

Chapter 399

Naval Militia

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CROSS REFERENCES

Militia generally, Const. Art. X; Ch. 396

399.010

Age limits of militiamen, Const. Art. X, § 1;
396.020

399.040

Governor as commander in chief, Const. Art. V, § 9

399.090

Use of naval force, Const. Art. V, § 9

399.100

Militia privileges, 397.295, 397.300

399.010 Composition of naval militia; age limits. The Oregon Naval Militia shall consist of the regularly enlisted militia between the ages of 18 and 45 years organized as prescribed for the naval militia by the law of the United States or of the State of Oregon, and commissioned officers between the ages of 21 and 62 years for the naval branch, and 21 and 64 years for the marine corps branch. Enlisted men may continue in service after the age of 45 years and until the age of 62 years for the naval branch, or 64 years for the marine corps branch, provided the service is continuous.

399.020 Laws and rules governing naval militia. The Oregon Naval Militia shall be governed by the laws, rules and regulations of the United States Department of the Navy relating to naval militia.

399.030 Uniforms, organization, discipline and instruction. The uniform of the naval militia shall conform to that of the United States Navy, with such distinguishing marks and insignia as the United States Department of the Navy shall prescribe. The organization, discipline and instruction shall conform as nearly as possible to that of the Navy of the United States. The members shall be governed by the military laws of the state and be subject to naval discipline to the same extent as members of the national guard are subject to military discipline.

399.040 Naval Staff; duties. (1) The Naval Staff shall consist of the Adjutant General, who shall be chairman, and two commissioned naval militia officers to be designated by the commander in chief. The Naval Staff shall bear the same relation to the naval militia that the General Staff bears to the national guard.

(2) The Naval Staff shall direct and audit the expenditure of all funds available or appropriated for the use of the naval militia. Once each month, at such time as the Adjutant General may direct, the naval militia officers at the heads of the various departments shall report to the Adjutant General and submit written statements showing the work performed, receipts, disbursements and transfers in their departments and the work and expenditures necessary for the ensuing month.

399.050 Naval duties of Adjutant General. The Adjutant General shall keep an accurate and complete record of the expendi-

ture of naval militia funds, shall report to the commander in chief at the end of each biennial period the condition of the naval militia and the cost of maintenance in all departments, and shall furnish a surety bond or bonds in such amount as the commander in chief may direct. The Adjutant General may provision ships loaned this state when such ships are on cruise duty pursuant to orders of the commander in chief, provide suitable moorings for such ships, select the naval militia headquarters, provide the necessary stationery, books, blanks, files and furniture, and employ such clerical assistance as may be necessary to keep the accounts and records, attend to correspondence and filing and perform such other duties as may be necessary in the naval militia service.

399.060 Relationship of Adjutant General to commander in chief and to Department of the Navy. The Adjutant General of this state shall stand in the same relation to the commander in chief and to the United States Department of the Navy, as concerns the naval militia, as he bears to the commander in chief and to the Department of the Army, as concerns the national guard.

399.070 Commissioned officers; appointment; promotion. The officers of the naval militia shall consist of such line and corps officers as are commissioned by the Governor, and shall be in such number and rank as are prescribed by the laws, rules and regulations of the United States pertaining to the naval militia. Appointments to fill vacancies in the lowest commissioned and warrant grades in the naval militia shall be made by the Governor from among those candidates who successfully pass a competitive examination as prescribed by the Adjutant General. Promotion shall be by seniority, subject to examination prescribed and conducted by the Department of the Navy. Any officer failing to pass such examination shall not be eligible for re-examination to the retardation of other officers in line of promotion in the same corps and for the same grade. Any officer failing to pass such examination may be discharged by the Governor without further cause.

399.080 Enlistments. The period of enlistment in the naval militia shall be three years. An enlisted man, who has served honorably for the full term of his enlistment, may re-enlist for a term of one, two or

three years as he may elect. When a man re-enlists within 30 days from the date of the expiration of his prior enlistment, his term of service shall be considered as continuous and shall be so dated.

399.090 Cruise duty. The naval militia, or such portion as the commanding officer may select, may be required to perform cruise duty on United States vessels, or vessels loaned this state by the United States for at least 10 consecutive days, or such further time as the commander in chief may order.

399.100 Pay and allowances. No member of the naval militia shall receive any pay, allowance or other compensation except while on duty pursuant to orders of the commander in chief or in accordance with the military laws of Oregon.

399.110 Responsibility for public money or property; bonds. Any naval militia officer to whom any public money or property has been issued, for which he has receipted, shall be accountable for the proper expenditure, transfer or return of the same. The Naval Staff shall procure from any surety company authorized to transact business in Oregon a surety bond sufficient to cover the amount for which each officer of the naval

militia shall be responsible. The surety bond shall run to the State of Oregon, be approved by the Attorney General and then filed with the Secretary of State. The premium shall be paid from the naval funds.

399.120 Naval bands. The commanding officer may, upon the approval of the Naval Staff, enlist bands and assign them to duty the same as bands in the United States Navy. They may be enlisted as an integral part of a division or as a ship's band.

399.130 Loans of ships from United States. The Governor and Secretary of State may accept the loan of a ship or vessel of war for the use of the naval militia and make arrangements necessary concerning the loan of such ship to the state.

399.140 Employment of civilian help for cruise duty. In case of emergency, where it becomes necessary to employ civilians for the purpose of making up a full ship's complement, the Naval Staff may authorize the commanding officer to engage cooks and coal passers on board such vessel as may be loaned the state as will complete the necessary complement of men to make a cruise, and may pay a reasonable sum for said service. In this connection the engagement of a pilot in inland waters is authorized.

CHAPTER 400

[Reserved for Expansion]