units of the armed forces of the state or  
671 [veteran] veterans' organizations quartered in or entitled by law to  
672 quarters in [an armory] a military facility, [. Nothing] and (4) nothing  
673 in this chapter shall be construed as allowing the [rental] lease of any  
674 [armory] military facility (A) on the drill night of any active military  
675 organization stationed in the [armory or] facility or in a manner that

676 conflicts with the military usage of the facility, or (B) the use of any  
677 [armory] military facility at a reduced rental fee by any [veteran]  
678 veterans' organization for the purpose of conducting any athletic  
679 contest or other entertainment for which a full nonmilitary rental fee is  
680 charged military organizations. In no case shall any [veteran] veterans'  
681 organization be allowed use of any [armory] military facility for the  
682 purpose of subleasing.

683 (b) Agricultural and other associations that receive state aid shall be  
684 allowed the use of state [armories] military facilities for exhibition  
685 purposes at a cost not exceeding the actual maintenance cost of such  
686 [armories] facilities during the period of such use. Applications for  
687 such use shall be made to the Adjutant General through the officer in  
688 charge of the [armory] military facility desired to be used. In all cases  
689 when admission is charged, a certificate of insurance, approved by the  
690 Adjutant General, indemnifying the state against injuries to person and  
691 damage to property shall be furnished, the cost of the certificate to be  
692 in addition to the rental or maintenance charge. The Adjutant General  
693 may allow the use of any state [armory] military facility, without  
694 charge, [for rental,] by any of the following, if such use does not  
695 conflict with the use of such military facility for military purposes: (1)  
696 [any] Any public or private nonprofit elementary or secondary school  
697 or any regional community-technical college for purposes of athletic  
698 events with respect to which no admission is charged, [and] (2) the  
699 American [National] Red Cross for purposes of blood supply  
700 programs, [provided any such use does not conflict with the use of  
701 such armory for military purposes] or (3) any state or federal  
702 government agency.

703 Sec. 29. Section 27-41 of the general statutes is repealed and the  
704 following is substituted in lieu thereof (*Effective July 1, 2005*):

705 The commanding officer of each organization of the organized  
706 militia or National Guard [or naval militia] to whom [ordnance,  
707 quartermaster and other stores are] property is issued shall be

708 accountable or responsible therefor and such property shall remain in  
709 the armory of that organization except when in use in discharge of  
710 military duty or when otherwise ordered by the Governor or Adjutant  
711 General. A suitable [armory] military facility shall be selected for the  
712 deposit of such property, [and no property] which shall be issued  
713 [until the bonds required have been executed and approved as  
714 provided by law] in accordance with applicable law and regulation.

715 Sec. 30. Section 27-43 of the general statutes is repealed and the  
716 following is substituted in lieu thereof (*Effective July 1, 2005*):

717 Any person who wilfully or wantonly injures or destroys any  
718 uniform, arm, equipment or other military property of the state or the  
719 United States and refuses to make good such injury or loss, or who  
720 sells or disposes of the same or secretes or retains or removes the same,  
721 with intent to sell or dispose of it, [shall be fined not more than two  
722 hundred dollars or imprisoned not more than six months or both] is  
723 subject to criminal prosecution. If such person is a member of the  
724 National Guard or organized militia, such person is also subject to  
725 relevant military laws and regulations.

726 Sec. 31. Section 27-45 of the general statutes is repealed and the  
727 following is substituted in lieu thereof (*Effective July 1, 2005*):

728 In towns in which one or more military companies are located,  
729 suitable armories for the use of such companies may be built or  
730 purchased by the state in accordance with the military needs and as  
731 recommended by the Adjutant General from time to time. The  
732 Adjutant General shall prepare and submit to the General Assembly an  
733 armory construction or purchase program which shall be considered  
734 the policy of the state and shall be the basis for establishing priority in  
735 the appropriation of state money for new construction or the purchase  
736 of armories, buildings or land for military purposes, and a copy of  
737 such report shall be furnished to the Commissioner of Public Works  
738 and the State Properties Review Board. The armory construction  
739 program shall be submitted to the Governor on or before the first day

740 of January in the odd-numbered years. A copy of such report shall be  
741 submitted to the appropriate committees of the General Assembly for  
742 their information. All contracts for buildings or purchasing shall be  
743 made by the Commissioner of Public Works, who shall have power to  
744 purchase land and build armories subject to the provisions of section  
745 4b-23. The Comptroller shall draw [his] an order on the Treasurer for  
746 such sums as are necessary to pay bills contracted by said  
747 commissioner for the purposes aforesaid, within the limits of the  
748 appropriations made; and the state [is authorized to] may take any  
749 land said commissioner deems necessary for the purpose of locating  
750 permanent armories, as provided in section 48-12.

751 Sec. 32. Section 27-47 of the general statutes is repealed and the  
752 following is substituted in lieu thereof (*Effective July 1, 2005*):

753 Each commissioned and warrant officer of the [organized militia of  
754 the state] Governor's Guards shall [provide himself with] purchase a  
755 complete uniform and equipment as provided by regulation. When so  
756 equipped, such officer shall receive an initial allowance of one  
757 hundred dollars in payment for such uniform and equipment. Each  
758 active commissioned or warrant officer of the [organized militia of the  
759 state] Governor's Guards, so uniformed and equipped, who has  
760 received one such initial allowance shall receive each second fiscal year  
761 thereafter an allowance of fifty dollars.

762 Sec. 33. Section 27-49 of the general statutes is repealed and the  
763 following is substituted in lieu thereof (*Effective July 1, 2005*):

764 (a) Officers of the National Guard [and naval militia] shall be  
765 appointed by the Governor, subject to the procedure prescribed in  
766 regulations of the Department of Defense relating to the National  
767 Guard. [and naval militia.] The rule of seniority shall be followed  
768 when practicable. Only such officers shall be commissioned in the  
769 National Guard [and naval militia] as have successfully passed the  
770 tests and examinations as to physical, moral and professional fitness  
771 prescribed by the laws and regulations of the United States relating to

772 the qualifications of National Guard [or naval militia] officers.

773 (b) Officers of the organized militia, as provided for in section 27-2,  
774 as amended by this act, shall be appointed in accordance with  
775 regulations approved by the Governor.

776 Sec. 34. Section 27-51 of the general statutes is repealed and the  
777 following is substituted in lieu thereof (*Effective July 1, 2005*):

778 No [staff] officer of the [armed forces of the state, including any  
779 officer of the pay, inspection, subsistence and medical departments,]  
780 organized militia, except a professional branch officer, shall be  
781 appointed unless such officer has had previous military [experience,  
782 and any such staff officer other than a medical officer of the State  
783 Guard shall hold office until he has reached the age of sixty-four years,  
784 unless retired prior to that time by reason of resignation or disability or  
785 for cause to be determined by a court-martial legally convened for that  
786 purpose or, for officers of the National Guard or naval militia, for any  
787 other reason specified by laws or regulations of the United States  
788 pertaining thereto. Medical officers of the State Guard] service or  
789 previous service in the Governor's Guard. Members of the organized  
790 militia may not be appointed [and may] or continue to serve after  
791 reaching sixty-four years of age, unless determined to be medically  
792 qualified for service in accordance with regulations pertaining to such  
793 qualifications and unless such continued service is approved by the  
794 Adjutant General.

795 Sec. 35. Section 27-52 of the general statutes is repealed and the  
796 following is substituted in lieu thereof (*Effective July 1, 2005*):

797 At any time the moral character, or capacity or general fitness for  
798 continued service, of any [officer] member of the armed forces of the  
799 state or organized militia may be determined by an [efficiency]  
800 administrative board. [ , consisting of three commissioned officers,  
801 senior in rank to the officer whose fitness for service is under  
802 investigation, and, if the findings of such board are unfavorable to

803 such officer and are approved by the Governor, he shall be  
804 discharged.] The appointment and conduct of such administrative  
805 boards appointed for the purposes of involuntary discharge or  
806 disciplinary action shall be conducted in accordance with regulations  
807 of the United States Army pertaining thereto. The Adjutant General  
808 shall be the approving authority for all such administrative boards.  
809 Commissions of officers may be vacated upon resignation, upon  
810 absence without leave for three months, upon the approved  
811 recommendation of an [efficiency] administrative board or pursuant to  
812 sentence of a court-martial or, for officers of the National Guard, [and  
813 naval militia, for any other reason specified by] in accordance with  
814 laws or regulations of the United States pertaining thereto.

815 Sec. 36. Section 27-53 of the general statutes is repealed and the  
816 following is substituted in lieu thereof (*Effective July 1, 2005*):

817 When an officer or warrant officer of the armed forces of the state,  
818 the organized militia or the Governor's military staff, whose service  
819 has been honorable, has served ten years as officer or enlisted person,  
820 active or inactive or reserve, in any or all of which he or she has served  
821 not less than three years as a commissioned officer or warrant officer,  
822 he or she may, if he or she makes application therefor to the Adjutant  
823 General through proper officers if he or she still is in service, be retired  
824 from active service and placed upon the retired list. Such retirement  
825 shall be in the highest grade in which he or she has served. When such  
826 service equals or exceeds twenty years, he or she may, upon his or her  
827 application to the Adjutant General, through proper officers if he or  
828 she still is in service, be commissioned at the next higher grade than  
829 the highest grade at which he or she may have been commissioned at  
830 any time, either in the armed forces of the state, the organized militia  
831 or the Governor's military staff or the [military or naval] armed forces  
832 of the United States, which higher grade shall not be above the grade  
833 of [a] brigadier general, and shall thereafter be placed upon the retired  
834 list with such grade. In determining such term of service of twenty  
835 years, there may be added to any term of not less than ten years'

836 service in the armed forces of the state, the organized militia or the  
837 Governor's military staff the term of service with the [military or  
838 naval] armed forces of the United States, either active, inactive or  
839 reserve. Retirement shall be obligatory for all [officers and warrant  
840 officers reaching the age of sixty-four years or as required for officers  
841 and warrant officers] members of the National Guard [and naval  
842 militia by] in accordance with laws and regulations pertaining thereto.  
843 Personnel serving in the organized militia may not continue to serve  
844 beyond the age restriction set for federal military service, unless such  
845 service is approved by the Adjutant General and such personnel are  
846 determined to be medically qualified for continued state military  
847 service in accordance with regulations pertaining thereto.

848 Sec. 37. Section 27-54 of the general statutes is repealed and the  
849 following is substituted in lieu thereof (*Effective July 1, 2005*):

850 [Officers] Personnel on the retired list shall serve thereon without  
851 pay [;] and shall be withdrawn from command and from line of  
852 promotion. [and shall continue to be borne on the register of the armed  
853 forces of the state, and] Retired personnel shall be entitled to wear,  
854 within the limitations prescribed by the laws and regulations of the  
855 United States, the uniform of the rank [on] in which they [have been]  
856 retired. They shall, at all times, be subject to the rules and regulations  
857 governing the armed forces of the state or the organized militia, as the  
858 case may be. They may, with their consent, be detailed from the retired  
859 list and placed upon active duty at any time when ordered by the  
860 Governor and, when on such duty, shall be entitled to the pay and  
861 allowances of officers of a similar grade on the active list.

862 Sec. 38. Section 27-55 of the general statutes is repealed and the  
863 following is substituted in lieu thereof (*Effective July 1, 2005*):

864 The period of enlistment and qualifications [to enlist] for enlistment  
865 in the National Guard [and naval militia] shall be as prescribed by the  
866 laws and regulations of the United States relating to the National  
867 Guard. [, naval militia or United States naval reserve force.] Each

868 officer or enlisted person [of] in the National Guard [or naval militia]  
869 who may be [drafted] called into the service of the United States shall,  
870 upon his or her discharge from active service in the armed forces of the  
871 United States, resume his or her membership in the National Guard [or  
872 naval militia] of this state and shall continue to serve in the National  
873 Guard [or naval militia] of this state until the date upon which his or  
874 her enlistment entered into prior to the [draft] call would have expired  
875 if uninterrupted. Enlistments in the organized militia shall be  
876 prescribed in the regulations of the Adjutant General approved by the  
877 Governor.

878 Sec. 39. Section 27-56 of the general statutes is repealed and the  
879 following is substituted in lieu thereof (*Effective July 1, 2005*):

880 The several companies of the Governor's Guards shall be filled from  
881 time to time by voluntary enlistments. Enlistments may be made from  
882 the National Guard, provided the duties of the National Guard shall  
883 take priority when in conflict with the duties of the Governor's [Guard]  
884 Guards.

885 Sec. 40. Section 27-57 of the general statutes is repealed and the  
886 following is substituted in lieu thereof (*Effective July 1, 2005*):

887 [Each person who has served the prescribed period of enlistment in  
888 the armed forces of the state shall, after the expiration of such period of  
889 enlistment, be thereby entitled to an honorable discharge, but this  
890 section shall not apply to any person against whom military charges  
891 are pending, or to any person who has been dropped for desertion,  
892 absence without leave or other unauthorized absence, until such  
893 person has made good the time lost during such period as such person  
894 may have been so dropped.] No person shall be dishonorably  
895 discharged from the armed forces of the state or the organized militia  
896 except upon the sentence of a general court-martial. No resignation,  
897 removal or discharge shall in any way affect the liability of such  
898 person for public property in such person's possession or for which  
899 such person is responsible, or for fines or dues due the organization to

900 which such person belongs, or for fines for nonperformance of military  
901 duty legally imposed. Involuntary discharge or administrative  
902 personnel action shall be conducted in accordance with section 27-52,  
903 as amended by this act, or, for members of the National Guard, in  
904 accordance with the laws and regulations of the United States  
905 pertaining thereto.

906 Sec. 41. Section 27-58 of the general statutes is repealed and the  
907 following is substituted in lieu thereof (*Effective July 1, 2005*):

908 Notwithstanding the provisions of section 27-52, as amended by this  
909 act, the commanding officer of any such company of the [Governor's  
910 Guards may dismiss] organized militia may discharge as an  
911 involuntarily discharge any member belonging thereto who neglects  
912 his or her duties, but such member may, [within] not later than thirty  
913 days after receiving notice of such [dismissal] discharge, appeal to the  
914 Adjutant General, who may [annul or] affirm such [dismissal]  
915 discharge or require such discharge to be conducted in accordance  
916 with section 27-52, as amended by this act. The commanding officer of  
917 such company may fill the vacancy created by such [dismissal]  
918 discharge subject to the provisions of sections 27-6a and 27-7, as  
919 amended by this act.

920 Sec. 42. Section 27-59 of the general statutes is repealed and the  
921 following is substituted in lieu thereof (*Effective July 1, 2005*):

922 No person shall be denied membership in the [armed forces of the  
923 state] organized militia, nor be discriminated against in the matter of  
924 promotion therein, on account of his or her race, creed or color. No  
925 units of such [organizations] militia shall be formed, and no separate  
926 types of duties or separate accommodations shall be assigned, in such  
927 a manner as to result in the segregation of members thereof on account  
928 of race, creed or color.

929 Sec. 43. Section 27-60 of the general statutes is repealed and the  
930 following is substituted in lieu thereof (*Effective July 1, 2005*):

931       (a) If any person or persons, resisting the laws of the state or  
932 unlawfully or riotously assembled, are injured or killed by any  
933 member of the armed forces of the state called out for service in such  
934 cases, each member of the armed forces of the state so called out shall  
935 be discharged from all civil or criminal liability therefor. All active  
936 members of the armed forces of the state shall, except for treason,  
937 felony and breach of the peace, be privileged from arrest and  
938 imprisonment by civil authority while under orders in the active  
939 service of the state, from the date of the issuing of such orders to the  
940 time when such service ceases.

941       (b) No member of the armed forces of the state shall be personally  
942 liable for damage or injury, not wanton, reckless or malicious, caused  
943 while discharging military duties or within the scope of military  
944 employment.

945       (c) Members of the armed forces of the state, acting while  
946 discharging military duties or within the scope of military  
947 employment or while under the direction of a law enforcement officer  
948 shall be indemnified to the same extent and in the same manner as  
949 state policemen as provided by section 29-8a.

950       Sec. 44. Section 27-61 of the general statutes is repealed and the  
951 following is substituted in lieu thereof (*Effective July 1, 2005*):

952       (a) For military service when ordered out by the Governor, except  
953 when federal pay has been authorized, each commissioned officer,  
954 warrant officer and enlisted person assigned to a federally recognized  
955 National Guard unit in Connecticut shall be paid at least the same rate,  
956 including longevity pay and allowances, as would be authorized if  
957 ordered out by federal authority but such rate shall be increased daily  
958 by the amount of ten dollars for enlisted persons and five dollars for  
959 warrant officers and first and second lieutenants. For military service  
960 when ordered out by the Governor, each commissioned officer,  
961 warrant officer and enlisted person in a unit of the organized militia  
962 which is not federally recognized shall be paid on the same scale as the

963 federal pay for corresponding grades in the tables of organization of  
964 the federally recognized National Guard, increased daily by the  
965 amount of ten dollars for enlisted persons and five dollars for warrant  
966 officers and first and second lieutenants. Unless otherwise provided by  
967 law, the determination of the corresponding grades in the organized  
968 militia [, other than the federally recognized National Guard,] shall be  
969 made by the Adjutant General.

970 (b) Officers, warrant officers and enlisted personnel of the  
971 Connecticut National Guard who attend schools, conferences or staff  
972 or ceremonial exercises by order of the Governor shall be paid their  
973 travel and actual expenses. Commissioned officers serving on boards  
974 or military commissions or attending conferences called by higher  
975 headquarters in or out of the state shall receive pay and allowance of  
976 their grade plus actual expenses. [Each commissioned and warrant  
977 officer, chief petty officer and enlisted person of the naval militia when  
978 ordered out by the Governor, except when federal pay has been  
979 authorized, shall receive for each day's service the same pay and  
980 allowances as are prescribed by the federal government for the  
981 corresponding grades of members of the United States Navy but such  
982 pay shall be increased by the amount of ten dollars for enlisted persons  
983 and five dollars for chief petty officers, warrant officers, lieutenants  
984 junior grade and ensigns.]

985 Sec. 45. Section 27-62 of the general statutes is repealed and the  
986 following is substituted in lieu thereof (*Effective July 1, 2005*):

987 Within the funds appropriated to the Military Department, the  
988 Adjutant General may grant an annual allowance to commanding  
989 officers of military units of the National Guard or organized militia for  
990 office and clerical services, printing, postage, stationery and office  
991 equipment. Such annual allowances shall be based on an evaluation of  
992 the needs of each such officer as determined by the Adjutant General.  
993 [For purposes of determining the maximum appropriation for such  
994 allowances, the following amounts shall be used: The commanding

995 general of a division, four thousand five hundred dollars; the  
996 commanding general of the Air National Guard, four thousand five  
997 hundred dollars; commanding officers of brigades, regiments and  
998 groups, two thousand five hundred dollars; separate battalions or  
999 squadron commanders, one thousand dollars; each battery, troop and  
1000 company commander, five hundred dollars, and each detachment  
1001 commander, five hundred dollars. Notwithstanding the provisions of  
1002 section 4d-5 relating to the provision and maintenance of necessary  
1003 telephone and telegraph service for the several state agencies, all of the  
1004 foregoing payments, including the costs of telephone and telegraph  
1005 service, shall be paid by the Adjutant General on properly certified  
1006 vouchers. Headquarters and units of the naval militia shall be similarly  
1007 paid an amount equal to that provided above for corresponding  
1008 headquarters and units of the National Guard or organized militia.]

1009 Sec. 46. Section 27-65 of the general statutes is repealed and the  
1010 following is substituted in lieu thereof (*Effective July 1, 2005*):

1011 No military [or naval] organization shall receive from the state any  
1012 aid or compensation, except that authorized by the laws of this state  
1013 and except as hereinafter provided for the organized militia; but this  
1014 section shall not affect the loan of arms and equipment made by the  
1015 Adjutant General when authorized by the General Assembly. No  
1016 [breech-loading gun] weapon shall be issued or loaned to any  
1017 organization other than [the companies of the organized militia,  
1018 National Guard or naval militia] law enforcement agencies, the  
1019 organized militia or the armed forces of the United States.

1020 Sec. 47. Section 27-66 of the general statutes is repealed and the  
1021 following is substituted in lieu thereof (*Effective July 1, 2005*):

1022 The Governor may, at any time, by a [writing signed by him]  
1023 written requisition, direct the Comptroller to draw [his] an order on  
1024 the Treasurer, in favor of the disbursing officer of the [Connecticut]  
1025 National Guard [,] or organized militia, [or naval militia,] for such  
1026 sums as the Governor may find to be necessary to meet expenses for

1027 pay, subsistence and other expenses of any of said organizations or the  
1028 officers or members thereof, by reason of special services ordered  
1029 according to law, for the payment of which expenses no appropriation  
1030 has been made or is available.

1031 Sec. 48. Section 27-67 of the general statutes is repealed and the  
1032 following is substituted in lieu thereof (*Effective July 1, 2005*):

1033 (a) The commanding officer of any officer, soldier or [sailor] airman  
1034 wounded, disabled or killed, when such disability or death is incident  
1035 to the service, shall immediately make or cause to be made, by one or  
1036 more officers detailed for the purpose, full inquiry and report  
1037 concerning such injury or death, in writing, through channels to the  
1038 Adjutant General, with the names and addresses of qualified witnesses  
1039 and a full statement of the testimony of each concerning the nature and  
1040 extent of the injury and the manner of its occurrence.

1041 (b) Each member of the armed forces of the state or the Governor's  
1042 Guards who, when on duty or assembled therefor, in accordance with  
1043 orders of competent authority, or when called in aid of any civil  
1044 authority, is injured or contracts any disease while in the performance  
1045 of his or her duty or assembly therefor, without fault or neglect on his  
1046 or her part, and thereby is temporarily or permanently disabled from  
1047 continuing to perform his or her usual duties or occupation, shall,  
1048 during the period of his or her disability, receive such compensation as  
1049 may be determined consistent with the provisions of chapter 568 and  
1050 actual necessary expenses for care and medical attendance.

1051 (c) The Adjutant General may cause examination of each claimant  
1052 under the provisions of this section to be made from time to time by a  
1053 medical officer or officers designated for the purpose by the Adjutant  
1054 General. [ , and he] The Adjutant General may direct [the removal of]  
1055 any claimant to [and his] report for examination or treatment in a  
1056 hospital designated by the Adjutant General and, if the claimant  
1057 refuses to permit any such examination or [if he] refuses to go to such  
1058 hospital or to follow the direction of the Adjutant General or the

1059 prescribed treatment, [so prescribed for him, he] the claimant shall  
1060 forfeit all right to any claim or allowance under this section.

1061 (d) The Adjutant General may appoint a medical examiner or a  
1062 board of three officers, at least one of whom shall be a medical officer,  
1063 to inquire into the merits of any claim, who shall fix the amount to be  
1064 allowed under this section. A medical examiner or board, appointed  
1065 under this [section] subsection, shall have the same power to take  
1066 evidence, administer oaths, issue subpoenas and compel witnesses to  
1067 attend and testify and produce books and papers and to punish for  
1068 failure to do so as possessed by a general court-martial. The findings of  
1069 the medical examiner or board shall be subject to the approval of the  
1070 Adjutant General, who may return the proceedings of the medical  
1071 examiner or board for revision and for further testimony. The amount  
1072 found due any member by such medical examiner or board and  
1073 approved by the Adjutant General shall be paid by the Comptroller  
1074 upon the order of the Adjutant General. The Adjutant General may  
1075 disapprove the report of any medical examiner or board appointed  
1076 under the provisions of this [section] subsection and may thereupon  
1077 determine the amount of any such claim.

1078 (e) [He] The Adjutant General may, upon the application of any  
1079 claimant made [within] not later than six months after the service of  
1080 notice upon such claimant or [his] such claimant's attorney of the  
1081 disapproval or disallowance of his or her claim or any part thereof,  
1082 reopen such claim and order a rehearing before another medical  
1083 examiner or board.

1084 (f) Any person making any claim under the provisions of this  
1085 section may appeal to the Adjutant General from the decision or  
1086 finding of any medical examiner or board [within] not later than six  
1087 months after notice of such decision or finding has been served on  
1088 [him or his] such person or such person's attorney. [, and the] The  
1089 Adjutant General shall hear and determine such appeal on its merits,  
1090 [and] may take testimony in the same manner as upon an original

1091 application and may approve, disapprove or modify the findings and  
1092 decisions of any medical examiner or board.

1093 Sec. 49. Section 27-68 of the general statutes is repealed and the  
1094 following is substituted in lieu thereof (*Effective July 1, 2005*):

1095 The Comptroller [is authorized] may, upon the approval of the  
1096 Attorney General, [to] draw [his] an order [upon] on the Treasurer to  
1097 pay to any officer or enlisted person of the armed forces of the state of  
1098 Connecticut or the Governor's Guards who has been injured in the line  
1099 of duty such sum or sums as are determined as provided in section 27-  
1100 67, as amended by this act, provided a medical examiner or board of  
1101 inquiry appointed by the Adjutant General [shall have] determined  
1102 that such officer or enlisted person was so injured.

1103 Sec. 50. Section 27-69 of the general statutes is repealed and the  
1104 following is substituted in lieu thereof (*Effective July 1, 2005*):

1105 In the event of the death of any member of the armed forces of the  
1106 state of Connecticut [, not in the service of the United States,] or the  
1107 Governor's Guards incurred in the line of duty while in the active  
1108 service of the state, the Comptroller shall pay to the beneficiary of the  
1109 deceased, or to the next of kin if no beneficiary is named, the sum of  
1110 twenty thousand dollars.

1111 Sec. 51. Section 27-70 of the general statutes is repealed and the  
1112 following is substituted in lieu thereof (*Effective July 1, 2005*):

1113 The Comptroller [is authorized] may, upon the approval of the  
1114 Attorney General, [to] draw [his] an order [upon] on the Treasurer to  
1115 reimburse, in such sum or sums as are deemed advisable, any person,  
1116 partnership, fiduciary or corporation for damages to person or  
1117 property caused by the act of an officer or enlisted person of the armed  
1118 forces of the state or the Governor's Guards in line of duty, or to pay to  
1119 the dependents of such person, if the person is killed, such sum or  
1120 sums as are deemed advisable; provided a board of inquiry appointed

1121 by the Adjutant General [shall have] determined that such damage  
1122 was caused by the act of an officer or enlisted person of the armed  
1123 forces of the state or the Governor's Guards while in line of duty and  
1124 [shall have] established the extent of such damage.

1125 Sec. 52. Section 27-71 of the general statutes is repealed and the  
1126 following is substituted in lieu thereof (*Effective July 1, 2005*):

1127 The Adjutant General, upon receipt of an application, shall present  
1128 the long service medal adopted by this state to each [soldier or sailor]  
1129 member of the National Guard or the organized militia who has  
1130 completed ten years' faithful service [in the armed forces of the state]  
1131 and for each additional five years' service therein the adopted clasp in  
1132 exchange. In the determination of length of service, the term of service  
1133 of any such member [of the armed forces of the state] with the  
1134 [military or naval] armed forces of the United States in time of war,  
1135 [since April 21, 1898] as defined in subsection (a) of section 27-103,  
1136 upon proof of honorable discharge from the same, may be added to  
1137 the number of years served with the [armed forces of the state]  
1138 National Guard or the organized militia.

1139 Sec. 53. Section 27-72 of the general statutes is repealed and the  
1140 following is substituted in lieu thereof (*Effective July 1, 2005*):

1141 The Adjutant General and two officers of field grade or above,  
1142 detailed by the Adjutant General, shall act as a board to receive  
1143 recommendations through military channels for the award of the  
1144 medal of valor to any member of the [armed forces of the state]  
1145 National Guard or the organized militia who, by reason of  
1146 conspicuous gallantry, at the risk of his or her life, above and beyond  
1147 the call of duty, while on military service, is recommended for the  
1148 award of such medal of valor, and to make such awards as the board  
1149 finds suitable.

1150 Sec. 54. Section 27-73 of the general statutes is repealed and the  
1151 following is substituted in lieu thereof (*Effective July 1, 2005*):

1152 The Adjutant General and two officers of field grade or above,  
1153 appointed by the Adjutant General, shall constitute a board of officers  
1154 to receive recommendations, through military channels, for the award  
1155 of the medal of merit to any member of the [armed forces of the state]  
1156 National Guard or the organized militia who has distinguished himself  
1157 or herself by exceptionally meritorious conduct in performing  
1158 outstanding service while a member of the [armed forces of the state]  
1159 National Guard or the organized militia and to make such awards as  
1160 the board finds suitable.

1161 Sec. 55. Section 27-73a of the general statutes is repealed and the  
1162 following is substituted in lieu thereof (*Effective July 1, 2005*):

1163 The Adjutant General, at his or her discretion, may issue an  
1164 appropriate service ribbon to all members of the [armed forces of the  
1165 state] National Guard or the organized militia ordered to active duty  
1166 in time of emergency in accordance with section 27-14 or 27-16, as  
1167 amended by this act, for upholding the law and preserving order, or  
1168 protecting lives and property, or assisting civil authorities, or the aid  
1169 and relief of civilians in disaster, emergency or similar service ordered  
1170 by the Governor. A bronze oak leaf cluster shall be issued in lieu of  
1171 succeeding awards and a silver oak leaf cluster may be worn in lieu of  
1172 three bronze oak leaf clusters. [This section shall apply to service  
1173 rendered on or after August 19, 1955.]

1174 Sec. 56. Section 27-73b of the general statutes is repealed and the  
1175 following is substituted in lieu thereof (*Effective July 1, 2005*):

1176 The Adjutant General shall issue an appropriate service ribbon to all  
1177 members of the unit declared to be the outstanding company-size unit  
1178 in the [Connecticut] National Guard in accordance with National  
1179 Guard regulations, provided such members participated in at least  
1180 fifty per cent of the unit's training activities during the period covered  
1181 by the award. A bronze oak leaf cluster shall be issued in lieu of  
1182 succeeding awards and a silver oak leaf cluster may be worn in lieu of  
1183 three bronze oak leaf clusters. [These awards shall be made retroactive

1184 to 1947.]

1185 Sec. 57. Section 27-74 of the general statutes is repealed and the  
1186 following is substituted in lieu thereof (*Effective July 1, 2005*):

1187 The Adjutant General shall present, upon application, to all  
1188 members of the [Connecticut] State Guard and such persons as have  
1189 been honorably discharged from the [Connecticut] State Guard since  
1190 March 9, 1917, the [button] lapel pin of the design and material  
1191 adopted in recognition of such service.

1192 Sec. 58. Section 27-75 of the general statutes is repealed and the  
1193 following is substituted in lieu thereof (*Effective July 1, 2005*):

1194 Memorials to veteran soldiers, sailors or marines may be placed in  
1195 state [armories] military facilities or erected upon grounds  
1196 appurtenant [thereto by] to state military facilities by veterans'  
1197 organizations, cities, towns or boroughs, subject to the approval of the  
1198 Adjutant General and without expense to the state.

1199 Sec. 59. Section 27-76 of the general statutes is repealed and the  
1200 following is substituted in lieu thereof (*Effective July 1, 2005*):

1201 When requested by the commander of any accredited [veteran]  
1202 veterans' organization or by friends or relatives of any deceased person  
1203 who has served in any of the armed forces of the United States during  
1204 time of war, as defined [by] in section 27-103, [or] who has served in  
1205 the National Guard for more than twenty years or who has died while  
1206 a member of the National Guard, the Adjutant General shall order an  
1207 honor guard detail from the National Guard [, the naval militia, the  
1208 State Guard] or the organized militia to attend the funeral, except that  
1209 if an honor guard detail from such guard or militia is unavailable or  
1210 committed elsewhere, the Adjutant General shall request an honor  
1211 guard detail from a bona fide Connecticut state veterans' organization,  
1212 provided such detail shall comply with the rules and procedures set  
1213 forth in Connecticut National Guard regulation 37-106. Such detail

1214 shall consist of not more than five members plus one bugler. The  
1215 members thereof shall be compensated at the rate of fifty dollars per  
1216 day. Such compensation shall be paid from funds appropriated to the  
1217 Adjutant General for the pay of the National Guard and from federal  
1218 funds received for [that] such purpose.

1219 Sec. 60. Section 27-77 of the general statutes is repealed and the  
1220 following is substituted in lieu thereof (*Effective July 1, 2005*):

1221 All battle flags of [Connecticut troops] the armed forces of the state  
1222 and the Governor's Guards in the possession of the military authorities  
1223 of the state shall be deposited in the State Capitol, in suitable cases,  
1224 [and the] The Joint Committee on Legislative Management and the  
1225 Adjutant General shall be joint custodians of [the same] all such battle  
1226 flags.

1227 Sec. 61. Section 27-79 of the general statutes is repealed and the  
1228 following is substituted in lieu thereof (*Effective July 1, 2005*):

1229 (a) Each organization of the [armed forces of the state] organized  
1230 militia shall make bylaws for its government, which shall be binding  
1231 on its members when approved by the regimental or corresponding  
1232 commander and the Adjutant General. ]; and all]

1233 (b) All fines and dues imposed by such bylaws may be collected in  
1234 accordance with such procedure as the Adjutant General may, by  
1235 regulation, prescribe, provided notice shall be given to any delinquent  
1236 of the incurrence of any fine or dues [within] not later than thirty days  
1237 [of] after the date [when] on which the [same has] fine or dues have  
1238 been incurred and notice may be given collectively of such fines or  
1239 dues, or both.

1240 (c) The commanding officer of the organization shall be the  
1241 president of the association created in the bylaws, except that, if two or  
1242 more organizations combine in one association, the senior  
1243 commanding officer shall be president. The treasurer shall be elected

1244 from the enlisted personnel of the organization or, if two or more  
1245 organizations combine, from among the enlisted personnel of one of  
1246 the organizations. The treasurer of each such organization shall [give a  
1247 bond to such organization in an amount satisfactory to the Adjutant  
1248 General. The premium on such bond shall be paid by such  
1249 organization] ensure that all funds are maintained and utilized for the  
1250 benefit of the organization and in accordance with its bylaws.

1251 Sec. 62. Section 27-102a of the general statutes is repealed and the  
1252 following is substituted in lieu thereof (*Effective July 1, 2005*):

1253 (a) Notwithstanding any provisions of the general statutes with  
1254 respect to annual or biennial license or registration fees or occupational  
1255 taxes, any [resident of Connecticut on active duty with] member of the  
1256 armed forces of the United States, including the National Guard, shall  
1257 be exempt from the payment of such fees or taxes during his or her  
1258 period of [active] service and for one year following the date of his or  
1259 her honorable discharge [or the date of his release under honorable  
1260 conditions,] from such service.

1261 (b) Any [resident of Connecticut on active duty with the armed  
1262 forces of the United States during the period commencing on August 7,  
1263 1990, and lasting for the duration of Operation Desert Shield and  
1264 Operation Desert Storm until the cessation of hostilities as determined  
1265 by the President of the United States or until a date established by an  
1266 act of the General Assembly] member of the armed forces of any state  
1267 or of any reserve component of the armed forces of the United States  
1268 who has been called to active service in the armed forces of any state or  
1269 the United States, shall be exempt from the payment of any fine or late  
1270 fee assessed for failure to renew his or her motor vehicle operator's  
1271 license or motor vehicle registration or for failure to have emissions  
1272 inspection performed in a timely manner provided such resident  
1273 renews his or her license or registration or has his or her vehicle  
1274 inspected at an official emissions inspection station no later than sixty  
1275 days following the date such resident returns to the state.

1276 [(c) Any resident of Connecticut on active duty with the armed  
1277 forces of the United States who qualifies for a late fee exemption  
1278 pursuant to subsection (b) of this section, and who has paid such late  
1279 fee to the Department of Motor Vehicles prior to May 22, 1991, may  
1280 apply to the department for a refund of such fee.]

1281 Sec. 63. Section 27-141 of the general statutes is repealed and the  
1282 following is substituted in lieu thereof (*Effective July 1, 2005*):

1283 [In] As used in this chapter, unless the context otherwise requires:

1284 (1) "State military forces" means the National Guard of the state, as  
1285 defined in Section 101(3) of Title 32, United States Code, [the organized  
1286 naval militia of the state,] and any other military force organized under  
1287 the laws of the state and [shall include] includes the organized militia,  
1288 as defined in section 27-2, as amended by this act;

1289 (2) "Officer" means a commissioned or warrant officer;

1290 (3) "Commissioned officer" includes a commissioned warrant  
1291 officer;

1292 (4) "Commanding officer" includes only commissioned officers;

1293 (5) "Superior commissioned officer" means a commissioned officer  
1294 superior in rank and command;

1295 (6) "Enlisted member" means [a person] an individual in an enlisted  
1296 grade;

1297 (7) "Grade" means a step or degree, in a graduated scale of office or  
1298 military rank, that is established and designated as a grade by law or  
1299 regulation;

1300 (8) "Rank" means the order of precedence among members of the  
1301 state military forces;

1302 (9) "Active state duty" means full-time duty in the active military

1303 service of the state under an order of the Governor issued under  
1304 authority vested in him or her by law, and includes travel to and from  
1305 such duty;

1306 (10) "Duty status" means any one of the types of required duty  
1307 [wherein] in which the person is performing military service under  
1308 competent authority other than set forth in subdivision (9) of this  
1309 section and includes travel to and from such duty;

1310 (11) "Military court" means a court-martial, a court inquiry, or a  
1311 provost court;

1312 (12) "Military judge" means an official of a general or special court-  
1313 martial appointed in accordance with section 27-167;

1314 (13) "Law specialist" means a commissioned officer of the organized  
1315 [naval] militia of the state designated for special law duty;

1316 (14) "Legal officer" means any commissioned officer of the  
1317 organized militia of the state designated to perform legal duties for a  
1318 command;

1319 (15) "State Judge Advocate" means the commissioned officer  
1320 responsible for supervising the administration of the military justice in  
1321 the state military forces;

1322 (16) "Accuser" means a person who signs and swears to charges, any  
1323 person who directs that charges nominally be signed and sworn to by  
1324 another, [and] or any person who has an interest other than an official  
1325 interest in the prosecution of the accused;

1326 (17) "Military" refers to any or all of the armed forces;

1327 (18) "Convening authority" includes, in addition to the person who  
1328 convened the court, a commissioned officer commanding for the time  
1329 being, or a successor in command;

1330 (19) "Code" means this chapter.

1331 Sec. 64. Subsection (c) of section 27-166 of the general statutes is  
1332 repealed and the following is substituted in lieu thereof (*Effective July*  
1333 *1, 2005*):

1334 (c) (1) Any enlisted member of the state military forces who is not a  
1335 member of the same unit as the accused is eligible to serve on general  
1336 and special courts-martial for the trial of any enlisted member who  
1337 may lawfully be brought before such courts for trial, but [he] such  
1338 enlisted member shall serve as a member of a court only if, before the  
1339 convening of the court, the accused personally has requested in  
1340 writing that enlisted members serve on it. No accused who has made  
1341 such a request shall be tried by a general or special court-martial the  
1342 membership of which does not include enlisted members in a number  
1343 comprising at least one-third of the total membership of the court,  
1344 unless eligible members cannot be obtained on account of physical  
1345 conditions or military exigencies. If such members cannot be obtained,  
1346 the court may be convened and the trial held without them, provided  
1347 the convening authority shall make a detailed written statement, to be  
1348 appended to the record, stating why they could not be obtained. (2)  
1349 [In] As used in this section, "unit" means any regularly organized body  
1350 of the state military forces not larger than a company, a squadron, [a  
1351 division of the naval militia,] or a body corresponding to [one of them]  
1352 a company or a squadron.

1353 Sec. 65. Subsection (a) of section 27-262 of the general statutes is  
1354 repealed and the following is substituted in lieu thereof (*Effective July*  
1355 *1, 2005*):

1356 (a) The following members of the state military forces may  
1357 administer oaths for the purposes of military administration, including  
1358 military justice, and affidavits may be taken for those purposes before  
1359 persons having the general powers of a notary public: (1) The State  
1360 Judge Advocate and all assistant state judge advocates; (2) all law  
1361 specialists; (3) all summary courts-martial; (4) all adjutants, assistant  
1362 adjutants, acting adjutants, and personnel adjutants; [(5) all

1363 commanding officers of the naval militia; (6) (5) all legal officers; [(7)]  
 1364 (6) the president, law officer, trial counsel, and assistant trial counsel  
 1365 for all general and special courts-martial; [(8)] (7) the president and the  
 1366 counsel for the court of any court of inquiry; [(9)] (8) all officers  
 1367 designated to take a deposition; [(10)] (9) all persons detailed to  
 1368 conduct an investigation; [,] and [(11)] (10) all other persons designated  
 1369 by regulations of the Governor.

1370 Sec. 66. Sections 27-5, 27-22, 27-23, 27-26, 27-27, 27-40, 27-44, 27-46a,  
 1371 27-50 and 27-63 of the general statutes are repealed. (*Effective July 1,*  
 1372 *2005*)

|   |                     |       |
|---|---------------------|-------|
| This act shall take effect as follows and shall amend the following sections: |                     |       |
| Section 1   | <i>July 1, 2005</i> | 27-1  |
| Sec. 2  | <i>July 1, 2005</i> | 27-2  |
| Sec. 3  | <i>July 1, 2005</i> | 27-2a |
| Sec. 4  | <i>July 1, 2005</i> | 27-3  |
| Sec. 5  | <i>July 1, 2005</i> | 27-4  |
| Sec. 6  | <i>July 1, 2005</i> | 27-6a |
| Sec. 7  | <i>July 1, 2005</i> | 27-7  |
| Sec. 8  | <i>July 1, 2005</i> | 27-8  |
| Sec. 9  | <i>July 1, 2005</i> | 27-9  |
| Sec. 10   | <i>July 1, 2005</i> | 27-10 |
| Sec. 11   | <i>July 1, 2005</i> | 27-11 |
| Sec. 12   | <i>July 1, 2005</i> | 27-12 |
| Sec. 13   | <i>July 1, 2005</i> | 27-13 |
| Sec. 14   | <i>July 1, 2005</i> | 27-14 |
| Sec. 15   | <i>July 1, 2005</i> | 27-15 |
| Sec. 16   | <i>July 1, 2005</i> | 27-16 |
| Sec. 17   | <i>July 1, 2005</i> | 27-17 |
| Sec. 18   | <i>July 1, 2005</i> | 27-18 |
| Sec. 19   | <i>July 1, 2005</i> | 27-20 |
| Sec. 20   | <i>July 1, 2005</i> | 27-21 |
| Sec. 21   | <i>July 1, 2005</i> | 27-24 |
| Sec. 22   | <i>July 1, 2005</i> | 27-25 |
| Sec. 23   | <i>July 1, 2005</i> | 27-28 |
| Sec. 24   | <i>July 1, 2005</i> | 27-29 |

|         |                     |           |
|---------|---------------------|-----------|
| Sec. 25 | <i>July 1, 2005</i> | 27-33     |
| Sec. 26 | <i>July 1, 2005</i> | 27-33a    |
| Sec. 27 | <i>July 1, 2005</i> | 5-259d    |
| Sec. 28 | <i>July 1, 2005</i> | 27-39     |
| Sec. 29 | <i>July 1, 2005</i> | 27-41     |
| Sec. 30 | <i>July 1, 2005</i> | 27-43     |
| Sec. 31 | <i>July 1, 2005</i> | 27-45     |
| Sec. 32 | <i>July 1, 2005</i> | 27-47     |
| Sec. 33 | <i>July 1, 2005</i> | 27-49     |
| Sec. 34 | <i>July 1, 2005</i> | 27-51     |
| Sec. 35 | <i>July 1, 2005</i> | 27-52     |
| Sec. 36 | <i>July 1, 2005</i> | 27-53     |
| Sec. 37 | <i>July 1, 2005</i> | 27-54     |
| Sec. 38 | <i>July 1, 2005</i> | 27-55     |
| Sec. 39 | <i>July 1, 2005</i> | 27-56     |
| Sec. 40 | <i>July 1, 2005</i> | 27-57     |
| Sec. 41 | <i>July 1, 2005</i> | 27-58     |
| Sec. 42 | <i>July 1, 2005</i> | 27-59     |
| Sec. 43 | <i>July 1, 2005</i> | 27-60     |
| Sec. 44 | <i>July 1, 2005</i> | 27-61     |
| Sec. 45 | <i>July 1, 2005</i> | 27-62     |
| Sec. 46 | <i>July 1, 2005</i> | 27-65     |
| Sec. 47 | <i>July 1, 2005</i> | 27-66     |
| Sec. 48 | <i>July 1, 2005</i> | 27-67     |
| Sec. 49 | <i>July 1, 2005</i> | 27-68     |
| Sec. 50 | <i>July 1, 2005</i> | 27-69     |
| Sec. 51 | <i>July 1, 2005</i> | 27-70     |
| Sec. 52 | <i>July 1, 2005</i> | 27-71     |
| Sec. 53 | <i>July 1, 2005</i> | 27-72     |
| Sec. 54 | <i>July 1, 2005</i> | 27-73     |
| Sec. 55 | <i>July 1, 2005</i> | 27-73a    |
| Sec. 56 | <i>July 1, 2005</i> | 27-73b    |
| Sec. 57 | <i>July 1, 2005</i> | 27-74     |
| Sec. 58 | <i>July 1, 2005</i> | 27-75     |
| Sec. 59 | <i>July 1, 2005</i> | 27-76     |
| Sec. 60 | <i>July 1, 2005</i> | 27-77     |
| Sec. 61 | <i>July 1, 2005</i> | 27-79     |
| Sec. 62 | <i>July 1, 2005</i> | 27-102a   |
| Sec. 63 | <i>July 1, 2005</i> | 27-141    |
| Sec. 64 | <i>July 1, 2005</i> | 27-166(c) |

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|---------|---------------------|--|
| Sec. 65 | <i>July 1, 2005</i> | 27-262(a)  |
| Sec. 66 | <i>July 1, 2005</i> | 27-5, 27-22, 27-23, 27-26, 27-27, 27-40, 27-44, 27-46a, 27-50 and 27-63 repealed |

***Statement of Purpose:***

To revise and update chapters 504 and 505a of the general statutes concerning the militia and the armed forces of the United States to reflect current standards and practices, to provide for efficient state military operations, to facilitate military retention and recruitment and to eliminate inconsistent and unnecessary statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*