

DEPARTMENT OF MILITARY AFFAIRS STATE OF MONTANA



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MAJOR GENERAL J. PETER HRONEK
ADJUTANT GENERAL

September 5, 2024

To: Members of the State Administration and Veterans' Affairs Interim Committee

From: Maj Gen J. Peter Hronek, Director

Subject: Department of Military Affairs (DMA) Bill Draft Proposals

The following is a list of the Department of Military Affairs' (DMA) proposed legislation that has been approved through the Executive Planning Process for introduction to the 2025 Legislature. The department would appreciate your review of these proposals and consideration for pre-introduction.

1. Revise Enlisted Militia compensation for SAD

- Remove the 15-day limitation at 10-1-502, MCA, for enlisted members to receive twice the rate of pay when called into state active duty (SAD).
- It is administratively burdensome to bring members of the MTNG on and off SAD to keep them in the double pay status. As an example, making the twice the rate of pay permanent, allows MTNG members to get paid at a comparable rate as DNRC wildland firefighters.
- We do not anticipate a fiscal note.

2. Revise law allowing for Troop Labor to execute projects

- Revise Title 18, Chapter 2, part 301, MCA, to also exempt military personnel in training assignments to construct facilities at a military post or training lands in the Department of Military Affairs. Currently, this statute exempts inmates to construct facilities at an institution in the Department of Corrections without the contract requirement restrictions.
- Fiscal Impact: Funding source is federal spending authority. Savings to federal funding will be realized when troop labor is used to execute projects. An example of savings is the KSPAN project built on Fort Harrison in 2023. Total project cost was \$2,200,000. Troop labor provided some material, specialized equipment and labor for a total of \$1,700,000, resulting in federal savings of \$500K.

3. Revise law to change supervision of Veteran's Affairs Division Administrator

- Modification to MCA 10-2-102, removing the board's authority to hire the administrator. Currently the Board of Veterans Affairs hires the administrator of the Montana Veteran's Affairs Division (MVAD). However, the board has no HR capability to provide this support. This HR support rests with DMA, along with The Adjutant General's (TAG) current supervisory authority of the MVAD Administrator.
- TAG will have board representation on hiring panel for MVAD Administrator position.

4. Adopt most recent federal rules

- Adopt the most recent version of the Uniform Code of Military Justice (UCMJ) and federal military regulations for the Montana National Guard.
- This update is done every two years because the Montana constitution prohibits prospective legislation. Adopting the most recent UCMJ helps the Montana National Guard (MTNG) maintain good order and discipline and helps prepare our force for federal activation by training to federal standards.

5. Revise law to establish permanent disaster resilience fund

- The purpose of this legislation is to revise the Disaster Resiliency Fund 17-7-133, MCA to the credit of the Department of Military Affairs, Disaster Emergency Services Division. Last session, the Governor proposed this program. We are requesting a statutory appropriation from state special revenue fund (via a general fund transfer) for the department at the beginning of each year of the biennium. Funds will be used for state and local disaster mitigation projects and for personnel managing the program. This will allow the department to respond to needs in real time, and allow unspent funds in one year to carryforward and be subject to appropriation in a subsequent year.