NAVAL MILITIA
Act 184 of 1893

AN ACT to provide for the enrollment, organization, equipment, maintenance and discipline of the naval militia of the state.

History: 1893, Act 184, Imd. Eff. May 31, 1893.

The People of the State of Michigan enact:

33.1 Naval militia; enrollment classifications.

Sec. 1. That whenever in conformity with the laws of this state, an enrollment of all persons subject to military duty shall be ordered and made, it shall be the duty of all officials and persons charged with the making of such enrollment to separately enroll and designate in all such counties or districts as the commander-in-chief shall designate, all persons liable for military duty under the laws of this state who shall be included in any of the following classifications, that is to say:

First, All seafaring men of whatever calling or occupation;

Second, All persons engaged in navigation of the lakes, rivers or other waters of this state;

Third, All persons engaged in the construction or management of ships or crafts (or any part thereof) upon such waters;

Fourth, All ship owners and their employes;

Fifth, All yacht owners;

Sixth, All members of yacht clubs and other organizations formed for the pursuit of aquatic sports and pastimes; and

Seventh, All ex-officers and former enlisted men of the United States navy, which said separate enrollment and designation shall be made and returned in like manner as provided by law for the enrollment and return of the names of persons liable for military duty under the laws of this state: Provided, however, That all persons included within the fourth and sixth classifications above given and not included within any of the others of said classifications may, if they shall so elect, be included in the general enrollment of persons liable for military duty in the land forces of the militia, instead of in a separate enrollment and designation provided for by the terms of this act.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1716;—CL 1915, 1000;—CL 1929, 764;—CL 1948, 33.1.

Transfer of powers: See MCL 16.228.

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33.2 Enrollment provisions applicable; compensation.

Sec. 2. For making and returning such separate enrollment and designation, all officials and other persons charged therewith shall receive the same fees and compensation, to be paid in the same manner, as are prescribed by law for the making and return of the general enrollment of persons liable for military duty; and all other provisions of law relative to the making and returning of such enrollment and the powers and duties of officials and other persons charged therewith shall be equally applicable to the making and returning of the separate enrollment and designation provided for by the terms of this act, and to all officials and other persons charged therewith and to any default or neglect of any official or other person charged therewith, unless expressly provided to the contrary by the terms of this act.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1717;—CL 1915, 1001;—CL 1929, 765;—CL 1948, 33.2.

33.9 Naval militia; separate from land force.

Sec. 9. Such portion of the militia of Michigan as may be organized as a naval force shall be separate and distinct from that portion organized as a land force.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1724;—Am. 1911, Act 84, Imd. Eff. Apr. 14, 1911;—CL 1915, 1008;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 766;—CL 1948, 33.9.

33.10 Naval militia; temporary attachment to Michigan national guard.

Sec. 10. For temporary military purposes in cases of actual service, the naval forces of Michigan, or any part or subdivision thereof, may be attached to organizations of the Michigan national guard.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1725;—CL 1915, 1009;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 767;—CL 1948, 33.10.

33.11 Naval militia; organization.

Sec. 11. The militia organized as a naval force shall be organized as far as practicable in conformity with

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plans for naval organizations of militia prescribed from time to time by the navy department.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1726;—Am. 1909, Act 90, Imd. Eff. May 13, 1909;—Am. 1911, Act 84, Imd. Eff. Apr. 14, 1911;—CL 1915, 1010;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 768;—CL 1948, 33.11.

33.17, 33.18 Repealed. 1969, Act 60, Imd. Eff. July 21, 1969.

Compiler's note: The repealed sections pertained to compensation, forfeitures and charge to counties, reduced by U.S. compensation to naval militia.

33.23 Commissioned officers; appointment, commission, discharge, extension of commission.

Sec. 23. Commissioned officers shall be appointed or selected as prescribed from time to time in regulations. Commissioned officers shall be commissioned by the governor. Any person now commissioned under the provisions of this act for a period of 5 years or more is discharged and relieved from his commission upon the effective date of this 1969 amendatory act unless a request is made in writing for an extension of the commission and the request is granted and the extension given.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1738;—CL 1915, 1020;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 771;—CL 1948, 33.23;—Am. 1969, Act 60, Imd. Eff. July 21, 1969.

33.27 Regulations to have force of law.

Sec. 27. Regulations to carry out the various provisions of this act, or the requirements of any act of congress, or of the navy department of the United States, may be from time to time prescribed, changed, altered, amended, repealed, or revoked, as deemed requisite, desirable, or necessary, and such regulations and changes therein, when approved by the governor and filed in the office of the secretary of state, shall have the force and effect of law.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1742;—CL 1915, 1024;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 772;—CL 1948, 33.27.

33.29 United States navy officer; assignment to naval brigade; rank and duty.

Sec. 29. The commander-in-chief shall have power to assign any officer, warrant or petty officer, or seaman of the United States navy detailed for or assigned to duty with the naval brigade as instructor or otherwise, to such duties as he may deem proper and suitable, and shall have power to confer upon any such officer, warrant or petty officer, or seaman, such rank in the naval service of the state during such detail or assignment as he may deem best.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1744;—CL 1915, 1026;—CL 1929, 773;—CL 1948, 33.29.

33.31 State naval forces; instruction and drill.

Sec. 31. The governor may order into service for instruction and drill any portion or all of the naval forces of this state, the same to be performed either within or without the limits of the state of Michigan, and either on shore or afloat, as may be directed, authorized, or advisable.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1746;—Am. 1911, Act 84, Imd. Eff. Apr. 14, 1911;—CL 1915, 1028;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 774;—CL 1948, 33.31.

33.32 Naval brigade battalions and divisions; incorporation.

Sec. 32. Battalions and divisions of the naval brigade may become incorporated in like manner as prescribed by law for the incorporation of regiments or companies of the land forces of the state troops, and all provisions of law relating to such incorporation or the consolidation of existing incorporations, or the powers and duties of corporate bodies formed under such laws, shall apply equally to battalions or divisions of the naval brigade.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1747;—CL 1915, 1029;—CL 1929, 775;—CL 1948, 33.32.

33.33 Honorary commissions; issuance by governor.

Sec. 33. The governor may issue honorary commissions at his pleasure to individuals who will promote the best interests of the state, particularly in the areas of water safety, water recreational facilities, boating facilities and improved marine recreational developments and assist in the promotion and expansion of recruiting, training and educational facilities of marine oriented associations.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1748;—CL 1915, 1030;—CL 1929, 776;—CL 1948, 33.33;—Am. 1969, Act 60, Imd. Eff. July 21, 1969.

33.34-33.36 Repealed. 1969, Act 60, Imd. Eff. July 21, 1969.

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Compiler's note: The repealed sections related to state naval board contracts, compensation, duties and per capita tax collection and disbursement.

33.37 Laws and regulations applicable; construction.

Sec. 37. This act shall be deemed to be supplemental to the existing laws governing and affecting the militia and national guard of the state, and all provisions of law relating to the government, maintenance, equipment and discipline thereof shall apply equally to and govern the naval forces as a portion thereof, unless such provisions of law be inconsistent with the different nature of the service or contrary to the express provisions of this act. In construing such provisions of law, words or language strictly applicable to the land or military forces alone, by reason of their meaning, and having an equivalent in naval parlance, shall be construed and interpreted as meaning and intending such equivalent words or language. Whenever the laws of the state governing or affecting the militia or national guard, the laws of the United States relating to the government or discipline of the army of the United States, or the articles of war, or regulations governing the army, are referred to and made applicable to the national guard, the same shall be construed to mean, when applied to the naval forces, the laws of the United States relating to the government or discipline of the navy of the United States, or the articles of war of the navy, or the rules and regulations governing the navy, as the case may be.

History: 1893, Act 184, Imd. Eff. May 31, 1893;—CL 1897, 1752;—CL 1915, 1034;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 780;—CL 1948, 33.37.

33.38 Naval forces; equipment, rental of armory.

Sec. 38. The quartermaster general, on written requisition by the commanding officer of any division or subdivision of the naval forces of the state, duly approved by the commander of the battalion, shall furnish to such organization suitable uniforms, arms and equipment, including all suitable and proper armory equipment, and shall furnish to such organizations not equipped with an armory furnished by the state, a sum equal to the actual rental paid by such organization for armory accommodation, which shall include lighting, heating and janitor service: Provided, Such sum shall in no case exceed 1,500 dollars per year; and shall furnish to each organization of the naval forces of the state equipped with or sharing an armory furnished by the state, the cost of its proportion thereof of care and maintenance of such armory.

History: Add. 1909, Act 90, Imd. Eff. May 13, 1909;—Am. 1911, Act 84, Imd. Eff. Apr. 14, 1911;—CL 1915, 1035;—Am. 1917, Act 149, Imd. Eff. Apr. 27, 1917;—CL 1929, 781;—CL 1948, 33.38.

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