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REPEAL MSU MILITARY INSTRUCTION LAW

Senate Bill 1057 as passed by the Senate First Analysis (5-16-00)

Sponsor: Sen. Joanne G. Emmons
House Committee: Veterans Affairs
**Senate Committee: Government
Operations**

THE APPARENT PROBLEM:

During the U.S. Civil War, the Michigan legislature enacted legislation requiring that courses in military tactics and military engineering be added to the course of instruction already provided by law for "the agricultural college of this state," which at the time was known as the Michigan Agricultural College. Public Act 211 of 1963 was identified by the Senate Law Revision Task Force as one of the "arcane or irrelevant" laws that should be repealed.

THE CONTENT OF THE BILL:

The bill would repeal Public Act 211 of 1893, which established military courses at Michigan State University ("the agricultural college of this state").

MCL 390.171, 390.172, and 390.173

BACKGROUND INFORMATION

The law, in its entirety, reads as follows:

Sec. 1. That in addition to the course of instruction already provided by law for the agricultural college of this state, there shall be added military tactics and military engineering.

Sec. 2. The state board of agriculture is hereby authorized and required to make such additional rules and regulations for the government and control of the agricultural college as may be necessary to carry into effect the provisions of section 1 of this act: Provided, however, That military course mentioned in section 1 shall not be required of any student who is a member of the Michigan national guard, and who satisfactorily participates in scheduled drills and training periods as described.

Sec. 3. The state board of agriculture shall, by and with the advice and consent of the governor, the adjutant general and quartermaster general, procure, at the expense of the state, all such arms, accouterments, books and instruments, and appoint such additional professors and instructors, as, in their discretion, may be necessary to carry into effect the provisions of this act: Provided, That nothing in this act shall be construed to authorize the incurring of any indebtedness against the state, or the expenditure of money beyond the appropriations made to the agricultural college.

FISCAL IMPLICATIONS:

According to the Senate Fiscal Agency, the bill would have no fiscal implications to the state or local units of government. (3-21-00)

ARGUMENTS:

For:

These sections of law have had no practical application in many years. Given, moreover, the constitutional autonomy bestowed on the state's public universities in the state Constitution of 1963, most of these provisions would be unenforceable anyway.

POSITIONS:

There are no positions on the bill.

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.