

2013 DRAFTING REQUEST

Bill

Received: 1/3/2013 Received By: mgallagh
 Wanted: As time permits Same as LRB: -1790
 For: Military Affairs 608-242-3026 By/Representing: Col. Barron
 May Contact: Drafter: rnelson
 Subject: Military Affairs - misc Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: julio.barron2@us.army.mil
 Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Create new Deputy Adjutant General position

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson 2/14/2013			_____			
/1		scalvin 2/27/2013	jfrantze 2/27/2013	_____	lparisi 2/27/2013	mbarman 3/4/2013	

FE Sent For:

<END>

A handwritten note in a circle that says "not needed".

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/?	rnelson 2/14/2013			_____			
/1		scalvin 2/27/2013	jfrantze 2/27/2013	_____	lparisi 2/27/2013		

FE Sent For:

<END>

*for Senate
(see attached)*
*RPN is drafting
a "companion"*

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1?	rnelson	11 sac 02/27/2013	<i>[Signature]</i>	2/27			

FE Sent For:

<END>



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER

GOVERNOR

MIKE HUEBSCH

SECRETARY

Office of the Secretary

Post Office Box 7864

Madison, WI 53707-7864

Voice (608) 266-1741

Fax (608) 267-3842

TTY (608) 267-9629

Date: September 7, 2012

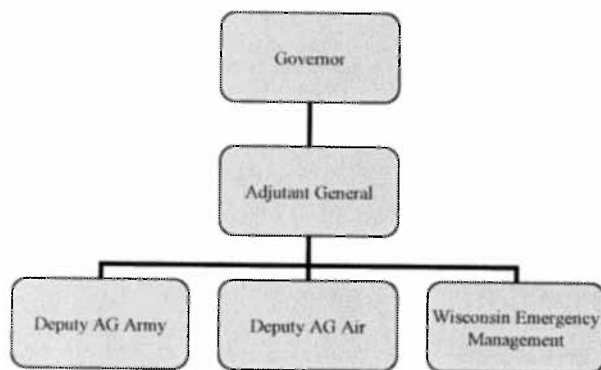
To: Brian Hayes
State Budget Director

From: Michelle Gauger
Executive Policy and Budget Manager

Subject: Request for the Creation of a Deputy Adjutant General for Civil Affairs from the Department of Military Affairs

Background

Under current law, the Department of Military Affairs is headed by the adjutant general, appointed to a fixed five-year term by the governor, assisted by a deputy adjutant general for air, a deputy general for army and the director of the Wisconsin Division of Emergency Management.



The deputy adjutant general for army commands the Wisconsin Army National Guard, comprised of approximately 7,700 soldiers, which includes subordinate commands:

- 54th Civil Support Team
- Recruiting and Retention Command
- 505th Trial Defense Team
- Drug Control Program
- 157th Maneuver Enhancement Brigade
- 257th Brigade Support Battalion
- 1-121st Field Artillery Battalion
- 724th Engineer Battalion
- 32nd Infantry Brigade Combat Team
- 1-128th Infantry Battalion
- 132nd Brigade Support Battalion
- 1-120th Field Artillery Battalion
- 64th Troop Command
- 1-147th Aviation Battalion
- 641st Troop Command Battalion
- 732nd Combat Service Support Battalion
- 105th Reconnaissance and Surveillance Battalion

Brian Hayes
September 7, 2012

The deputy adjutant general for air commands the Wisconsin Air National Guard, comprised of approximately 3,000 airmen, which includes subordinate commands:

- 115th Fighter Wing
- 128th Air Refueling Wing
- 128th Air Control Squadron
- Combat Readiness Training Center
- Hardwood Range air-to-ground bombing and gunnery range

Request

The department proposes creating a third Deputy Adjutant General position to oversee civil support operations, and potentially serve as a joint chief of staff. The request reflects the increasing involvement of the National Guard in civil support operations, and is intended to improve the effectiveness of the department's response to disasters and other domestic responses, as well as coordination with civil authorities. The position may also function as a joint chief of staff for the agency, which is a function that is currently not being filled.

The proposed amendment makes the following changes to the statutes:

- Creates a third deputy adjutant position for support for civil authorities who may be either in the army or the air force,
- Specifies that the new position may also serve as a joint chief of staff,
- Deletes a reference to a joint chief of staff,
- Specifies that the term of service for the new position will be at the discretion of the adjutant general. This provision is different that the term of service for the adjutant generals for air and army, which serve fixed five-year terms beginning on the 7th month of the term of the adjutant general.

When the Wisconsin National Guard is not under federal control, it reports to the Governor. The Adjutant General exercises command of the National Guard for the Governor. Under state law, the National Guard provides for the protection of life and property as well as preserving peace, order, and public safety.

Wisconsin National Guard domestic operations fall into three areas:

- (1) Homeland Defense under which the Department of Defense serves as the primary federal agency and military forces are used to conduct military operations in defense of the homeland.
- (2) National Guard Civil Support under for which the Wisconsin National Guard serves in a supporting role to other primary state or federal agencies by providing assistance to state and local civil authorities.

Brian Hayes
September 7, 2012

- (3) The National Guard Baseline Operating Posture in which the National Guard conducts required planning, training, and exercises, as well as some ongoing mandated domestic operations.

Wisconsin National Guard Homeland Defense may be assigned roles in support of Homeland Defense missions. The general focus of National Guard Homeland Defense missions is on deterring and detecting external threats to the Homeland.

The Deputy Adjutant General for support to civil authorities will have primary responsibilities to staff, plan, and execute these domestic operations.

Fiscal Impact

There will be no fiscal impact from the change. This position qualifies for 100 percent federal funding and the department will reallocate federal funds within the agency to support the new deputy adjutant general position.

Brian Hayes
September 7, 2012

15.08(2)

321.10 Military staff of governor.

(1) The military staff of the governor shall consist of the following:

- (a) An adjutant general, with a minimum rank of brigadier general and a maximum rank of lieutenant general.
- (b) A deputy adjutant general for army, whose rank may not exceed brigadier general, unless selected for a military position requiring federal recognition as a major general.
- (c) A deputy adjutant general for air, whose rank may not exceed brigadier general, unless selected for a military position requiring federal recognition as a major general.
- (d) A deputy adjutant general for support for civil authorities who may also serve as a joint chief of staff and who may be of either army or air, whose rank may not exceed brigadier general, unless selected for a military position requiring federal recognition as a major general.
- (e) Two assistant adjutants general for army, whose rank may not exceed brigadier general.
- ~~(e) A joint chief of staff, whose rank may not exceed major general.~~
- (f) An assistant adjutant general for air, whose rank may not exceed brigadier general.
- (g) A chief surgeon for army, whose rank may not exceed major general.
- (h) A chief surgeon for air, whose rank may not exceed major general.
- (i) A staff judge advocate for army, whose rank may not exceed major general.
- (j) A staff judge advocate for air, whose rank may not exceed major general.
- (k) A state chaplain, either army or air, whose rank may not exceed major general.
- (L) Such other officers as the governor deems necessary.

(2) ~~In the absence or incapacity of the adjutant general, the senior ranking deputy adjutant general for army or air shall have all the powers and duties of the adjutant general.~~ In the absence or incapacity of the adjutant general, the senior ranking deputy adjutant general for army, air, or civil support shall have all the powers and duties of the adjutant general.

(3) In the event a deputy adjutant general for army, ~~or for air, or civil support~~ is appointed to a military position as a major general, the adjutant general shall appoint, for any periods of absence of that deputy adjutant general due to other military duties, an acting deputy adjutant general. The adjutant general may appoint one of the assistant adjutants general as an acting deputy adjutant general.

(6) The terms of the deputy adjutants general for army and air shall be 5 years beginning on the first day of the 7th month of the term of the adjutant general. The deputy adjutants general may be reappointed to successive terms. The term for the deputy adjutant general for civil support shall be at the sound discretion of the adjutant general.

Gallagher, Michael

From: Barron, Julio R COL USAF NG WIARNG (US) <julio.r.barron2.mil@mail.mil>
Sent: Thursday, January 03, 2013 10:53 AM
To: Gallagher, Michael
Subject: DMA Legislative Agenda (UNCLASSIFIED)
Attachments: DMA Leg Agenda - Travel Allowance.doc; DMA Leg Agenda - Military Financial Aid.doc; DMA Leg Agenda - DAG.doc; DMA Leg Agenda - Code of Military Justice.doc; DMA Leg Agenda - Voting.doc

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Good morning Mike. As a follow up to our discussion this a.m., attached please find DMA's legislative initiatives for the upcoming session. These proposals have been vetted through the Governor's office and DOA. Please feel free to contact me should you have any questions or concerns.
Thank you.

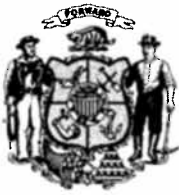
Julio

Julio R. Barron
Legislative Liaison
Department of Military Affairs
2400 Wright Street
Madison, Wisconsin 53704
office: (608) 242-3026
mobile: (608) 235-0182
julio.barron2@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

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Caveats: NONE

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Caveats: NONE



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0978/P1
RPN: J:....

SAC

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

gen cat
1 **AN ACT** ...; **relating to:** authorization for an additional deputy adjutant general
2 in the department of military affairs.

Analysis by the Legislative Reference Bureau

This bill creates a third deputy adjutant general in the department of military affairs to be funded from federal money. The new deputy may serve as the joint chief of staff. The current separate position of joint chief of staff is repealed. The new deputy will coordinate the department's response to disasters and other domestic requests for assistance from the civil authorities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 15.04 (2) of the statutes is amended to read:

4 15.04 (2) DEPUTY. Each secretary of a department or head of an independent
5 agency under s. 230.08 (2) (L) may appoint a deputy who shall serve at the pleasure
6 of the secretary or agency head outside the classified service. The deputy shall
7 exercise the powers, duties and functions of the secretary or head in the absence of
8 the secretary or head, and shall perform such other duties as the secretary or head

1 prescribes. The adjutant general may appoint ~~2~~ 3 deputies as described in s. 321.10
 2 (1) (b) ~~and~~, (c), and cm. In this subsection “secretary” includes the attorney general
 3 and the state superintendent of public instruction.

History: 1971 c. 125; 1975 c. 94; 1977 c. 196, 273, 418, 447; 1979 c. 221; 1981 c. 112, 350; 1981 c. 391 s. 210; 1983 a. 27, 524; 1985 a. 29; 1985 a. 180 ss. 2 to 4, 30m; 1985 a. 332; 1987 a. 147 s. 25; 1987 a. 186; 1989 a. 248; 1991 a. 39, 189; 1995 a. 27; 1997 a. 73; 2007 a. 200.

4 **SECTION 2.** 321.10 (1) (cm) of the statutes is created to read:

5 321.10 (1) (cm) A deputy adjutant general for civil authority support, who may
 6 be of either army or air and whose rank may not exceed brigadier general unless
 7 selected for a military position requiring federal recognition as a major general. The
 8 deputy adjutant general for support for civil authorities may serve as a chief of staff.

9 **SECTION 3.** 321.10 (1) (e) of the statutes is repealed.

10 **SECTION 4.** 321.10 (2) of the statutes is amended to read:

11 321.10 (2) In the absence or incapacity of the adjutant general, the senior
 12 ranking deputy adjutant general for army ~~or~~, air, or civil authority support shall have
 13 all the powers and duties of the adjutant general.

History: 1981 c. 35; 1983 a. 391; 1987 a. 63; 2003 a. ~~35~~, 69, 326; 2007 a. 200 ss. 51 to 60, 68, 215; Stats. 2007 s. 321.10; 2011 a. 260 s. 81.

14 **SECTION 5.** 321.10 (6) of the statutes is amended to read:

15 321.10 (6) The terms of the deputy adjutants general for army and air shall be
 16 5 years beginning on the first day of the 7th month of the term of the adjutant
 17 general. The term for the deputy adjutant general for civil authority support shall
 18 be at the discretion of the adjutant general. The deputy adjutants general may be
 19 reappointed to successive terms.

History: 1981 c. 35; 1983 a. 391; 1987 a. 63; 2003 a. 25, 69, 326; 2007 a. 200 ss. 51 to 60, 68, 215; Stats. 2007 s. 321.10; 2011 a. 260 s. 81.

20 **SECTION 6. Nonstatutory provisions; military affairs.**

21 (1) DEPUTY ADJUTANT GENERAL. The authorized FTE positions for the
 22 department of military affairs are increased by 1.0 FED positions [^], to be funded from _^

1 the appropriation under section 20.465 (1) (m) of the statutes, for the purpose of
2 creating a deputy adjutant general for civil authority support.

3 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0978/F1dn

RPN:.)....

Sac

- date -

* Julio Barron:

In the draft request, the new deputy was termed "deputy adjutant general for support for civil authorities" in s. 321.10 (1) (d) and "deputy adjutant general for civil support" in s. 321.10 (2). I was not sure which term to use so I changed it to "deputy adjutant general for civil authority support" in both places. Is that OK?

Robert Nelson
Senior Legislative Attorney
Phone: (608) 266-9739
E-mail: robert.nelson@legis.wisconsin.gov

Nelson, Robert

From: Barron, Julio R COL USAF NG WIARNG (US) [julio.r.barron2.mil@mail.mil]
Sent: Monday, March 04, 2013 11:49 AM
To: Nelson, Robert
Cc: Moore, Ashlee - GOV
Subject: FW: Draft review: LRB -0978/1 Topic: Create new Deputy Adjutant General position (UNCLASSIFIED)

Attachments: 13-0978/1.pdf



13-0978_1.pdf (40 KB)

Classification: UNCLASSIFIED

Caveats: FOUO

Good afternoon Bob. This is the 2nd request from DMA to jacket a draft. I request jacketing this draft bill for both the Senate and the Assembly. Please forward the final work products via distribution to Ms. Ashlee Moore in the Governor's Office.

Thank you.

Julio

Julio R. Barron
Legislative Liaison
Department of Military Affairs
2400 Wright Street
Madison, Wisconsin 53704
office: (608) 242-3026
mobile: (608) 235-0182
julio.r.barron2.mil@mail.mil



-----Original Message-----

From: LRB.Legal [mailto:LRB-LegalServices@legis.wisconsin.gov]
Sent: Wednesday, February 27, 2013 12:09 PM
To: julio.barron2@us.army.mil
Subject: Draft review: LRB -0978/1 Topic: Create new Deputy Adjutant General position

State of Wisconsin - Legislative Reference Bureau One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Robert P. Nelson, Legislative Attorney, at (608) 266-9739, at robert.nelson@legis.wisconsin.gov
<blockedmailto:robert.nelson@legis.wisconsin.gov?subject=Submitted:%20LRB%20-0978/1%20Topic:%20Create%20new%20Deputy%20Adjutant%20General%20position?body=> , or at One East Main Street, Suite 200.

If you would like to jacket the draft for introduction, please click on the appropriate button below. Please select only one button. If you wish to introduce this draft in both houses please contact the drafting attorney to have a companion bill drafted.

Jacket for the
ASSEMBLY <blockedmailto:lrb.legal@legis.wisconsin.gov?subject=Draft%20Review:%20LRB%20-0978/1%20Topic:%20Create%20new%20Deputy%20Adjutant%20General%20position&body=%0APlease%20Jacket%20LRB%20-0978/1%20for%20the%20ASSEMBLY.%0A>

Barman, Mike

From: Barman, Mike
Sent: Monday, March 04, 2013 4:06 PM
To: Moore, Ashlee - GOV
Cc: Nelson, Robert
Subject: Bill Jackets

We have 3 Senate drafts and 3 "companion" Assembly drafts ready for pick-up.

They were drafted by the Dept. of Military Affairs. They requested we turn the bill jackets over to your office for introduction.

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office

1 East Main Street, Suite 200, Madison, WI 53703

(608) 266-3561 / mike.barman@legis.wisconsin.gov