

# HOUSE BILL No. 6032

June 22, 2004, Introduced by Reps. Pappageorge, Vander Veen, Ruth Johnson, Plakas, Sak, Nofs, Stakoe, Hager, Hart, Kooiman, Huizenga, Ehardt, Wenke, Stahl, DeRossett, Palmer, Casperson, Amos, DeRoche, Koetje, Brandenburg, Hoogendyk, Moolenaar, Mortimer, Pastor, Sheen, Farhat, Newell, Julian, Rivet, Adamini, Brown, Gillard, Sheltroun, Lipsey, Bieda, Shackleton, Gaffney and Condino and referred to the Committee on Veterans Affairs and Homeland Security.

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 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~~ **homeland security** volunteers, as the governor  
 8 considers necessary for adequate emergency assistance to the  
 9 state. When activated by proper authority, the Michigan  
 10 ~~emergency~~ **homeland security** volunteers shall perform only aid  
 11 to civil authority missions formerly reserved for the national

1 guard as determined by the department of military affairs in  
2 cooperation with the department of state police and the state  
3 emergency preparedness plan. During times other than a national  
4 emergency, organization of the Michigan ~~emergency~~ **homeland**  
5 **security** volunteers shall not exceed 15% of the Michigan national  
6 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~~  
20 ~~of the Michigan emergency volunteers in fulfilling the missions~~  
21 ~~that may be undertaken, and a 3 year projection of the costs of~~  
22 ~~that 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~~ **homeland**  
11 **security** volunteers.

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

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

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

25 (6) ~~—(7)—~~ Members of the Michigan ~~emergency~~ **homeland**  
26 **security** volunteers shall not be equipped with any type of weapon  
27 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~~ **homeland**  
4 **security** volunteers to whom weapons are issued consists primarily  
5 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 affairs shall report to  
11 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 homeland security volunteers. The reports shall  
16 include 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 homeland security volunteers.

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

24 (c) A description of the requirements or proposed  
25 requirements, including physical ability, for membership in the  
26 Michigan homeland security volunteers.

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

1 screen membership in the Michigan homeland security volunteers as  
2 to character and fitness, including standards that will ensure  
3 that 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 homeland security  
6 volunteers with the state police, local law enforcement agencies,  
7 and state and federal disaster relief authorities.