

SB 947 A -2 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

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Meeting Dates: 5/1, 5/20

WHAT THE MEASURE DOES:

The measure replaces “organized militia” with “National Guard” in statute. It removes “unorganized militia” and references to that term 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.

Fiscal impact: No fiscal impact

Revenue impact: No revenue impact

Senate Vote: Ayes, 17; Nays, 11; Excused, 2

ISSUES DISCUSSED:

- Questions about the difference between 'organized militia' and 'unorganized militia'
- Questions about fiscal impact of the measure
- Questions about citizen deputization at the county level

EFFECT OF AMENDMENT:

-2 Adds the Oregon Civil Defense Force as described in ORS 399.035, or any additional forces as may be created by the Governor, to some instances where the measure replaces “organized militia” with “National Guard” in statute.

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 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.