

HOUSE BILL NO. 6279

September 29, 2020, Introduced by Reps. Afendoulis, LaFave, Markkanen, Glenn, Howell, Rendon and Berman and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1967 PA 150, entitled
"Michigan military act,"
by amending sections 105 and 182 (MCL 32.505 and 32.582), section
105 as amended by 2013 PA 99, and by adding section 185.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 105. The definitions used in the command, administration,
2 supply, training, discipline, deployment, and employment of the
3 ~~armed forces~~ **Armed Forces** of the United States, unless clearly
4 inapplicable or contradictory, are adopted with respect to the



1 state military establishment except as otherwise provided in this
2 act. As used in this act:

3 (a) "Active service" means service, including active state
4 service and special duty required by law or regulation, or under
5 order of the governor. Active service includes continuing service
6 of an active member of the Michigan National Guard and the defense
7 force in fulfilling that active member's commission, appointment,
8 or enlistment.

9 (b) "Active state service", as applied to the Michigan
10 National Guard and the defense force, means military service in
11 support of civil authorities, at the request of state or local
12 authorities, including, but not limited to, support in the
13 enforcement of laws prohibiting the importation, sale, delivery,
14 possession, or use of a controlled substance, if ordered by the
15 governor or as otherwise provided in this act.

16 (c) "Armory" means a building, facility, or the lots and
17 grounds used by an army or air unit of the Michigan National Guard
18 or organized militia of this state as a home station or for
19 military training.

20 (d) "Commander-in-chief" means the governor of this state.

21 (e) "Controlled substance" means that term as defined in
22 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

23 (f) "Defense force" means the Michigan volunteer defense force
24 described in section 251.

25 (g) "Department" means the department of military and veterans
26 affairs.

27 (h) "In the service of the United States" and "not in the
28 service of the United States" mean the same as those terms are used
29 and construed under federal laws and regulations.



1 (i) "Inactive status" means the status of those members of the
2 Michigan National Guard who are listed on an inactive list
3 authorized by a federal statute or regulation.

4 (j) "Martial law" or "martial rule" means the exercise of
5 partial or complete military control over domestic territory in
6 time of emergency because of public necessity.

7 (k) "Michigan National Guard" means the Army National Guard
8 and the Air National Guard as those terms are defined in 32 USC
9 101.

10 (l) ~~(a)~~ "Military" as the term refers to the state military
11 establishment means ~~a reference to all~~ components of the state
12 military establishment.

13 ~~(b) "Michigan national guard" means the army national guard
14 and the air national guard.~~

15 ~~(c) "Commander-in-chief" means the governor of this state.~~

16 ~~(d) "Active state service", as applied to the national guard
17 and the defense force, means military service in support of civil
18 authorities, at the request of state or local authorities,
19 including, but not limited to, support in the enforcement of laws
20 prohibiting the importation, sale, delivery, possession, or use of
21 a controlled substance, if ordered by the governor or as otherwise
22 provided in this act.~~

23 (m) "Military establishment" or "state military establishment"
24 means the organized militia of this state, including the employees
25 and equipment assigned or necessary to carry out the provisions of
26 this act.

27 (n) "Officer" means a commissioned officer or a warrant
28 officer, unless a distinction between commissioned officer and
29 warrant officer is clearly evident.



1 (o) "Organized militia of this state" means the Michigan
2 National Guard, the defense force, and any other military force
3 organized under the laws of this state.

4 (p) ~~(e)~~—"Special duty" means military service in support of
5 the full-time operation of the state military establishment for a
6 period of not less than 1 day if ordered by competent authority.

7 ~~(f) "Active service" means service, including active state
8 service and special duty required by law, regulation, or pursuant
9 to order of the governor. Active service includes continuing
10 service of an active member of the national guard and the defense
11 force in fulfilling that active member's commission, appointment,
12 or enlistment.~~

13 ~~(g) "Inactive status" means the status of those members of the
14 national guard who are listed on an inactive list authorized by a
15 federal statute or regulation.~~

16 ~~(h) "In the service of the United States" and "not in the
17 service of the United States" mean the same as those terms are used
18 and construed under federal laws and regulations.~~

19 ~~(i) "Officer" means a commissioned officer and a warrant
20 officer, unless a distinction between commissioned officer and
21 warrant officer is clearly evident.~~

22 ~~(j) "Martial law" or "martial rule" means the exercise of
23 partial or complete military control over domestic territory in
24 time of emergency because of public necessity.~~

25 ~~(k) "Armory" means a building, facility, or the lots and
26 grounds used by an army, navy, or air unit of the national guard or
27 organized militia as a home station or for military training.~~

28 ~~(l) "Military establishment" means the organized militia of
29 this state, including the employees and equipment assigned or~~



1 ~~necessary to carry out the provisions of this act.~~

2 (q) ~~(m)~~ "Vital resource" means a public or private building,
3 facility, property, or location that the governor considers
4 necessary to protect the public health, safety, and welfare of the
5 citizens of this state.

6 ~~(n) "Controlled substance" means that term as defined in~~
7 ~~section 7104 of the public health code, 1978 PA 368, MCL 333.7104.~~

8 Sec. 182. (1) The governor as ~~commander in chief, commander-~~
9 **in-chief** may prescribe the award of medals and other suitable means
10 of public recognition for distinguished service, longevity, acts of
11 valor, or meritorious achievement. The awards may be made to
12 members of the organized militia of this state or to other
13 individuals, **who are** not members of the organized militia, who have
14 rendered appropriate service to the military establishment. The
15 adjutant general shall develop and publish rules to carry out this
16 ~~provision.~~**subsection.**

17 (2) In addition to the award of medals and other suitable
18 means of public recognition prescribed by the governor under
19 subsection (1), the department shall establish and operate a
20 program to prescribe the award of medals and other suitable means
21 of public recognition as described in sections 183, 184, and 185.
22 The program shall be known as the "Michigan military department
23 state awards program". The adjutant general shall develop and
24 publish rules to carry out the program. Awards prescribed under the
25 program must include, but are not limited to, the awards in
26 sections 183, 184, and 185.

27 (3) The adjutant general shall receive award nominations
28 submitted under the program and determine if the nominee meets the
29 award requirements as established under the program. A nomination



1 must provide in writing an account of the occurrence warranting the
2 award and any eyewitness statement, extract from official records,
3 sketch, map, diagram, or photograph that supports and amplifies the
4 stated facts. The adjutant general shall seek out and record any
5 additional information available.

6 (4) A nomination under subsection (3) may be submitted by the
7 public.

8 (5) For an award under section 185, a member of the house of
9 representatives or senate may submit an award recommendation to the
10 adjutant general. For an award under section 183 or 184, a member
11 of the house of representatives or senate may submit an award
12 recommendation to the chairs of the house of representatives and
13 senate committees that have responsibility for military and
14 veterans affairs.

15 (6) Except as provided in sections 183 and 184, an award
16 granted under the program must be granted by the adjutant general.

17 (7) The program must include a Michigan National Guard awards
18 decorations program. Awards prescribed under that program must
19 include, but are not limited to, all of the following:

- 20 (a) Michigan medal for valor.
- 21 (b) Michigan distinguished service medal.
- 22 (c) Michigan lifesaving medal.
- 23 (d) Michigan legion of merit.
- 24 (e) Michigan recruiting ribbon.
- 25 (f) Michigan honor guard ribbon.
- 26 (g) Michigan broadsword service medal.
- 27 (h) Michigan active state service ribbon.
- 28 (i) Michigan state war on terrorism ribbon.
- 29 (j) Michigan outside U.S. service ribbon.



1 (k) Michigan outside U.S. training ribbon.

2 (l) Michigan state partnership ribbon.

3 (8) The department shall provide on its website a webpage that
4 provides information on the program. The information must include,
5 but is not limited to, all of the following:

6 (a) A description of the program.

7 (b) A list of the individuals who have received awards under
8 the program.

9 (c) A description of each of the medals and other means of
10 public recognition that may be awarded under the program, including
11 eligibility requirements.

12 (d) Instructions for submitting an award nomination, including
13 requirements for supporting documentation.

14 (e) A method by which an award nomination may be submitted to
15 the department directly from the webpage.

16 (9) As used in this section, "program" means the Michigan
17 military department state awards program established under
18 subsection (2).

19 Sec. 185. (1) Under the Michigan military department state
20 awards program established in section 182(2), the adjutant general
21 may award the following awards:

22 (a) Michigan purple heart medal. The Michigan purple heart
23 medal is awarded to service members who, after September 11, 2001,
24 were inducted into federal service from the Michigan National Guard
25 and meet the criteria for an award of the federal purple heart
26 medal.

27 (b) The Michigan patriots medal. The Michigan patriots medal
28 is presented to the next of kin of each member of the state
29 military establishment who is killed in armed conflict.



1 (c) Michigan superior service medal. The Michigan superior
2 service medal is awarded to a service member of the state military
3 establishment who has completed 30 or more years of honorable state
4 service, or a combination of state and federal service, and has
5 continually demonstrated superior performance and service while
6 assigned to key leadership positions demanding responsibility, or a
7 civilian who has contributed significant service to the state
8 military establishment.

9 (d) Michigan distinguished service medal. The Michigan
10 distinguished service medal is awarded to a member of the state
11 military establishment, that of another state, or the Armed Forces
12 of the United States for exceptionally outstanding achievement or
13 service to this state in performance of a duty of great
14 responsibility while serving with the state military establishment.

15 (e) Michigan outstanding service medal. The Michigan
16 outstanding service medal is awarded to a service member of the
17 state military establishment, that of another state, or the Armed
18 Forces of the United States who has performed service in a superior
19 and clearly outstanding manner.

20 (f) Michigan medal of merit. The Michigan medal of merit is
21 awarded to a member of the state military establishment, that of
22 another state, or the Armed Forces of the United States who
23 performs outstanding service or attains extraordinary achievement
24 on behalf of this state or the United States.

25 (g) Federal service medal. The federal service medal is
26 awarded to a service member who was inducted into federal service
27 from the state military establishment between June 15, 1940 and
28 January 1, 1946, or on or after June 1, 1950, if the service was
29 for a period of time greater than 90 days.



1 (h) Michigan cold war medal. The Michigan cold war medal is
2 awarded to service members who entered military service between
3 September 2, 1945 and December 26, 1991.

4 (i) Michigan desert shield/desert storm campaign medal. The
5 Michigan desert shield/desert storm campaign medal is awarded to
6 service members who were inducted into federal service from the
7 Michigan National Guard on or after August 1, 1990, in support of
8 Operation Desert Shield or Operation Desert Storm, without regard
9 to the place where the service member was deployed while serving on
10 active federal military duty.

11 (j) Michigan Iraqi campaign medal. The Michigan Iraqi campaign
12 medal is awarded to service members who were inducted into federal
13 service from the Michigan National Guard on or after March 19,
14 2003, in support of Operation Iraqi Freedom, or on or after August
15 31, 2010, in support of Operation New Dawn, without regard to the
16 place where the service member was deployed while serving on active
17 federal military duty.

18 (k) Michigan Afghanistan campaign medal. The Michigan
19 Afghanistan campaign medal is awarded to service members who were
20 inducted into federal service from the Michigan National Guard on
21 or after October 6, 2001, in support of Operation Enduring Freedom,
22 without regard to the place where the service member was deployed
23 while serving on active federal military duty.

24 (l) Michigan humanitarian service medal. The Michigan
25 humanitarian service medal is awarded to a service member who does
26 not meet the criteria for an award of the federal humanitarian
27 service medal, is a member of the state military establishment, and
28 while serving on state active duty or active duty under state
29 authority, in accordance with 32 USC 101 to 908, participates



1 satisfactorily in defense support to a mission under civilian
2 authority to protect life or property during or soon after a
3 natural disaster or civil unrest in this state.

4 (m) Michigan emergency service medal. The Michigan emergency
5 service medal is awarded to service members of the Michigan
6 National Guard for honorable service to this state during a major
7 tour of state emergency duty declared by the governor of this state
8 or the President of the United States.

9 (n) Michigan homeland defense service medal. The Michigan
10 homeland defense service medal is awarded to a service member of
11 the state military establishment who served on or after September
12 11, 2001, on state active duty or active duty under state
13 authority, in accordance with 32 USC 101 to 908, or served
14 satisfactorily in defense support to a mission in this state under
15 civilian authority.

16 (o) Michigan combat service ribbon. The Michigan combat
17 service ribbon is awarded to a service member of the Michigan
18 National Guard who served after September 11, 2001, in a hostile
19 fire zone as designated by the United States Secretary of Defense.

20 (p) Michigan faithful service medal. The Michigan faithful
21 service medal is awarded to a member of the state military
22 establishment who has completed 5 years of honorable service during
23 which the service member has shown fidelity to duty, efficient
24 service, and great loyalty to this state.

25 (q) Michigan war on terrorism service medal. The Michigan war
26 on terrorism service medal is presented to a member of the state
27 military establishment or Armed Forces of the United States who has
28 supported operations to counter terrorism, was deployed overseas in
29 direct service to the war on terror, or has been attached to a unit



1 based in Iraq or Syria and has flown missions over those countries
2 or has served in contiguous waters for 30 consecutive days or 60
3 nonconsecutive days. Service members who were killed or were
4 medically evacuated from those countries due to wounds or injuries
5 immediately qualify for the award, as do members who engaged in
6 combat. Service members awarded this medal must meet the
7 requirements for 1 or more of the following federal awards:

8 (i) Global war on terrorism service medal.

9 (ii) Global war on terrorism expeditionary medal.

10 (iii) Inherent resolve campaign medal.

11 (r) Michigan military funeral honors ribbon. The Michigan
12 military funeral honors ribbon is awarded to members of the state
13 military establishment, or a veterans' organization, who have been
14 trained and certified by the United States Department of Defense as
15 Department of Defense funeral honors participants.

16 (s) Michigan governor's unit citation ribbon. The Michigan
17 governor's unit citation ribbon is authorized for units or
18 organizational detachments of the state military establishment for
19 extraordinary valor or exceptionally meritorious conduct or
20 achievement in the performance of outstanding combat operations,
21 combat support, or service support operations or activities, for at
22 least 90 continuous days in support of military operations while on
23 active duty under 10 USC 101 to 18505 or 32 USC 101 to 908 within
24 the continental United States or outside the continental United
25 States.

26 (2) As used in this section:

27 (a) "Active duty" means full-time duty in the state military
28 establishment, including active service as that term is defined in
29 section 105, or full-time duty in the Armed Forces of the United



1 States.

2 (b) "Active federal military duty" means active duty in the
3 Armed Forces of the United States.

4 (c) "Air National Guard of the United States" means that term
5 as defined in 32 USC 101.

6 (d) "Armed Forces of the United States" means the United
7 States Army, Navy, Marine Corps, Air Force, and Coast Guard,
8 including the reserve components.

9 (e) "Army National Guard of the United States" means that term
10 as defined in 32 USC 101.

11 (f) "Federal service" means military duty in the Armed Forces
12 of the United States, including, without limitation, the Army
13 National Guard of the United States and the Air National Guard of
14 the United States, while subject to the uniform code of military
15 justice, 10 USC 801 to 946a.

16 (g) "Service member" means a member of the state military
17 establishment, that of another state, or the Armed Forces of the
18 United States.

19 Enacting section 1. This amendatory act does not take effect
20 unless all of the following bills of the 100th Legislature are
21 enacted into law:

22 (a) Senate Bill No. ____ or House Bill No. 6277 (request no.
23 04968'19).

24 (b) Senate Bill No. ____ or House Bill No. 6278 (request no.
25 04969'19).

26 (c) Senate Bill No. ____ or House Bill No. 6276 (request no.
27 05062'19).

