

HOUSE BILL NO. 96

INTRODUCED BY R. OSMUNDSON

BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING NATIONAL GUARD REENLISTMENT OR EXTENSION INCENTIVES LAWS; MAKING THE BONUS PAYMENT AFFORDED UNDER THE MONTANA NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981 A DISCRETIONARY INCENTIVE PAYMENT SUBJECT TO ANNUAL DETERMINATIONS BY THE ADJUTANT GENERAL OF THE MONTANA NATIONAL GUARD; AMENDING SECTIONS 10-1-803, 10-1-804, 10-1-805, AND 10-1-806, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-1-803, MCA, is amended to read:

"10-1-803. Definitions. As used in this part, the following definitions apply:

- (1) "Bonus" means the ~~extension or reenlistment or extension~~ incentive bonus provided by this part.
- (2) "Extension" means the continuation of active national guard service with the Montana national guard.
- ~~(3) "Member" means any enlisted member of the Montana army or air national guard.~~
- ~~(4)~~(3) "Reenlistment" means a second or subsequent voluntary enrollment in the Montana national guard.
- ~~(5) "Secretary" means a designee of the department of military affairs.~~
- (4) "Service member" means any enlisted member of the Montana army or air national guard.

Section 2. Section 10-1-804, MCA, is amended to read:

"10-1-804. Bonus. ~~A member is entitled to receive a~~ Subject to an annual determination made by the adjutant general that a bonus provided under this part is needed in order to increase retention in the Montana national guard and that sufficient funds have been appropriated for this purpose, a service member may be granted a lump-sum bonus payment for each year of service for which the service member extends or reenlists or extends. Upon a determination that the bonus is needed and based on the amount appropriated for that purpose, the adjutant general shall set the amount to be paid. The bonus must be paid to each eligible service

1 member within 60 days following the ~~successful completion of a year of service for which the member extended~~
 2 ~~or reenlisted. The secretary shall set the amount of the bonus based on the appropriation for that purpose~~ date
 3 that the service member signed the reenlistment or extension contract."

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5 **Section 3.** Section 10-1-805, MCA, is amended to read:

6 **"10-1-805. Eligibility.** ~~The~~ Subject to the determination made by the adjutant general pursuant to
 7 10-1-804, the bonus must be granted to a ~~person~~ service member who is eligible for reenlistment or extension
 8 and who:

9 (1) reenlists or extends the ~~person's~~ service member's original enlistment ~~or reenlists~~ in the Montana
 10 national guard;

11 (2) holds a rank commensurate with a unit vacancy in accordance with the national guard bureau's
 12 policy;

13 (3) does not have 20 years of total service;

14 (4) is not a civil service employee in a full-time capacity with the national guard, including but not limited
 15 to active duty for training or full-time training duty;

16 (5) is not eligible for any federally funded national guard bonus for the reenlistment or extension covered
 17 by this part; and

18 (6) attends 90% of the scheduled drills and annual training in the year ~~for which~~ that the benefit is to be
 19 paid."

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21 **Section 4.** Section 10-1-806, MCA, is amended to read:

22 **"10-1-806. Administration.** (1) The ~~secretary~~ department shall administer this part. The ~~secretary~~
 23 department shall maintain records and ~~make rules~~ adopt regulations pursuant to 10-1-105 necessary for its
 24 administration.

25 (2) The ~~secretary~~ department shall determine the eligibility of service members to receive the bonus and
 26 disburse a lump-sum bonus payment upon a determination of eligibility."

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28 NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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