
A BILL FOR AN ACT

RELATING TO THE NATIONAL GUARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to require that any
2 person who is newly appointed to the position of adjutant
3 general:

4 (1) After the effective date of this Act; and

5 (2) Who has not previously been appointed to be the
6 adjutant general by the governor and consented to by
7 the senate pursuant to article V, section 6, of the
8 Constitution of the State of Hawaii and section 26-31,
9 Hawaii Revised Statutes,

10 possess at least five years of service as an active commissioned
11 officer in the Hawaii national guard, whether army, air, or
12 both.

13 SECTION 2. Section 121-7, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§121-7 **Adjutant general; appointment.** (a) The adjutant
16 general shall be the executive head of the department of defense
17 and commanding general of the militia of the State.



1 (b) The adjutant general shall be appointed and be subject
2 to removal as set forth in section 26-31. The adjutant general
3 shall serve for the term as set forth in section 6, article V,
4 of the [~~Constitution. No person shall be eligible for~~
5 ~~appointment as adjutant general unless the person holds or has~~
6 ~~held a commission of at least a field grade officer, federally~~
7 ~~recognized as such, or its equivalent in the national guard,~~
8 ~~state defense force, or other branch of the armed forces of this~~
9 ~~or any other state or territory of the United States, or in the~~
10 ~~armed forces of the United States or a reserve component thereof~~
11 ~~and has served as a commissioned officer in one or more of the~~
12 ~~armed services for at least ten years.] Constitution of the
13 State of Hawaii.~~

14 (c) Effective July 1, 2012, no person shall be eligible to
15 serve, continue to serve, or be appointed to serve as adjutant
16 general unless the person:

17 (1) Holds or has held a commission of at least a field
18 grade officer, federally recognized as such, in the
19 national guard of the armed forces of this or any
20 other state or territory of the United States, or in
21 the armed forces of the United States or a reserve
22 component thereof; and



1 (2) Has served as a commissioned officer in one or more of
 2 the armed forces for at least ten years, of which at
 3 least five years shall have been served as an active
 4 commissioned officer in the Hawaii national guard of
 5 either the army, air, or both."

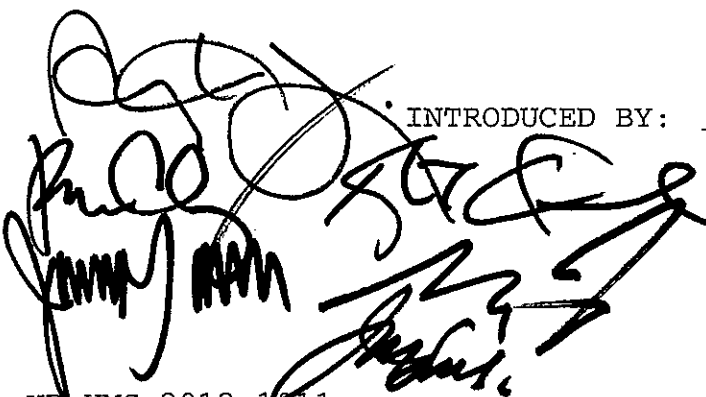
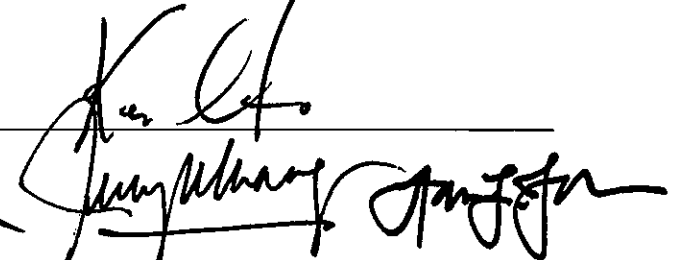
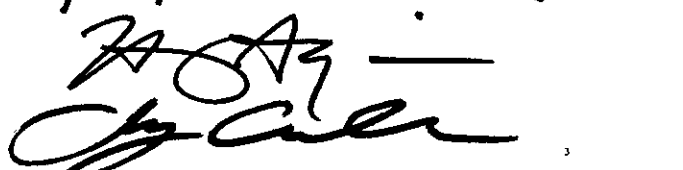

6 SECTION 3. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall not apply to:

- 9 (1) Any adjutant general appointed by the governor and for
 10 whom the senate has consented to pursuant to article
 11 V, section 6, of the Constitution of the State of
 12 Hawaii and section 26-31, Hawaii Revised Statutes,
 13 prior to the effective date of this Act; or
 14 (2) Any adjutant general described in paragraph (1) who is
 15 subsequently reappointed after the expiration of the
 16 adjutant general's initial term of service.

17 SECTION 5. This Act shall take effect on July 1, 2012.

18

INTRODUCED BY:  

 HB HMS 2012-1011

 JAN 17 2012

H.B. NO. 1938

Report Title:

National Guard; Adjutant General; Qualifications

Description:

Prohibits a person from being eligible to serve as an adjutant general unless the person has had at least five years of service as an active commissioned officer in the Hawaii National Guard, whether army, air, or both. Grandfathers sitting adjutant generals.

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