

SENATE BILL No. 1004

September 22, 1988, Introduced by Senators KELLY, SCHWARZ and
WELBORN and referred to the Committee on Local Government and
Veterans.

A bill to amend section 411 of Act No. 150 of the Public
Acts of 1967, entitled
"Michigan military act,"
as amended by Act No. 280 of the Public Acts of 1980, being sec-
tion 32.811 of the Michigan Compiled Laws; and to add section
116a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 411 of Act No. 150 of the Public Acts of
2 1967, as amended by Act No. 280 of the Public Acts of 1980, being
3 section 32.811 of the Michigan Compiled Laws, is amended and sec-
4 tion 116a is added to read as follows:

5 SEC. 116A. (1) AS USED IN THIS SECTION, "INSTITUTION OF
6 HIGHER EDUCATION" MEANS A COLLEGE OR UNIVERSITY LISTED IN SECTION
7 4 OR 5 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963 OR
8 DESCRIBED IN SECTION 6 OF ARTICLE VIII OF THE STATE CONSTITUTION

1 OF 1963 OR A COMMUNITY OR JUNIOR COLLEGE ESTABLISHED UNDER
2 SECTION 7 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963.

3 (2) AN ACTIVE MEMBER OF THE MICHIGAN NATIONAL GUARD, UPON
4 WRITTEN APPLICATION TO THE ADJUTANT GENERAL, SHALL BE ELIGIBLE
5 FOR FINANCIAL ASSISTANCE TOWARD THAT MEMBER'S EDUCATION AT AN
6 INSTITUTION OF HIGHER EDUCATION AS PROVIDED IN THIS SECTION. THE
7 LEGISLATURE SHALL ANNUALLY APPROPRIATE MONEY TO PROVIDE TO EACH
8 ELIGIBLE MEMBER THE FINANCIAL ASSISTANCE PROVIDED UNDER THIS
9 SECTION.

10 (3) THE FINANCIAL ASSISTANCE PROVIDED TO AN ELIGIBLE MEMBER
11 UNDER SUBSECTION (2) SHALL NOT EXCEED 75% OF THE TUITION COSTS
12 CHARGED THAT MEMBER BY THE INSTITUTION OF HIGHER EDUCATION DURING
13 THE FISCAL YEAR. AN ELIGIBLE MEMBER WHO RECEIVES FINANCIAL
14 ASSISTANCE UNDER THIS SECTION SHALL NOT RECEIVE FINANCIAL ASSIST-
15 ANCE UNDER THIS SECTION IN MORE THAN 4 FISCAL YEARS.

16 (4) THE ADJUTANT GENERAL SHALL PROMULGATE RULES TO IMPLEMENT
17 THIS SECTION PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF
18 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS
19 24.201 TO 24.328 OF THE MICHIGAN COMPILED LAWS.

20 Sec. 411. (1) A person who has completed not less than 20
21 years of active service with the national guard or defense force,
22 or both, may retire and receive retirement pay under 1 or more of
23 the following circumstances:

24 (a) Attainment of 62 years of age.

25 (b) Ineligibility, because of federal law or regulation, for
26 further federal recognition in the person's current grade by
27 reason of age or length of service, and termination of the

1 person's commission or enlistment in the national guard of the
2 United States.

3 (c) Withdrawal of the person's federal recognition and ter-
4 mination of the person's commission or enlistment in the national
5 guard of the United States because of physical disqualification
6 from further service.

7 (d) Separation from the national guard or defense force
8 under an honorable circumstance.

9 (2) A person who retires under subsection (1)(a) shall
10 receive RETIREMENT pay ~~of \$600.00 per year~~ upon reaching 62
11 years of age AS PROVIDED UNDER SUBSECTION (3). A person who
12 retires under subsection (1)(b), (c), or (d) shall receive
13 RETIREMENT pay ~~of \$600.00 per year~~ upon reaching 55 years of
14 age AS PROVIDED UNDER SUBSECTION (3).

15 (3) BEGINNING ON JANUARY 1, 1989, THE RETIREMENT PAY FOR A
16 PERSON WHO IS ELIGIBLE FOR RETIREMENT PAY UNDER SUBSECTION (1) OR
17 (2) ON OR AFTER DECEMBER 31, 1988 SHALL BE \$1,200.00 PER YEAR.

18 (4) ~~-(3)-~~ Upon the death of a person eligible to receive
19 retirement pay under subsection (1), the surviving spouse shall
20 receive ~~-\$300.00~~ \$600.00 per year until death.