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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<b>2003 Wisconsin Act 25</b> [2003 Assembly Bill 20]	<b>Governor's Military Staff</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

2003 Wisconsin Act 25 makes some changes to adjutant general rank requirements and other adjutant general requirements, other positions on the Governor's military staff, and requirements for filling vacancies on the Governor's military staff. The adjutant general heads the Governor's military staff and the state Department of Military Affairs, and is appointed by the Governor for a five-year term with the possibility of reappointment.

### **Adjutant General Rank Requirements**

**Prior law** required that an appointee to the position of adjutant general have attained at least the rank of lieutenant colonel [s. 15.31, Stats.], and that the adjutant general have a minimum rank of brigadier general. [s. 21.18 (1), Stats.] **The act** amends s. 15.31, Stats., to require that a person, "to be appointed as the adjutant general," must hold the federally recognized minimum rank of full colonel and be "fully qualified to receive federal recognition at the minimum rank of brigadier general and has successfully completed a war college course or the military equivalent acceptable to the appropriate service." The rank of colonel is lower than the rank of brigadier general required for an adjutant general under s. 21.18 (1), Stats., and the latter was not changed by the act. Therefore, it appears a person could be "appointed as" adjutant general with the minimum rank of full colonel, but could not actually be the adjutant general until attaining the rank of brigadier general. The act also adds a maximum rank for adjutant general--that of lieutenant general.

### **Other Adjutant General Requirements**

**Prior law** required that an appointee to the position of adjutant general be an officer actively serving in the national guard of Wisconsin with at least five years of continuous federally recognized commissioned service in the active Army or Air National Guard of Wisconsin immediately preceding the date of appointment. [s. 15.31, Stats.] **The act** increases to six the number of military components

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

from which an appointee can be drawn to include the Army National Guard of the United States, the U.S. Army Reserve, the Air National Guard of the United States, and the U.S. Air Force Reserve. The act would also allow an appointee to be retired from active drilling status if the appointee were a federally recognized general officer 62 years of age or less that retired from active drilling status in one of the six specified service components within the preceding two years and continued to be eligible for federal recognition as a major general.

### **Other Positions on the Governor's Military Staff**

The act makes the following changes to other positions on the Governor's military staff:

- **Prior law** provided for two deputy adjutants general, one for army and one for air, for which general officer rank is permitted. **The act** changes the rank from permitting that of general officer to requiring that of brigadier general "unless selected for a military position requiring federal recognition as a major general."
- **Prior law** provided for one assistant adjutant general position--that of assistant adjutant general, army, for readiness and training, for which general officer rank is permitted. **The act** creates two additional assistant adjutant general positions, one for army and one for air, and eliminates the provisions in current law that the assistant adjutant general for army be "for readiness and training" and "may be a general officer," providing instead that the three assistant adjutants general "may hold the rank of brigadier general."
- **Prior law** provided for a deputy assistant adjutant general, army, for readiness and training. **The act** eliminates that position.
- **Prior law** provided for a state chaplain, for which general officer rank is permitted. **The act** specifies that the state chaplain be "either army or air."

### **Requirements for Filling Vacancies on the Governor's Military Staff**

**Prior law** required that vacancies on the Governor's military staff be filled through appointment by the adjutant general from officers actively serving in the Wisconsin National Guard. **The act** makes an exception from this requirement for the adjutant general, as described above under "Other Adjutant General Requirements."

**The act** requires the adjutant general, in the event any of the deputy adjutants general, for army or for air, are appointed to a military position as a major general, to appoint an acting deputy adjutant general for any periods of absence due to other military duties. The act permits the adjutant general to choose for this appointment one of the assistant adjutants general.

**Effective Date:** The act took effect on June 3, 2003.

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August 13, 2003

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