

Amendments to Senate Bill No. 168
1st Reading Copy

Date 1-28-15Bill No. SB 168

Requested by Senator Edward Buttrey

For the Senate State Administration Committee

Prepared by Rachel Weiss
January 27, 2015 (10:38am)

1. Page 1, line 11.

Strike: "5"**Insert:** "6"

2. Page 1, line 14.

Strike: "5"**Insert:** "6"

3. Page 1, line 19.

Strike: "5"**Insert:** "6"

4. Page 2, line 11.

Following: "duty"**Insert:** "unless the educational institution considers the missed course work to be critical to public safety or health"

5. Page 3, line 2.

Insert: "NEW SECTION. **Section 6. Policy to ensure student protections.** The commissioner of higher education may develop a policy for action by the board of regents that is consistent with the goals and steps in [sections 1 through 5] to ensure academic protections for students called to active duty."**Renumber:** subsequent sections

6. Page 3, line 3.

Strike: "5"**Insert:** "6"

7. Page 3, line 5.

Strike: "5"**Insert:** "6"

- END -

January 26, 2015

Senator Dee Brown, Chair
Senate State Administration Committee
Montana Senate
PO Box 200500

Subject: SB 168 - Providing academic protections for students called to active duty

Madam Chair and Members of the Committee,

I'm writing in support of Montana veterans . For the record, my name is Dan Antonietti. I serve as the State Legislative Chairman and retired member of the National Legislative Committee for the Veterans of Foreign Wars (VFW) of the United States.

I respectfully request a "do-pass" of SB 168 and thank Senator Buttrey for his support of veterans - specifically for recognizing the importance of limiting the impact to our veterans who put their education on hold while serving our country when called to active duty.

I regret that I cannot appear in person to support this bill but appreciate your consideration of my written statement and ask that it be submitted to the official record.

Thanks to you and the Committee Members for the hard work you do for Montanan's and our veterans.

Respectfully submitted,

A handwritten signature in black ink that reads "Dan Antonietti". The signature is written in a cursive style with a large initial "D".

Dan Antonietti, Chairman
State Legislative Committee
Veterans of Foreign Wars (VFW)

**MONTANA DEPARTMENT OF MILITARY AFFAIRS
INFORMATION SHEET**

HB 64

AMENDMENT OF SECTION 10-1-104 (Federal regulations to govern), MCA.

INTENT

10-1-104, MCA: Amendment of 10-1-104, (Federal regulations to govern), MCA, is a reoccurring “Housekeeping” measure that allows Montana to adopt, as state law, the most recent version of federal military laws and regulations and apply them to the National Guard of this state. This is a reoccurring bill as a result of the Montana Supreme Court’s holding that the legislature may only adopt “existing” federal laws and regulations as state law (i.e., the legislature may not adopt changes in federal law “prospectively”). 10-1-104, MCA, provides the Montana National Guard, which has both state and federal missions, with continuity primarily in the areas of personnel and disciplinary proceedings.

CONCLUSION

HB 64 substitutes “October 1, 2015” for “October 1, 2013”, in subparts (1) and (2) of 10-1-104, MCA. The proposed date changes are needed to ensure that Montana can adopt, as state law, those military related federal laws and regulations that have changed since 10-1-104, MCA, was last amended in 2013. In 2013, the Montana Legislature amended these same subparts and substituted “October 1, 2013” for “October 1, 2011”. HB 64 will not impact rights and duties that matured, penalties that were incurred, or proceedings that were begun before October 1, 2015.

Department Point of Contact: Major General Matthew T. Quinn, the Adjutant General for the State of Montana and Director of the MT Department of Military Affairs (406) 324-3010.