

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 202

Short Title: NCNG Adjutant General Appointment Criteria. (Public)

Sponsors: Representatives Hastings, Daughtry, Fulghum, and Riddell (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: State Personnel, if favorable, Appropriations.

March 5, 2013

A BILL TO BE ENTITLED
AN ACT TO AMEND THE CRITERIA FOR APPOINTMENTS TO THE OFFICE OF
ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 127A-19 reads as rewritten:

"§ 127A-19. Adjutant General.

The military head of the militia shall be the Adjutant General who shall hold the rank of major general. The Adjutant General shall be appointed by the Governor in the Governor's capacity as commander in chief of the militia, in consultation with the Secretary of Public Safety, and shall serve at the pleasure of the Governor. ~~No person shall be appointed as Adjutant General who has less than five years' commissioned service in an active status in any component of the Armed Forces of the United States.~~ The Adjutant General, while holding this office, ~~may shall~~ be a member of the active North Carolina National Guard ~~or naval militia.~~ Guard. A person appointed Adjutant General shall meet all of the following criteria:

- (1) The person shall have served honorably as a commissioned officer in the Armed Forces of the United States.
- (2) The person shall have at least 10 years commissioned service in the North Carolina National Guard. For purposes of this requirement, a National Guard active duty tour or mobilization of National Guard units into active federal duty shall not be considered a break in National Guard service.
- (3) The person shall have attained at least the rank of colonel with federal recognition.
- (4) The person shall not have been separated from the North Carolina National Guard for more than five years before the date of appointment.
- (5) Shall be a resident of the State of North Carolina.
- (6) Shall be qualified to meet the requirements for federal recognition in the ranks of brigadier general and major general at the time of appointment to those ranks.

Subject to the approval of the Governor and in consultation with the Secretary of Public Safety, the Adjutant General may appoint (i) a deputy adjutant general who may hold the rank of major general, and (ii) an assistant adjutant general for Army National Guard, and an assistant adjutant general for Air National Guard, each of whom may hold the rank of brigadier general and who shall serve at the pleasure of the Governor. The Adjutant General may also employ staff members and other personnel as authorized by the Secretary and funded."

SECTION 2. This act is effective when it becomes law.

