

HOUSE BILL No. 5489

February 5, 2004, Introduced by Reps. Law, Bieda, Hopgood, Gleason, Spade, Tobocman, Sak, Murphy, Elkins, Pappageorge, Gillard, Meisner, Smith, Hunter, Hood, Zelenko, Gielegghem, Phillips, Vagnozzi, Dennis, Sheltrown, Vander Veen, Nofs, Woodward, Condino, Wojno, Accavitti, O'Neil, Brown, Adamini, Plakas, Farrah, Kolb, Lipsey, Cheeks, McConico, Jamnick, Reeves, Minore, Williams, Clack, Ruth Johnson, Palmer, Voorhees, Hager, Hardman, Richardville, Ehardt, Pumford, Woronchak, Gaffney, Rocca and Meyer and referred to the Committee on Veterans Affairs and Homeland Security.

A bill to amend 1946 (1st Ex Sess) PA 9, entitled

"An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act,"

by amending section 2 (MCL 35.602).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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1 Sec. 2. (1) For the purposes of ~~the administration of~~
2 this act, a Michigan veteran **is a veteran as that term is** defined
3 by ~~Act No. 190 of the Public Acts of 1965, as amended, shall be~~
4 ~~deemed to be a person, male or female,~~ **1965 PA 190, MCL 35.61 to**
5 **35.62,** whose legal residence immediately prior to entering ~~the~~
6 **service in the armed forces of the United States** was in Michigan,
7 ~~who~~ **if by induction, enlistment, commission, warrant, or other**
8 **means that veteran** entered ~~upon~~ or was in active service in the

1 armed forces of the United States ~~—~~ at any time for at least
2 180 days ~~from and after the date as defined by Act No. 190 of~~
3 ~~the Public Acts of 1965, as amended, being sections 35.61 and~~
4 ~~35.62 of the Michigan Compiled Laws, or Vietnam era, as~~
5 ~~determined for the purposes of administration of this act,~~
6 ~~whether by induction, enlistment, commission, warrant, or~~
7 ~~otherwise, and who~~ **during a period described in section 1 of**
8 **1965 PA 190, MCL 35.61, and if that veteran** has been honorably
9 discharged, retired, or separated ~~therefrom, or who~~ **from that**
10 **service or** has reverted to an inactive status ~~therefrom~~ **from**
11 **that service** under honorable conditions. However, former members
12 of the women's auxiliary army corps who refused to accept
13 transfer to or induction into the women's army corps ~~shall not~~
14 ~~be deemed to be~~ **are not Michigan** veterans. ~~within the meaning~~
15 ~~of this definition.~~ A veteran who did not have legal residence
16 in Michigan immediately ~~prior to~~ **before** entering ~~the military~~
17 service **in the armed forces of the United States** may become
18 eligible ~~to~~ **for** benefits ~~administered~~ under this act after
19 ~~having established~~ **establishing** a legal residence in Michigan.
20 A veteran whose legal residence was in Michigan ~~prior to~~ **before**
21 entering military service ~~will lose~~ **loses** his **or her** rights
22 under this act by leaving this state for a period of time
23 exceeding 2 years. A person ~~who shall have been~~ separated **from**
24 **service in the armed forces of the United States** for reason of
25 physical or mental disability incurred in the line of duty prior
26 to the completion of 180 ~~days'~~ **days of** service ~~shall be~~
27 ~~considered~~ **is** a veteran ~~for the purpose of the administration~~

1 ~~of~~ under this act. **Except as otherwise provided in subsection**
2 **(2)**, World War II ~~shall be deemed to be~~ **is** that period from
3 ~~and after~~ August 27, 1940 ~~, to the inclusive date of~~ **through**
4 June 30, 1946. Grants made to eligible Michigan veterans between
5 June 30, 1946 ~~, and the effective date of this act~~
6 **September 23, 1949** are ~~declared~~ valid. A person otherwise
7 qualified with at least 90 days of service during World War I,
8 **the** Spanish American War, or **the** Mexican Wars, as **those terms are**
9 defined in ~~Act No. 190 of the Public Acts of 1965, as amended,~~
10 ~~shall be deemed~~ **section 1 of 1965 PA 190, MCL 35.61, is a**
11 veteran for the purposes of this act.

12 **(2) A person who served in the merchant marines of the United**
13 **States during World War II as that term is defined in section 1**
14 **of 1965 PA 90, MCL 35.61, is a veteran for purposes of this act.**

15 Enacting section 1. This amendatory act does not take
16 effect unless Senate Bill No. _____ or House Bill No. 5490
17 (request no. 05884'03 *) of the 92nd Legislature is enacted into
18 law.