JAN 2 0 2012

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 quard, whether army, air, or Ä 12 both. Section 121-7, Hawaii Revised Statutes, is 13 SECTION 2. 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

and commanding general of the militia of the State.

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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		



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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	SECT	ION 3. Statutory material to be repealed is bracketed
7	and stric	ken. New statutory material is underscored.
8	SECT	ION 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	SECT	ION 5. This Act shall take effect on July 1, 2012.
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SB HMS 2012-1011

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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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