
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1355 Session of
1989

INTRODUCED BY BROUJOS, CALTAGIRONE, MOEHLMANN, BIRMELIN, ACOSTA, ADOLPH, ANGSTADT, ARGALL, BELARDI, BELFANTI, BILLOW, BISHOP, BLAUM, BOYES, BUNT, BURD, BUSH, CIVERA, COLAIZZO, COLE, CORRIGAN, DALEY, DeLUCA, FAIRCHILD, FARGO, FEE, FOX, GEIST, GIGLIOTTI, HAGARTY, HALUSKA, HARPER, HERMAN, HOWLETT, JOHNSON, KASUNIC, KOSINSKI, LASHINGER, LETTERMAN, MAIALE, MARKOSEK, MELIO, MORRIS, MRKONIC, NOYE, PISTELLA, ROBINSON, SERAFINI, G. SNYDER, STABACK, STEIGHNER, STUBAN, TANGRETTI, J. TAYLOR, TRELLO, TRICH, VEON, WAMBACH, WASS, WOZNIAK, J. L. WRIGHT, F. TAYLOR, O'BRIEN, ROBBINS, BURNS, BLACK, KONDRICH, PITTS AND PRESSMANN, MAY 1, 1989

REFERRED TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS,
MAY 1, 1989

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, providing for special State duty.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 102 of Title 51 of the Pennsylvania
6 Consolidated Statutes is amended by adding a definition to read:
7 § 102. Definitions.

8 Subject to additional definitions contained in subsequent
9 provisions of this title which are applicable to specific
10 provisions of this title, the following words and phrases when
11 used in this title shall have, unless the context clearly
12 indicates otherwise, the meanings given to them in this section:

13 * * *

1 "Special State duty." State military duty by the
2 Pennsylvania military forces authorized by section 512 (relating
3 to special State duty). The term does not include active State
4 duty authorized by section 508 (relating to active State duty
5 for emergency) or duty authorized and funded under Title 10 of
6 the United States Code (relating to Armed Forces) and Title 32
7 of the United States Code (relating to National Guard).

8 Section 2. Title 51 is amended by adding a section to read:

9 § 512. Special State duty.

10 The Governor may place, or delegate authority to the Adjutant
11 General to order, any volunteer member of the Pennsylvania
12 National Guard or, when unavailable due to call or order into
13 the service of the United States, any member of the Pennsylvania
14 Guard on special State duty to respond to community needs,
15 support Commonwealth functions and ceremonies, participate in
16 court-martials and board functions, support Federal, State and
17 local drug eradication and interdiction operations and perform
18 other necessary military duties to the extent that funds are
19 appropriated and available for special State duty.

20 Section 3. Section 902 of Title 51 is amended by adding a
21 paragraph to read:

22 § 902. General powers and duties of Adjutant General.

23 The Adjutant General as head of the department is responsible
24 to the Commonwealth and to the Governor for the organization and
25 functioning of said department, and the performance and carrying
26 out of all the duties, powers and responsibilities given or
27 delegated. In addition he is hereby authorized and directed to:

28 * * *

29 (13) Order members of the Pennsylvania National Guard to
30 special State duty under section 512 (relating to special

1 State duty).

2 Section 4. Section 3101 of Title 51 is amended to read:

3 § 3101. Pay of officers and enlisted personnel on special duty.

4 [Commissioned officers may be ordered upon special duty at
5 the discretion of the Governor and] Officers and enlisted
6 personnel ordered on special State duty for which pay is
7 authorized under the order prescribing the performance thereof
8 shall receive the pay and allowances of their respective grades
9 during the time they may continue upon duty under such order.
10 The pay authorized by this section shall not be less than \$45
11 per day.

12 Section 5. Title 51 is amended by adding a section to read:

13 § 3105. Supplemental pay for enlisted personnel performing
14 federally funded duty.

15 Whenever any member of the Pennsylvania National Guard is
16 ordered to federally funded duty under Title 32 of the United
17 States Code (relating to National Guard) for the purpose of drug
18 eradication or interdiction within this Commonwealth, the
19 Adjutant General shall be authorized, to the extent that
20 Commonwealth funds are appropriated and available for such
21 purpose, to supplement the Federal pay and allowances of such
22 personnel so that it is not less than \$45 per day.

23 Section 6. This act shall take effect in 60 days.