

HOUSE BILL No. 4734

April 22, 1991, Introduced by Reps. DeMars, Bartnik, Wallace, Dobronski, Harrison, Anthony, Clarke, Joe Young, Jr., Palamara, Weeks, Pitoniak, Allen, Stallworth, Murphy, Joe Young, Sr., Barns, Walberg, Yokich, Byrum, Varga, Owen, Gagliardi, Saunders, Rocca, Olshove, Jacobetti, Hoffman, Sikkema, Alley, Baade, Gire, Gubow, Griffin, Keith, Jonker, Scott, McBryde, Niederstadt, Clack, Kosteva, Harder, Trim, Stopczynski, Martin, Hoekman, London, Nye, Oxender, Gnodtke, Randall, Robertson, DeLange, Emerson, Jaye and Middleton and referred to the Committee on Military and Veterans' Affairs.

A bill to amend section 2 of Act No. 9 of the Public Acts of the First Extra Session of 1946, entitled as amended

"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,"

being section 35.602 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 9 of the Public Acts of the
2 First Extra Session of 1946, being section 35.602 of the Michigan
3 Compiled Laws, is amended to read as follows:

4 Sec. 2. (1) For the purposes of ~~the administration of~~
5 this act, a Michigan veteran ~~as defined by~~ IS A PERSON WHO
6 MEETS EACH OF THE FOLLOWING REQUIREMENTS:

1 (A) IS A VETERAN AS THAT TERM IS DEFINED IN SECTION 1 OF Act
2 No. 190 of the Public Acts of 1965, as amended, ~~shall be deemed~~
3 ~~to be a person, male or female, whose~~ BEING SECTION 35.61 OF THE
4 MICHIGAN COMPILED LAWS.

5 (B) HAD A legal residence immediately ~~prior to entering~~
6 ~~the~~ BEFORE HIS OR HER MILITARY service ~~was~~ in Michigan. ~~—~~
7 ~~who entered upon or was~~

8 (C) WAS in active service in the armed forces of the United
9 States ~~—, at any time for at~~ DURING 1 OF THE FOLLOWING PERIODS:

10 (i) AT least 180 days ~~from and after the date as defined~~
11 ~~by~~ DURING A PERIOD OF MILITARY CONFLICT AS DESCRIBED IN
12 SECTION 1(1)(E), (F), (G), (I), OR (J) OF Act No. 190 of the
13 Public Acts of 1965, as amended, ~~being sections 35.61 and 35.62~~
14 ~~of the Michigan Compiled Laws or Vietnam era, as determined for~~
15 ~~the purposes of administration of this act, whether by induction,~~
16 ~~enlistment, commission, warrant, or otherwise, and who~~ OR DURING
17 THAT PERIOD OF WORLD WAR II BEGINNING AUGUST 27, 1940 AND ENDING
18 JUNE 30, 1946.

19 (ii) AT LEAST 90 DAYS DURING A PERIOD OF MILITARY CONFLICT
20 AS DESCRIBED IN SECTION 1(1)(B), (C), OR (H) OF ACT NO. 190 OF
21 THE PUBLIC ACTS OF 1965.

22 (iii) FOR ANY TIME PERIOD IF THAT PERSON IS SEPARATED FROM
23 THE MILITARY SERVICE BECAUSE OF A PHYSICAL OR MENTAL DISABILITY
24 INCURRED IN THE LINE OF DUTY.

25 (iv) AT LEAST 30 DAYS DURING WHICH THAT PERSON SERVED IN THE
26 PERSIAN GULF MILITARY CONFLICT BEGINNING AUGUST 2, 1990 AND

1 DESIGNATED BY THE PRESIDENT OF THE UNITED STATES AS OPERATION
2 DESERT SHIELD OR OPERATION DESERT STORM.

3 (D) EXCEPT AS PROVIDED IN SUBDIVISION (C)(iv), has been hon-
4 orably discharged, retired, or separated ~~therefrom, or who~~ FROM
5 THE MILITARY SERVICE, OR has reverted to an inactive status
6 ~~therefrom~~ FROM THE MILITARY SERVICE under honorable
7 conditions. ~~However, former~~

8 (2) FORMER members of the women's auxiliary army corps who
9 refused to accept transfer to or induction into the women's army
10 corps ~~shall not be deemed to be~~ ARE NOT veterans ~~within the~~
11 ~~meaning of this definition~~ FOR PURPOSES OF THIS SECTION.

12 (3) A veteran who did not have legal residence in Michigan
13 immediately ~~prior to~~ BEFORE entering the military service may
14 become eligible to benefits ~~administered~~ under this act after
15 ~~having established~~ ESTABLISHING a legal residence in Michigan.
16 A veteran whose legal residence was in Michigan prior to entering
17 military service ~~will lose~~ LOSES his OR HER rights TO BENEFITS
18 under this act by leaving this state for a period of time exceed-
19 ing 2 years AFTER COMPLETION OF HIS OR HER MILITARY SERVICE. ~~A~~
20 ~~person who shall have been separated for reason of physical or~~
21 ~~mental disability incurred in the line of duty prior to the com-~~
22 ~~pletion of 180 days' service shall be considered a veteran for~~
23 ~~the purpose of the administration of this act. World War II~~
24 ~~shall be deemed to be that period from and after August 27, 1940,~~
25 ~~to the inclusive date of June 30, 1946. Grants made to eligible~~
26 ~~Michigan veterans between June 30, 1946, and the effective date~~
27 ~~of this act are declared valid. A person otherwise qualified~~

~~1 with at least 90 days of service during World War I, Spanish
2 American War or Mexican Wars, as defined in Act No. 190 of the
3 Public Acts of 1965, as amended, shall be deemed a veteran for
4 the purposes of this act.~~

5 (4) GRANT MADE PURSUANT TO THIS ACT TO ELIGIBLE MICHIGAN
6 VETERANS BETWEEN JUNE 30, 1946, AND SEPTEMBER 23, 1949 ARE VALID.