

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 625
HOUSE BILL 1194

AN ACT TO AMEND THE GENERAL STATUTES OF NORTH CAROLINA SO AS TO PROVIDE PENSIONS FOR MEMBERS OF THE NATIONAL GUARD OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. Chapter 127 of the North Carolina General Statutes is hereby amended by adding a new section, G.S. 127-30.1, immediately following G.S. 127-30 and immediately preceding G.S. 127-31, such new section to read:

"§ 127-30.1. **Pensions for members of the North Carolina National Guard.** — (a) Every member of the National Guard of North Carolina who meets the requirements hereinafter set forth shall receive, commencing at age 60, a pension of fifty dollars (\$50.00) per month for 20 years' creditable military service with an additional five dollars (\$5.00) per month for each additional year of such service; provided, however, that the total pension shall not exceed one hundred dollars (\$100.00) per month. The requirements for such pension are that each member shall:

- (1) Have served and qualified for at least 20 years' creditable military service, including National Guard, Reserve and Active Duty, under the same requirement specified for entitlement to retired pay for nonregular service under Chapter 67, Title 10, United States Code.
- (2) Have at least 15 years of the aforementioned service as a member of the North Carolina National Guard and the final or last 10 years of service immediately prior to retirement shall have been in the North Carolina National Guard.
- (3) Have received an honorable discharge from the North Carolina National Guard.

(b) Payment to a retired member of the National Guard of North Carolina under the provisions of this Article will cease at the death of the individual and no payment will be made to beneficiaries or to the decedent's estate.

(c) No individual receiving retired pay as a result of length of service, age, or physical disability retirement from any of the regular components of the Armed Forces of the United States will be eligible for benefits under this section.

(d) Nothing contained in this Article shall preclude or in any way affect the benefits that an individual may be entitled to from State, Federal or private retirement systems.

(e) Benefits paid under the provisions of this Article shall be exempt from the North Carolina income tax.

(f) The provisions of this Article shall be administered by the Adjutant General of the State of North Carolina. The Adjutant General shall not employ additional personnel to administer this Article.

(g) The provisions of this section shall apply to:

- (1) Members of the North Carolina National Guard serving therein on or after July 1, 1974;

- (2) Any person who fully qualifies for the pension and is involuntarily separated from the North Carolina National Guard for reasons other than misconduct between the date of ratification of this section and July 1, 1974, with eligibility of such person commencing at age 60 or July 1, 1974, whichever is the later date."

Sec. 2. This act shall become effective on July 1, 1974.

In the General Assembly read three times and ratified, this the 18th day of May,

1973.