

SB 947 -1 STAFF MEASURE SUMMARY

Senate Committee On Veterans, Emergency Management, Federal and World Affairs

Prepared By: Kevin Rancik, LPRO Analyst

Meeting Dates: 2/20, 3/20, 3/25

WHAT THE MEASURE DOES:

The measure replaces the term “militia” with “national guard” in Oregon statute.

Fiscal impact: No fiscal impact

Revenue impact: No revenue impact

ISSUES DISCUSSED:

- History and current use of the term “militia”
- Need for clarification on changes to “unorganized” militia references
- Process for activation of the National Guard
- Applicability of National Guard deployment and militia references to law enforcement

EFFECT OF AMENDMENT:

-1 The amendment replaces the measure. It replaces “organized militia” with “National Guard” in statute. It removes “unorganized militia” and references to it from statute, and replaces it with “general public” in statute relating to the draft. It removes references to misdemeanors for failing to report for the draft and for hindering National Guard military duties.

BACKGROUND:

Current United States Code specifies the militia consists of all able-bodied males from 17 through 44 years old who are or intend to become United States citizens, along with female citizens who are members of the National Guard. It further defines two classes of militia. One is the organized militia, which consists of the National Guard and the Naval Militia. The other is the unorganized militia, which is not defined beyond consisting of members outside the organized militia.

Oregon state statute currently defines militia similarly. The organized militia comprises the Oregon Army National Guard, Oregon Air National Guard, inactive Guard members, the Oregon Civil Defense Force whenever such a force is organized, and any additional forces created by the Governor. The unorganized militia comprises able-bodied Oregon residents between the ages of 18 and 45 not serving in the organized militia or who are not on the state retired list, and who are or intend to become United States citizens. Exemptions from military duty as created by United States law apply.

Senate Bill 947 replaces the term “militia” with “national guard” in Oregon statute.