

appointed by the Governor as chief of staff of the Governor's staff.

(b) An assistant adjutant general for army shall be appointed by the Governor and his term of office shall be at the pleasure of the Governor. He shall have a commissioned grade not above that of brigadier general, and his salary shall be as stated in the annual budget. He will perform such military duties as may be assigned to him by the Governor or by the Adjutant General.

(c) An assistant adjutant general for air shall be appointed by the Governor and his term of office shall be at the pleasure of the Governor. He shall have a commissioned grade not above that of brigadier general. He will perform such military duties as may be assigned to him by the Governor or by the Adjutant General.

(D) THE ADJUTANT GENERAL, THE ASSISTANT ADJUTANT GENERAL FOR ARMY, AND THE ASSISTANT ADJUTANT GENERAL FOR AIR EACH SHALL:

(1) HAVE AT LEAST 5 YEARS OF COMMISSIONED SERVICE IN THE MARYLAND NATIONAL GUARD;

(2) HAVE ATTAINED AT LEAST THE RANK OF LIEUTENANT COLONEL;

(3) HAVE NOT BEEN SEPARATED FROM THE MARYLAND NATIONAL GUARD FOR MORE THAN 5 YEARS BEFORE THE DATE OF APPOINTMENT; AND

(4) MEET THE REQUIREMENTS FOR FEDERAL RECOGNITION AT THE RANK APPOINTED.

[(d)] (E) The Adjutant General, the assistant adjutants general, officers, warrant officers, and enlisted men who are full-time employees of the Military Department are military personnel in an active duty status. They shall be entitled to receive the same per diem pay, including longevity pay, subsistence and allowances, as officers, warrant officers and enlisted men of like grades and length of service in the regular army or air force, as the case may be. Subsistence and allowances shall be accorded the same treatment for income tax purposes under the laws of this State as granted by the United States Internal Revenue Code, and regulations promulgated thereunder for federal income tax purposes; and such subsistence and allowances shall not be used in calculating the salary base for retirement purposes for any employee who is a member of the Employees' Retirement System of the State of Maryland.

[(e)] (F) An individual who holds more than one of the above-mentioned offices simultaneously shall receive only the pay allowances and subsistence provided herein for a single office.