

Legislative Analysis



MICHIGAN NATIONAL GUARD ACTIVE STATE SERVICE

Phone: (517) 373-8080
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House Bill 5106

Sponsor: Rep. Tom Barrett

Committee: Military and Veterans Affairs

Complete to 12-3-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Under the Michigan Military Act (MCL 32.551), the governor, as commander-in-chief, may order to active state service any members of organized militia in case of a riot, tumult, breach of the peace, or for aid of civil authority whether state or federal or public emergency within this state or to respond to acts of threats of terrorism among other things.

House Bill 5106 would amend the Michigan Military Act to say the governor *or the adjutant general* (emphasis added) may order to active state service any member of the Michigan National Guard for duties in support of the full-time operation of the state military establishment.

The department of military and veterans affairs would be required to report to the legislature if any members of the Michigan National Guard (the Guard) ordered to active state service have served for more than 15 days during their service with the Guard. The department would have to annually submit a report to the legislature that includes the name of each member who served more than 15 days on active state service with the Guard and the number of days he or she served.

FISCAL IMPACT:

In practice, HB 5106 would have no fiscal impact on the state, due to existing appropriations for the purpose of supporting activation of National Guard members for state-sponsored special duties within the Department of Military and Veterans Affairs (DMVA) budget. The FY 2015-16 budget contains an appropriation of \$100,100 for state active duty, \$30,100 of which is GF/GP funds. These funds are used primarily to pay the salaries of National Guard members while serving on state active duty status. When members of the National Guard are performing their traditional duties, such as attending monthly drills or annual training, their salaries are paid through the federal government. The requirement to report the National Guard members who have served more than fifteen days on state active service during their career in the Michigan National Guard to the legislature annually would create indeterminate, but nominal costs for the DMVA.

Currently, Sec. 151 (MCL 32.551) does not give authorization to the governor to activate members of the Michigan National Guard for purposes outside areas such as disaster response and public emergencies. HB 5106 would give statutory authorization to the governor or the adjutant general of the Michigan National Guard to activate personnel to

state active duty for reasons outside of the original scope of the law. The intent of this bill is to authorize the activation to state active duty members of the Michigan National Guard to perform special duties, such as serving at a gubernatorial inauguration or the Mackinac Bridge Walk.

Examples of FY 2015 National Guard Monthly Drill Pay (2 days of pay)						
<u>Rank (Pay Grade)</u>	<u>Years of Service</u>					
	<u>≥2 Years</u>	<u><3 Years</u>	<u><6 Years</u>	<u><10 Years</u>	<u><14 Years</u>	<u><20 Years</u>
Captain (O-3)	\$522	\$638	\$729	\$789	\$849	\$849
First Lieutenant (O-2)	\$451	\$591	\$624	\$624	\$624	\$624
Second Lieutenant (O-1)	\$391	\$492	\$492	\$492	\$492	\$492
Sergeant First Class (E-7)	\$371	\$420	\$456	\$500	\$550	\$589
Staff Sergeant (E-6)	\$321	\$368	\$399	\$449	\$484	\$497
Sergeant (E-5)	\$294	\$313	\$368	\$414	\$417	\$417
Corporal/Specialist (E-4)	\$269	\$298	\$314	\$327	\$327	\$327
Private First Class (E-3)	\$243	\$274	\$274	\$274	\$274	\$274
Private (E-2)	\$231	\$231	\$231	\$231	\$231	\$231
<i>Source: myarmybenefits.us.army.mil (accessed 12/02/2015)</i>						

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.