
By: **Delegates Crouse and Wood**

Introduced and read first time: January 25, 2002

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland National Guard - Active Service - September 11th Service Bar**

3 FOR the purpose of providing certain individuals in the Maryland National Guard
4 with a service bar; providing what should be depicted on the service bar; and
5 generally relating to service bars for certain individuals in the National Guard.

6 BY repealing and reenacting, with amendments,
7 Article 65 - Militia
8 Section 8
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 2001 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 65 - Militia**

14 8.

15 (A) The Governor shall have the power in times of public crisis, disaster,
16 rioting, catastrophe, insurrection, invasion, tumult, breach of peace or upon
17 reasonable apprehension of the imminence thereof, or to enforce the laws of this
18 State, or to carry on any of the functions of the militia of this State, or any part
19 thereof, or whenever, by the law of the land, martial law may be declared, to order
20 into the active service of the State all or any part of the militia as he may deem proper
21 or necessary. Whenever the militia shall be in the active service each and every
22 member thereof so ordered to active State duty shall be vested, in enforcing the laws
23 of this State, with all the authority of peace or police officers for the duration of such
24 active State duty of such members, and their bailiwick shall extend throughout the
25 State. Active State service or active duty as referred to herein shall not include drill
26 periods or preparation therefor or equivalent training, or annual field training of the
27 militia while in its capacity as National Guard of the United States, unless the
28 Governor shall provide specifically to the contrary. Whenever the militia or any part
29 thereof shall be in the active service of the State, under the provisions of this section,
30 the ranking officer of the militia or such part thereof ordered into active State service,

1 or his subordinates on active State duty, shall cooperate with local law enforcement
2 authorities or, as the exigencies of the case may require, pursuant only to proper
3 order from the Governor, subordinate the local law enforcement authorities, including
4 the Department of State Police, to their direction and control and shall assume all the
5 powers vested in these subordinated law enforcement authorities. The provisions of
6 this section shall apply to the Maryland Defense Force as defined in the militia laws
7 of Maryland, whenever the Maryland Defense Force shall be in existence pursuant to
8 law.

9 (B) (1) ANY INDIVIDUAL WHO IS ORDERED INTO ACTIVE SERVICE FOR THE
10 MARYLAND NATIONAL GUARD IN RESPONSE TO THE FOREIGN TERRORIST ATTACKS
11 IN THE UNITED STATES ON SEPTEMBER 11, 2001, SHALL RECEIVE A SERVICE BAR IN
12 RECOGNITION OF THIS SERVICE.

13 (2) THE SERVICE BAR SHALL DEPICT THE STATE FLAG AND "9-11".

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
15 effect October 1, 2002.