

Legislative Analysis



MICHIGAN MILITARY DEPARTMENT STATE AWARDS PROGRAM AND CIVILIAN STATE AWARDS ACT

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House Bill 6276 (H-1) as referred to second committee
Sponsor: Rep. Beau Matthew LaFave

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

House Bill 6277 (H-1) as referred to second committee
Sponsor: Rep. Gregory Markkanen

House Bill 6278 (H-1) as referred
Sponsor: Rep. Annette Glenn

House Bill 6279 (H-1) as referred
Sponsor: Rep. Lynn Afendoulis

Committee: Military, Veterans and Homeland Security
Complete to 12-5-20

SUMMARY:

Taken together, the bills would create the Michigan Civilian State Awards Act and establish the Michigan Military Department State Awards Program, under which a member of the legislature, or a member of the public, could submit nominees for public honor and recognition of their performance of valorous or heroic deeds.

House Bill 6276 would create a new act, the Michigan Civilian State Awards Act, to provide for civilian state awards.

The adjutant general would receive award nominations submitted under the program and determine if the nominee meets the award requirements. A nomination could be submitted by the public. A nomination would have to provide, in writing, an account of the occurrence warranting the award and any eyewitness statement, extract from official records, sketch, map, diagram, or photograph that supports and amplifies the stated facts. The adjutant general would have to seek out and record additional information.

An award nomination could be submitted through the Department of Military and Veterans Affairs website. A member of the House of Representatives or Senate could submit an award recommendation to the chairs of the respective committees with responsibility for military and veterans affairs.

The legislature could award the Michigan Legislative Medal of Freedom, which would be the highest civilian award of the state.

The medal would have to be awarded to an individual in recognition of a valorous or heroic deed performed in saving a life, for injury or death, or for threat of injury or death, incurred in service of the state or his or her community or on behalf of the health, welfare or safety of other individuals.

The adjutant general would have to submit the following information to the chairs of the House and Senate committees responsible for military and veterans affairs:

- If the adjutant general determines that a nominee does not qualify for the medal, the name of the nominee and the reasons why.
- If the adjutant general determines that a nominee does qualify and the adjutant general recommends the medal, the recommendation, the nomination, and any supporting documents.

The medal would be awarded upon passage of a concurrent resolution of the legislature. The resolution could be considered only during a regular session of the legislature.

Upon passage of the resolution, the Speaker of the House of Representatives and the Senate Majority Leader would have to award the medal in the presence of the governor, the sponsoring legislator or legislators, and the representative and senator of the district where the awardee resides.

House Bill 6277 would amend the Michigan Military Act to establish the Michigan Legislative Medal of Honor, which the legislature could award, and which would be highest military award of the state.

A Michigan resident who is a service member of the state military establishment or the U.S. Armed Forces could be considered for the award. To be eligible, the service member would have to have been born or died in Michigan or have been a resident at the time of his or her entry into military service.

The medal would have to be awarded to a service member who voluntarily performs a deed of personal bravery or self-sacrifice involving risk of life that is so conspicuous as to clearly distinguish him or her for gallantry and intrepidity above his or her comrades. Awarding the medal would have to be determined according to the standard of extraordinary merit. The medal could be awarded only on incontestable proof of performance of the deed.

The adjutant general would have to submit the following information to the chairs of the House and Senate committees responsible for military and veterans affairs:

- If the adjutant general determines that a nominee does not qualify for the medal, the name of the nominee and the reasons why.
- If the adjutant general determines that a nominee does qualify and the adjutant general recommends the medal, the recommendation, the nomination, and any supporting documents.

The medal would be awarded upon passage of a concurrent resolution of the legislature. The resolution could be considered only during a regular session of the legislature. The legislature could not, during a single regular session, direct the medal to be awarded to more than the following:

- One member of the state military establishment or the Armed Forces of the United States who served during the period beginning January 1, 1836, and ending December 31, 1955.
- One member of the state military establishment or the Armed Forces of the United States who served on or after January 1, 1956.

Upon passage of the resolution, the Speaker of the House of Representatives and the Senate Majority Leader would have to award the medal in the presence of the governor, the sponsoring legislator or legislators, and the representative and senator of the district where the awardee resides.

If the legislature determines that a recommendation does not meet the standards for awarding the medal, the legislature could determine that the recommendation meets the threshold for awarding the Michigan Great Lakes Medal of Valor or determine that the recommendation meets the threshold for another state award that is commensurate with the deed performed and recommend to the adjutant general the awarding of that award.

Proposed MCL 32.683

House Bill 6278 would amend the Michigan Military Act to establish the Michigan Great Lakes Medal of Valor, which the legislature could award, and which would be the second highest military award of the state.

The award would be for a service member of the state military establishment, that of another state, or the Armed Forces of the United States who performs specific acts of bravery or outstanding courage, or who performs within an exceptionally short period of time a closely related series of heroic acts, if the acts involve personal hazard or danger and the voluntary risk of life and result in an accomplishment so exceptional and outstanding as to clearly set the service member apart from his or her comrades or from other individuals in similar circumstances.

Awarding of the medal would require a lesser degree of gallantry than awarding of the Michigan Legislative Medal of Honor but would require the acts be performed with marked distinction.

The adjutant general would have to submit the following information to the chairs of the House and Senate committees responsible for military and veterans affairs:

- If the adjutant general determines that a nominee does not qualify for the medal, the name of the nominee and the reasons why.
- If the adjutant general determines that a nominee does qualify and the adjutant general recommends the medal, the recommendation, the nomination, and any supporting documents.

The medal would be awarded upon passage of a concurrent resolution of the legislature. The resolution could be considered only during a regular session of the legislature.

Upon passage of the resolution, the Speaker of the House of Representatives and the Senate Majority Leader would have to award the medal in the presence of the governor, the sponsoring legislator or legislators, and the representative and senator of the district where the awardee resides.

If the legislature determines that a recommendation does not meet the standards for awarding the medal, the legislature could determine that the recommendation meets the threshold for

another state award that is commensurate with the deed performed and recommend to the adjutant general the awarding of that award.

Proposed MCL 32.684

House Bill 6279 would amend the Michigan Military Act to require the Department of Military and Veterans Affairs to establish and operate a program to award medals and other suitable means of public recognition. The program would be known as the Michigan Military Department State Awards Program.

The adjutant general would have to develop and publish rules to carry out the program. Awards under the program would have to include at least the Michigan Legislative Medal Honor, Michigan Great Lakes Medal of Valor, and Michigan Legislative Medal of Freedom.

The adjutant general would receive award nominations submitted under the program and determine if the nominee meets the award requirements. A nomination could be submitted by the public. A nomination would have to provide, in writing, an account of the occurrence warranting the award and any eyewitness statement, extract from official records, sketch, map, diagram, or photograph that supports and amplifies the stated facts. The adjutant general would have to seek out and record additional information.

Awards under the program would have to include at least all of the following:

- **Michigan Purple Heart Medal** – awarded to service members who, after September 11, 2001, were inducted into federal service from the Michigan National Guard and meet the criteria for an award of the federal purple heart medal.
- **Michigan Patriots Medal** – presented to the next of kin of each member of the state military establishment who is killed in armed conflict.
- **Michigan Superior Service Medal** – awarded to a service member of the state military establishment who has completed 30 or more years of honorable state service, or a combination of state and federal service, and has continually demonstrated superior performance and service while assigned to key leadership positions demanding responsibility, or a civilian who has contributed significant service to the state military establishment.
- **Michigan Distinguished Service Medal** – awarded to a member of the state military establishment, that of another state, or the Armed Forces of the United States for exceptionally outstanding achievement or service to this state in performance of a duty of great responsibility while serving with the state military establishment.
- **Michigan Outstanding Service Medal** – awarded to a service member of the state military establishment, that of another state, or the Armed Forces of the United States who has performed service in a superior and clearly outstanding manner.
- **Michigan Medal of Merit** – awarded to a member of the state military establishment, that of another state, or the Armed Forces of the United States who performs

outstanding service or attains extraordinary achievement on behalf of this state or the United States.

- **Federal Service Medal** – awarded to a service member who was inducted into federal service from the state military establishment between June 15, 1940, and January 1, 1946, or on or after June 1, 1950, if the service was for a period of time greater than 90 days.
- **Michigan Desert Shield/Desert Storm Campaign Medal** – awarded to service members who were inducted into federal service from the Michigan National Guard on or after August 1, 1990, in support of Operation Desert Shield or Operation Desert Storm, without regard to the place where the service member was deployed while serving on active federal military duty.
- **Michigan Iraqi Campaign Medal** – awarded to service members who were inducted into federal service from the Michigan National Guard on or after March 19, 2003, in support of Operation Iraqi Freedom, or on or after August 31, 2010, in support of Operation New Dawn, without regard to the place where the service member was deployed while serving on active federal military duty.
- **Michigan Afghanistan Campaign Medal** – awarded to service members who were inducted into federal service from the Michigan National Guard on or after October 6, 2001, in support of Operation Enduring Freedom, without regard to the place where the service member was deployed while serving on active federal military duty.
- **Michigan Humanitarian Service Medal** – awarded to a service member who does not meet the criteria for an award of the federal humanitarian service medal, is a member of the state military establishment, and while serving on state active duty or active duty under state authority participates satisfactorily in defense support to a mission under civilian authority to protect life or property during or soon after a natural disaster or civil unrest in this state.
- **Michigan Emergency Service Medal** – awarded to service members of the Michigan National Guard for honorable service to this state during a major tour of state emergency duty declared by the governor of this state or the president of the United States.
- **Michigan Homeland Defense Service Medal** – awarded to a service member of the state military establishment who served on or after September 11, 2001, on state active duty or active duty under state authority or served satisfactorily in defense support to a mission in this state under civilian authority.
- **Michigan Combat Service Ribbon** – awarded to a service member of the Michigan National Guard who served after September 11, 2001, in a hostile fire zone as designated by the United States Secretary of Defense.
- **Michigan Faithful Service Medal** – awarded to a member of the state military establishment who has completed five years of honorable service during which the

service member has shown fidelity to duty, efficient service, and great loyalty to this state.

- **Michigan War on Terrorism Service Medal** – presented to a member of the state military establishment or Armed Forces of the United States who has supported operations to counter terrorism, was deployed overseas in direct service to the war on terror, or has been attached to a unit based in Iraq or Syria and has flown missions over those countries or has served in contiguous waters for 30 consecutive days or 60 nonconsecutive days. Service members who were killed or were medically evacuated from those countries due to wounds or injuries immediately qualify for the award, as do members who engaged in combat. Service members awarded this medal must meet the requirements for the federal global war on terrorism service medal, global war on terrorism expeditionary medal, and/or inherent resolve campaign medal.
- **Michigan Military Funeral Honors Ribbon** – awarded to members of the state military establishment, or a veterans' organization, who have been trained and certified by the United States Department of Defense as Department of Defense funeral honors participants.
- **Michigan Governor's Unit Citation Ribbon** – authorized for units or organizational detachments of the state military establishment for extraordinary valor or exceptionally meritorious conduct or achievement in the performance of outstanding combat operations, combat support, or service support operations or activities, for at least 90 continuous days in support of military operations while on active duty.

The program would have to include a Michigan National Guard awards decorations program with at least all of the following awards:

- Michigan Medal for Valor.
- Michigan Distinguished Service Medal.
- Michigan Lifesaving Medal.
- Michigan Legion of Merit.
- Michigan Recruiting Ribbon.
- Michigan Honor Guard Ribbon.
- Michigan Broadsword Service Medal.
- Michigan Active State Service Ribbon.
- Michigan State War on Terrorism Ribbon.
- Michigan Outside U.S. Service Ribbon.
- Michigan Outside U.S. Training Ribbon.
- Michigan State Partnership Ribbon.

The department would have to provide on its website a webpage that provides information on the program, including all of the following:

- A description of the program.
- A list of the individuals who have received awards under the program.
- A description of each of the medals and other means of public recognition that may be awarded under the program, including eligibility requirements.

- Instructions for submitting an award nomination, including requirements for supporting documentation.
- A method by which an award nomination may be submitted to the department directly from the webpage.

MCL 32.501 et seq.

FISCAL IMPACT:

The bills could result in minimal costs to the state legislature and greater costs to the Department of Military and Veterans Affairs (DMVA) and would have no impact on local units of government.

The legislature could incur minimal costs from designing and producing the Michigan Legislative Medal of Freedom. The bill is permissive and does not require medals to be awarded. Costs to the legislature would be able to be absorbed through ongoing appropriations.

The DMVA could incur the costs of one or more additional staff members to establish and maintain the Michigan Military Department State Awards Program. The DMVA would be responsible for establishing and operating the new program which would include creating and managing a webpage, managing nominating applications, and designing and producing medals and ribbons for awardees. The bills would require the DMVA to create 14 awards as part of the program and would permit the awarding of 19 other specific medals and ribbons. Annual costs for each additional FTE would likely range between \$60,000 to \$100,000 and could warrant an increase in ongoing appropriations to the department.

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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.