

HOUSE BILL 1439

P4

7lr0186

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Military)**

Rules suspended

Introduced and read first time: March 15, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Military Department – Adjutant General**

3 FOR the purpose of altering the number of years of a certain type of service in the
4 National Guard required to meet the qualifications for the Adjutant General.

5 BY repealing and reenacting, with amendments,
6 Article – Public Safety
7 Section 13–301
8 Annotated Code of Maryland
9 (2003 Volume and 2006 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Public Safety**

13 13–301.

14 (a) The Adjutant General:

15 (1) is the head of the Department;

16 (2) shall be appointed by the Governor with the advice and consent of
17 the Senate;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) is subordinate only to the Governor in matters relating to the
2 Department;

3 (4) shall have a commissioned grade not above that of Lieutenant
4 General; and

5 (5) shall be a full-time employee of the Department in State active
6 duty status.

7 (b) At the time of appointment, the Adjutant General shall:

8 (1) have at least [10] **3** years of commissioned field grade service in
9 the National Guard;

10 (2) have attained at least the rank of colonel; and

11 (3) meet the requirements for federal recognition at the rank of Major
12 General.

13 (c) The Adjutant General is a member of the Governor's Executive Council.

14 (d) If the Adjutant General is ordered into the active military service of the
15 United States, the Governor may designate an acting Adjutant General to exercise the
16 duties of the Adjutant General during the period the Adjutant General is on active
17 military service.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2007.