

CHAPTER 207  
(Senate Bill 135)

AN ACT to repeal and re-enact, with amendments, Sections 1, 9 and 32 of Article 65 of the Annotated Code of Maryland (1964 Replacement Volume and 1965 Supplement), title "Militia", subtitle "In General", to amend and clarify the provisions of the militia law to authorize the inclusion of female citizens within the provisions of this Article to designate one of the Assistant Adjutants General as the Assistant Adjutant General for Army, and to define the pay and allowances of full time employees of the Military Department for income tax purposes and retirement purposes.

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That Sections 1, 9 and 32 of Article 65 of the Annotated Code of Maryland (1964 Replacement Volume and 1965 Supplement), title "Militia" subtitle "In General", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

1. All able-bodied male citizens of the State and all able-bodied males of foreign birth, who have declared their intentions to become citizens of the State, and who are residents therein, shall constitute the militia, subject to the following exemptions: [(a)] (1) persons exempted by the laws of the United States; [(b)] (2) persons exempted by the laws of Maryland; [(c)] (3) the members of any regularly organized fire or police department in any city, village or town; [(d)] (4) judges and clerks of courts of record, registers of wills and deeds, sheriffs, ministers of the Gospel, members of religious communities, ecclesiastical students in the various seminaries and schools of divinity, practicing physicians, superintendents, officers and assistants of hospitals, prisons and jail; all persons actually employed as teachers in any established school, college or university; lighthouse keepers, conductors and engineers of railways, seamen actually employed as such; [(e)] (5) idiots, lunatics, paupers, vagabonds, confirmed drunkards, persons addicted to the use of narcotic drugs, and persons convicted of infamous crimes; all such exempted persons, except as enumerated in [subdivisions (a) and (e)] *items (1) and (2)* shall be available for military duty in case of war, insurrection, invasion or imminent danger thereof. *Whenever the masculine gender is used in this Article, it is to be understood as including any female citizens of this State who voluntarily enlist in the organized militia.*

9.

(a) The Adjutant General shall be appointed by the Governor by and with the advice and consent of the Senate. He shall have a commissioned grade not above that of Lieutenant General, and his salary shall be as stated in the annual budget. He may be appointed by the Governor as Chief of Staff of the Governor's staff.

(b) [The] *An Assistant Adjutant General for Army* shall be appointed by the Governor and his term of office shall be at the pleasure of the Governor. He shall have a commissioned grade not above that of Brigadier General, and his salary shall be as stated in the annual budget. He will perform such military duties as may be assigned to him by the Governor or by the Adjutant General.