

# VIRGINIA ACTS OF ASSEMBLY -- 2006 SESSION

## CHAPTER 123

*An Act to amend and reenact § 44-117 of the Code of Virginia, relating to officers of militia; Fishburne Military School.*

[H 922]

Approved March 23, 2006

**Be it enacted by the General Assembly of Virginia:**

**1. That § 44-117 of the Code of Virginia is amended and reenacted as follows:**

§ 44-117. Officers of Virginia Military Institute, the Virginia Women's Institute for Leadership at Mary Baldwin College, the Fishburne Military School, and Virginia Polytechnic Institute and State University to be officers of militia.

The officers of the Virginia Military Institute, the Virginia Women's Institute for Leadership at Mary Baldwin College, *the Fishburne Military School*, and the Commandant of Cadets and Assistant Commandants of Cadets of the Virginia Polytechnic Institute and State University shall be commissioned officers of the Virginia militia, unorganized, and subject to the orders of the Governor and the same rules and regulations as to discipline provided for other commissioned officers of the military organizations of the Commonwealth. The Governor is authorized and directed to issue commissions to the professors, assistant professors and other officers of the Virginia Military Institute, *the Fishburne Military School*, and the Virginia Women's Institute for Leadership at Mary Baldwin College, according to the rank prescribed by those institutions; and to the Commandant of Cadets and Assistant Commandants of Cadets of the Virginia Polytechnic Institute and State University. Such persons shall be eligible to receive and to continue to hold such commissions, regardless of age, for so long as they continue to be officers, professors or assistant professors of the Virginia Military Institute, the Virginia Women's Institute for Leadership at Mary Baldwin College, *the Fishburne Military School*, or the Commandant of Cadets or Assistant Commandants of Cadets of Virginia Polytechnic Institute and State University. The governing boards of each institution shall recommend to the Governor the rank to which such eligible persons shall be commissioned, but the following determination of such rank shall be made by the Governor. Commissions in such militia issued such persons by the Governor shall not entitle any person holding the same to any pay or emolument by reason thereof unless he be assigned to duty by order of the Governor with the Virginia National Guard; and in such event, the rank of such officer shall be relatively inferior to that of all other officers of the same grade in the Virginia National Guard.