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### **Amending 94-1-3 (10) and 94-1-5 (1), Colorado Revised Statutes 1963, to Delete Obsolete Provisions of Law Concerning the National Guard.**

Colorado General Assembly

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## CHAPTER 245

## NATIONAL GUARD AND MILITARY FORCES

## MILITARY CODE

(Senate Bill No. 146. By Senators Decker and Birmingham; also Representatives Cole, Safran, Arnold, Baer, Bain, Bastien, Black, Bryant, Burns, Byerly, Calabrese, Coloroso, Cooper, Dameron, Dittmore, Edmonda, Farley, Fentress, Fuhr, Grace, Grant, Grimshaw, Gustafson, Hamilton, Hart, Hinman, Horst, Jackson, Johnson, Klein, Knox, Kogovsek, Koster, Lamb, Maesari, Ed McCormick, H. McCormick, McNeil, Moore, Munson, Neal, Ed Newman, Porter, Quinlan, Roe, Sack, Sanchez, Schafer, Schmidt, Schubert, Shore, Showalter, Singer, Sonnenberg, Strahle, Vanderhoof, Woodard, and Younglund.)

## A N A C T

AMENDING 94-1-3 (10) AND 94-1-5 (1), COLORADO REVISED STATUTES 1963, TO DELETE OBSOLETE PROVISIONS OF LAW CONCERNING THE NATIONAL GUARD.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. 94-1-3 (10), Colorado Revised Statutes 1963, is amended to read:

94-1-3. General provisions.—(10) Whenever the national guard shall be ordered into "active service" as defined in section 94-1-1, the officers and enlisted men shall receive the pay and allowances as now or hereafter provided by law for officers and enlisted men of similar rank and length of service in the regular army or regular air force of the United States. ~~The monies necessary under this section shall be provided by certificates of indebtedness pursuant to section 136-2-4, Colorado Revised Statutes 1963.~~

Section 2. 94-1-5 (1), Colorado Revised Statutes 1963, is amended to read:

94-1-5. Adjutant general—assistants.—(1) There shall be an adjutant general of the state who shall be appointed by the governor, who shall be a staff officer, who at the time of appointment shall be a commissioned officer of the national guard of this state, with not less than ten years military service in the armed forces of this state or of the United States, at least five of which shall have been commissioned service in the Colorado national guard and who shall have attained the grade of major or a higher grade with federal recognition in such grade at least one year prior to his appointment as adjutant general. The term of appointment for the adjutant general shall be for a period of five years commencing July 1, 1959, but he shall continue to hold such office under his appointment until his successor for the new term is appointed and qualified or until he is reappointed

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

to succeed himself, unless retired prior to that time by reason of retirement, resignation, disability, or for cause as determined by a court-martial or efficiency board legally convened for that purpose. provided, that the adjutant general previously appointed and serving on the effective date of this article shall retain such appointment until July 1, 1969.

Section 3. Safety clause.—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 2, 1969