

CHAPTER 190

MILITARY FORCES

190.06 Militia; members; exemptions.

190.07 Appointment; qualifications; rank.

190.06 MILITIA; MEMBERS; EXEMPTIONS.

Subdivision 1. **Composition.** The militia shall consist of:

(1) all able-bodied citizens of the state and other able-bodied persons residing in the state who have or shall have declared their intention to become citizens of the United States, when so authorized by federal law, who comply with the minimum age requirements for federal regular military service under United States Code, title 10, section 505, and who are not more than 45 years of age; provided, that the governor may, when the governor deems it necessary for the defense of the state, extend the maximum age for militia service to not more than 64 years; and

(2) persons who enlist in, are commissioned in, or are otherwise appointed to the Minnesota national guard in accordance with applicable federal law and regulation, including enlisted members, warrant officers, and commissioned officers.

[For text of subds 2 to 4, see M.S.2000]

History: 1Sp2001 c 10 art 2 s 62

190.07 APPOINTMENT; QUALIFICATIONS; RANK.

There shall be an adjutant general of the state who shall be appointed by the governor. The adjutant general shall be a staff officer, who at the time of appointment shall be a commissioned officer of the national guard of this state, with not less than ten years military service in the national guard of this state or the armed forces of the United States, at least three of which shall have been commissioned and who shall have reached the grade of a field officer.

The adjutant general shall hold at least the rank of major general and may be promoted to and including the highest rank authorized under federal law. However, the adjutant general may not be promoted to the rank of major general without having at least 20 years service in the Minnesota national guard, at least one of which has been in the rank of brigadier general.

The term of the adjutant general is seven years from the date of appointment. Section 15.06, subdivisions 3, 4, and 5, governs filling of vacancies in the office of adjutant general. The adjutant general shall not be removed from office during a term except upon withdrawal of federal recognition or as otherwise provided by the military laws of this state.

History: 1Sp2001 c 10 art 2 s 63