

SUBSTITUTE FOR
HOUSE BILL NO. 6032

A bill to amend 1967 PA 150, entitled
"Michigan military act,"
by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 251. (1) ~~When the president calls or orders all or~~
2 ~~part of the national guard into federal service in time of a~~
3 ~~national emergency or when it appears that the national guard may~~
4 ~~be called to federal service, the~~ **The** governor, as
5 commander-in-chief, may activate within the military
6 establishment such number of units to be known as the Michigan
7 ~~emergency volunteers~~ **volunteer defense force**, as the governor
8 considers necessary for adequate emergency assistance to the
9 state. When activated by proper authority, the Michigan
10 ~~emergency volunteers~~ **volunteer defense force** shall perform
11 ~~only aid to civil authority~~ missions ~~formerly reserved for the~~

1 ~~national guard~~ as determined by the department of military **and**
2 **veterans** affairs in cooperation with the department of state
3 police and the state emergency preparedness plan. During times
4 other than a national emergency, organization of the Michigan
5 ~~emergency volunteers~~ **volunteer defense force** shall not exceed
6 15% of the Michigan national guard authorized strength.

7 ~~(2) Not later than 1 year after the effective date of the~~
8 ~~amendatory act that added this subsection, and each year~~
9 ~~thereafter, the department of military affairs shall report to the~~
10 ~~standing committees of the senate and house of representatives~~
11 ~~that are responsible for legislation concerning military affairs,~~
12 ~~and the senate and house appropriations committees as to the~~
13 ~~proposed and actual status of development of the Michigan~~
14 ~~emergency volunteers. The reports shall include all of the~~
15 ~~following:~~

16 ~~—— (a) Regulations or proposed regulations to define and limit~~
17 ~~the type and duration of missions that may be undertaken by the~~
18 ~~Michigan emergency volunteers.~~

19 ~~—— (b) Proposals for meeting the training and equipment needs of~~
20 ~~the Michigan emergency volunteers in fulfilling the missions that~~
21 ~~may be undertaken, and a 3-year projection of the costs of that~~
22 ~~training and equipment.~~

23 ~~—— (c) A description of the requirements or proposed~~
24 ~~requirements, including physical ability, for membership in the~~
25 ~~Michigan emergency volunteers.~~

26 ~~—— (d) Procedures that are used or are proposed to be used to~~
27 ~~screen membership in the Michigan emergency volunteers as to~~

1 ~~character and fitness, including standards that will ensure that~~
2 ~~no person with a serious criminal record is a member.~~

3 ~~— (e) The plan detailing methods and procedures for the~~
4 ~~coordination of the operations of the Michigan emergency~~
5 ~~volunteers with the state police, local law enforcement agencies,~~
6 ~~and state and federal disaster relief authorities.~~

7 (2) ~~—(3)—~~ A list of former officers, warrant officers, and
8 enlisted personnel of the Michigan national guard shall be
9 maintained with their consent in the office of the adjutant
10 general to aid in forming the Michigan ~~emergency volunteers~~
11 **volunteer defense force.**

12 (3) ~~—(4)—~~ The adjutant general may accept funding for the
13 Michigan ~~emergency volunteers~~ **volunteer defense force** from
14 sources other than the state or federal government but shall
15 expend those funds only pursuant to an appropriations act. The
16 adjutant general shall deposit ~~such~~ **the** funds in a special
17 account within the department of military **and veterans** affairs.

18 (4) ~~—(5)—~~ As used in this act, a reference to the Michigan
19 defense force means the Michigan ~~emergency volunteers~~ **volunteer**
20 **defense force.**

21 (5) ~~—(6)—~~ The department shall establish affirmative action
22 guidelines for membership goals in the Michigan ~~emergency~~
23 ~~volunteers~~ **volunteer defense force.** The department shall take
24 all steps necessary to carry out and implement those guidelines.

25 (6) ~~—(7)—~~ Members of the Michigan ~~emergency volunteers~~
26 **volunteer defense force** shall not be equipped with any type of
27 weapon except under the following conditions:

1 (a) The president has called or ordered all or part of the
2 national guard into federal service in time of a national
3 emergency and the mission of the Michigan ~~emergency volunteers~~
4 **volunteer defense force** to whom weapons are issued consists
5 primarily of the protection of public property.

6 (b) During training to be conducted by the national guard or
7 state police in the proper use of such weapons.

8 (7) Not later than 1 year after the effective date of the
9 amendatory act that added this subsection and each year
10 thereafter, the department of military and veterans affairs shall
11 report to the standing committees of the senate and house of
12 representatives that are responsible for legislation concerning
13 military affairs, and the senate and house appropriations
14 committees as to the proposed and actual status of development of
15 the Michigan volunteer defense force. The reports shall include
16 all of the following:

17 (a) Regulations or proposed regulations to define and limit
18 the type and duration of missions that may be undertaken by the
19 Michigan volunteer defense force.

20 (b) Proposals for meeting the training and equipment needs of
21 the Michigan volunteer defense force in fulfilling the missions
22 that may be undertaken, and a 3-year projection of the costs of
23 that training and equipment.

24 (c) A description of the requirements or proposed
25 requirements, including physical ability, for membership in the
26 Michigan volunteer defense force.

27 (d) Procedures that are used or are proposed to be used to

1 screen membership in the Michigan volunteer defense force as to
2 character and fitness, including standards that will ensure that
3 no person with a serious criminal record is a member.

4 (e) The plan detailing methods and procedures for the
5 coordination of the operations of the Michigan volunteer defense
6 force with the state police, local law enforcement agencies, and
7 state and federal disaster relief authorities.