

HOUSE BILL No. 6270

June 17, 2010, Introduced by Rep. LeBlanc and referred to the Committee on Military and Veterans Affairs and Homeland Security.

A bill to amend 1967 PA 150, entitled
"Michigan military act,"
by amending sections 302 and 306 (MCL 32.702 and 32.706), section
302 as amended by 2002 PA 654.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 302. The governor shall appoint the adjutant general from
2 among qualified federally recognized officers of the national
3 guard. The adjutant general shall have served as an officer of
4 field or general grade in the state military establishment for not
5 less than 5 years before appointment. The adjutant general shall
6 serve at the pleasure of the governor, and unless sooner relieved,
7 shall serve until the age of 64. ~~The adjutant general shall receive~~

~~pay and allowances equal to those of an active army or air force officer of like grade and service.~~ **BEGINNING JANUARY 1, 2011, THE SALARY OF THE ADJUTANT GENERAL SHALL BE THE SALARY THAT IS APPROPRIATED BY THE LEGISLATURE.** Not later than 10 days after the appointment, the adjutant general shall file his or her constitutional oath of office with the secretary of state.

Sec. 306. ~~The~~ **BEGINNING JANUARY 1, 2011, THE** adjutant general and the assistant adjutants general **WHO BEGAN EMPLOYMENT ON OR AFTER JANUARY 1, 2011** when relieved under honorable circumstances ~~shall be placed on the retired list of the national guard. The adjutant general and assistant adjutants general shall receive retirement pay equal to the retirement pay which an officer of like grade and total longevity would receive as indicated in appropriate federal regulations when they are retired or honorably relieved. Such retirement pay SHALL RECEIVE RETIREMENT BENEFITS AS A QUALIFIED PARTICIPANT UNDER THE STATE EMPLOYEES' RETIREMENT ACT, 1943 PA 240, MCL 38.1 TO 38.69. RETIREMENT BENEFITS will start on the date of retirement or honorable relief from duty. Retirement under this section requires not less than 20 years active service with the national guard and/or state defense force. Any retirement pay received from the federal government for military service will be deducted when computing the amount received from the state. The deduction shall start on the first day of the month the officer becomes eligible for federal retirement. Once established, the amount of the deduction shall not be changed; however, it shall not deprive such a retired officer from receiving a total of state and federal pay equal to that authorized to officers of like grade and~~

1 ~~total longevity who are retired from the active federal armed~~
2 ~~forces.~~

3 Enacting section 1. This amendatory act does not take effect
4 unless Senate Bill No. ____ or House Bill No. 6271(request no.
5 06745'10 a) of the 95th Legislature is enacted into law.