
A BILL FOR AN ACT

RELATING TO THE NATIONAL GUARD.

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

1 SECTION 1. Section 121-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§121-7 Adjutant general; appointment.** (a) The adjutant
4 general shall be the executive head of the department of defense
5 and commanding general of the militia of the State. The
6 adjutant general shall be appointed and be subject to removal as
7 set forth in section 26-31.

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



1 (c) Effective July 1, 2013, no person shall be eligible to
2 serve, continue to serve, or be appointed to serve as adjutant
3 general unless the person:

4 (1) Holds or has held a commission of at least an O-5,
5 federally recognized as such, in the national guard of
6 the armed forces of any state or territory of the
7 United States, or in the armed forces of the United
8 States or a reserve component thereof; and

9 (2) Has served as a commissioned officer in one or more of
10 the armed forces of the United States for a total of
11 at least ten years;

12 provided that preference for the appointment to adjutant general
13 shall be given first to a commissioned officer who has served as
14 an active commissioned officer in the Hawaii national guard of
15 the army, air, or both, for at least five years; provided
16 further that second preference for the appointment to adjutant
17 general shall be given to a commissioned officer who has served
18 as an active commissioned officer in the national guard of the
19 armed forces of any state or territory of the United States."

20 SECTION 2. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval;
2 provided that this Act shall not apply to the adjutant general
3 sitting on the effective date of this Act.



Report Title:

National Guard; Adjutant General; Requirements

Description:

Requires an individual to hold or have held a commission of at least an O-5 to be eligible for promotion to Adjutant General. Provides first preference for a person who has had at least five years of service as an active commissioned officer in the Hawaii National Guard, whether army, air, or both, for eligibility to serve as Adjutant General. Provides second preference for National Guard members to serve as Adjutant General over members of the armed forces of the United States or a reserve component thereof. Grandfathers the current Adjutant General. (HB1203 CD1)

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