

# HOUSE BILL No. 5376

February 16, 2016, Introduced by Reps. Glenn, Cole, Dianda, Barrett, Chatfield, Lucido, Hooker, Runestad, Kelly, Aaron Miller, Rutledge, Outman, LaFontaine, Brunner, Jenkins, Bumstead, Hughes, Talabi, Glardon, Franz, Cox, Rendon, Phelps, Theis, LaVoy, Kosowski and Santana and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 2008 PA 305, and by adding section 338.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 251. (1) The governor, as commander-in-chief, may  
2 activate within the military establishment ~~such~~A number of units  
3 to be known as the Michigan volunteer defense force, as the  
4 governor considers necessary for adequate emergency assistance to  
5 the state. When activated by proper authority, the Michigan  
6 volunteer defense force shall perform missions as determined by the  
7 department of military and veterans affairs in cooperation with the  
8 department of state police and the state emergency preparedness  
9 plan. During times other than a national emergency, organization of

1 the Michigan volunteer defense force shall not exceed 15% of the  
2 Michigan ~~national guard~~ **NATIONAL GUARD** authorized strength.

3 (2) A list of former officers, warrant officers, and enlisted  
4 personnel of the Michigan ~~national guard~~ **NATIONAL GUARD** shall be  
5 maintained with their consent in the office of the adjutant general  
6 to aid in forming the Michigan volunteer defense force.

7 (3) The adjutant general may accept funding for the Michigan  
8 volunteer defense force from sources other than the state or  
9 federal government but shall expend those funds only ~~pursuant to~~  
10 **UNDER** an appropriations act. The adjutant general shall deposit the  
11 funds in a special account within the department of military and  
12 veterans affairs.

13 (4) As used in this act, a reference to the Michigan defense  
14 force means the Michigan volunteer defense force.

15 (5) The department shall establish affirmative action  
16 guidelines for membership goals in the Michigan volunteer defense  
17 force. The department shall take all steps necessary to carry out  
18 and implement those guidelines.

19 (6) Members of the Michigan volunteer defense force shall not  
20 be equipped with any type of weapon except under the following  
21 conditions:

22 (a) The president has called or ordered all or part of the  
23 ~~national guard~~ **NATIONAL GUARD** into federal service in time of a  
24 national emergency and the mission of the Michigan volunteer  
25 defense force to whom weapons are issued consists primarily of the  
26 protection of public property.

27 (b) During training to be conducted by the ~~national guard~~

1 NATIONAL GUARD or state police in the proper use of such weapons.

2 (C) WHILE STATIONED AT AN ARMORY OR MILITARY FACILITY, SUBJECT  
3 TO SECTION 338.

4 (7) Not later than ~~1 year after the effective date of the~~  
5 ~~amendatory act that added this subsection~~ **DECEMBER 18, 2009** and  
6 each year thereafter, the department of military and veterans  
7 affairs shall report to the standing committees of the senate and  
8 house of representatives that are responsible for legislation  
9 concerning military affairs, and the senate and house  
10 appropriations committees as to the proposed and actual status of  
11 development of the Michigan volunteer defense force. The reports  
12 shall include all of the following:

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

16 (b) Proposals for meeting the training and equipment needs of  
17 the Michigan volunteer defense force in fulfilling the missions  
18 that may be undertaken, and a 3-year projection of the costs of  
19 that training and equipment.

20 (c) A description of the requirements or proposed  
21 requirements, including physical ability, for membership in the  
22 Michigan volunteer defense force.

23 (d) Procedures that are used or are proposed to be used to  
24 screen membership in the Michigan volunteer defense force as to  
25 character and fitness, including standards that will ensure that no  
26 person with a serious criminal record is a member.

27 (e) The plan detailing methods and procedures for the

1 coordination of the operations of the Michigan volunteer defense  
2 force with the state police, local law enforcement agencies, and  
3 state and federal disaster relief authorities.

4       **SEC. 338. THE ADJUTANT GENERAL SHALL ENSURE THAT 1 MEMBER OF**  
5 **THE ACTIVE SERVICE STATIONED AT EACH ARMORY OR MILITARY FACILITY IS**  
6 **ARMED WITH A FIREARM FOR THE PURPOSE OF PROTECTING HIMSELF OR**  
7 **HERSELF AND OTHERS. THE MEMBER OF THE ACTIVE SERVICE WHO IS ARMED**  
8 **UNDER THIS SECTION SHALL BE TRAINED IN THE USE OF FIREARMS TO CARRY**  
9 **OUT THE PURPOSE OF THIS SECTION.**

10       Enacting section 1. This amendatory act takes effect 90 days  
11 after the date it is enacted into law.