



HOUSE BILL 1048: AG Selection Criteria/Amendments

2013-2014 General Assembly

Committee: Senate Judiciary I
Introduced by: Rep. Hastings
Analysis of: PCS to Third Edition
H1048-CSRK-88

Date: June 24, 2014
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SUMMARY: *This act amends the criteria for the appointment of the Adjutant General of the North Carolina National Guard, adds an Assistant Adjutant General, provides the National Guard with increased flexibility with respect to certain capital projects; and allows for additional uses of the Family Assistance Center Funds for the benefit of surviving family members of deceased servicemembers.*

[As introduced, this bill was identical to S760, as introduced by Sens. Meredith, Rabin, which is currently in Senate Judiciary I.]

BILL ANALYSIS:

Section 1: Currently, an appointee must have a minimum of five years of active service as a commissioned officer in any component of the Armed Forces of the United States. The Adjutant General "shall hold the rank" of major general. This act would amend the statute setting for the requirements for appointment of the Adjutant General as follows:

- Requires the appointee to have a total of 10 years or more commissioned service in any component or components of the armed forces of the United States.
- Requires the appointee to have a minimum of three years of commissioned service in the North Carolina Army or Air National Guard within the six-year period previous to the appointment date.
- Requires the appointee to have attained the rank of colonel, and either have federal recognition or be eligible for federal recognition (also applies to appointees in the rank of brigadier or major general).
- Requires the appointee to have completed all required service schools for promotion to general officer with federal recognition.
- Requires at least 12 months in command of a National Guard or other unit of the Armed Forces.
- Authorizes (but does not require) the deputy adjutant general to hold the same rank as the Adjutant General.

Section 2:

- Would authorize the North Carolina National Guard to expend funds for capital projects if the project is funded entirely with federal funds and any associated operating costs will be paid entirely with federal funds.



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- If projects are completed under cost, allows the National Guard to utilize the available funds for armories and facilities that have been approved by Congress that have not been designated and that require State-matching funds.
- Provides that expenditures (excluding design fees), for a capital project (i) that is for training purposes and for a single exercise or undertaking at a National Guard facility; (ii) that has a total cost that does not exceed applicable federal limits; and (iii) that will be funded entirely with federal funds, are not subject to the requirements otherwise applicable to public contracts (Article 8, Chapter 143).

Section 3: Provides that the North Carolina National Guard may use funds appropriated to it for Family Assistance Centers for expenses related to support of surviving family members of deceased members of the North Carolina National Guard, including, but not limited to: the costs of providing educational materials; workshops; outreach events; and invitational travel, including per diem and other travel related expenses.

EFFECTIVE DATE: Section 1 is effective for appointments on or after the effective date of the act. Sections 2 and 3 are effective July 1, 2014. The remainder of this act is effective when it becomes law.