

Department of Legislative Services

Maryland General Assembly

2007 Session

FISCAL AND POLICY NOTE

Revised

House Bill 1439

(Chair, Health and Government Operations Committee)

(By Request – Departmental – Military)

Health and Government Operations

Education, Health, and Environmental Affairs

**Military Department - Adjutant General and Assistant Adjutants General -
Qualifications and Duties**

This departmental bill reduces the required number of years that an individual must have served in the National Guard to be appointed Adjutant General (10 years to 2 years) and Assistant Adjutant General (10 years to 1 year). Beginning January 1, 2008, the Adjutant General has to report quarterly to the General Assembly on the number of Maryland National Guard members killed or injured while on active duty and the circumstances of the deaths or injuries.

Fiscal Summary

State Effect: The bill would not materially affect State finances.

Local Effect: None.

Small Business Effect: The Maryland Military Department has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Current Law: The Adjutant General of Maryland is appointed by the Governor with the advice and consent of the Senate and is subordinate only to the Governor in matters relating to the Military Department. The Adjutant General cannot be commissioned above a Lieutenant General and has to be a full-time employee of the Military

Department in State active duty status. At the time of appointment, the Adjutant General must have at least 10 years of commissioned field grade service in the National Guard. In addition, he/she must have at least attained the rank of Colonel and meet the requirements for federal recognition at the rank of Major General.

The Governor is required to appoint four Assistant Adjutants General – two each for the Maryland Army National Guard and the Maryland Air National Guard. Unless selected for a military position requiring federal recognition as a Major General, an Assistant Adjutant General cannot be commissioned above a Brigadier General. However, he/she must have at least attained the rank of colonel and have at least 10 years of commissioned field grade service in the National Guard.

Background: The Military Department advises that reducing the number of years of required service in the National Guard for an individual to be appointed Adjutant General or Assistant Adjutant General would increase the pool of officers available for such an appointment. Because of the grade and federal recognition requirements, an appointment for Adjutant General would still have substantial military experience, even if only a portion of it was from service in the National Guard.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Military Department, Department of Legislative Services

Fiscal Note History: First Reader - March 20, 2007
mll/jr Revised - House Third Reader - April 6, 2007
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