



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4771 (Substitute S-1 as passed by the Senate)
Sponsor: Representative Clyde LeTarte
House Committee: Senior Citizens and Veterans Affairs
Senate Committee: Human Resources, Labor and Veterans Affairs

Date Completed: 2-15-96

RATIONALE

Public Act 214 of 1899 requires each county board of commissioners to levy and collect an annual property tax of up to .10 mill in order to create a fund for the relief of honorably discharged indigent members of the armed forces and their dependents. Under Public Act 192 of 1953, a county board of commissioners may create a county department of veterans' affairs and appoint a committee to administer the department. The major duties of the committee are to administer the county veterans' relief fund and to appoint a veterans' service officer, commonly known as the "county counselor". In addition, the department assists veterans in determining eligibility for emergency funds and other public assistance.

The four positions on the committee, as required by law, are filled by veterans who have served honorably on active duty in each of the two World Wars, the Korean War, and the Vietnam conflict. If a World War I veteran who is able and willing to serve cannot be found, Public Act 192 allows the position to be filled by a veteran from any other war or conflict. Some people believe that the law should not designate veterans of specific wars to serve on a county veterans' committee, because doing so excludes veterans of more recent and prospective conflicts; and that the counties should have some flexibility in determining the size of their committee, rather than being required to have four members.

CONTENT

The bill would amend Public Act 192 of 1953 to change the size of a county veterans' committee from four to "3 to 5" veterans, remove references to each war represented by veterans on the committee, and provide for

public notice of vacancies on a veterans' committee.

Veterans' committee members are appointed by the county board of commissioners, upon the recommendation of the posts for each chartered veterans' organization within the county. The Act requires that members be appointed for a term of four years and that, of the members first appointed, one be appointed for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years. The bill specifies, instead, that the terms for members first appointed would have to be staggered so that not more than two vacancies were scheduled in a single year.

Currently, a county veterans' committee must be composed of one veteran each of World War I, World War II, the Korean War, and the Vietnam conflict, but if a World War I veteran who is willing to serve cannot be located, a veteran of any war may be appointed to serve on the committee. Under the bill, references to specific wars would be deleted, but not more than one member could be representative of a single war or conflict.

If an opening on a veterans' committee occurred, the bill would require that the county board of commissioners provide notice of that opening to one or more newspapers within the county and to veteran service organizations within the county.

MCL 35.621

SENATE COMMITTEE ACTION

As passed by the House, the bill would have allowed a veterans' committee to consist of three

to five members, with each war continuing to be represented and a veteran of the Persian Gulf War added to committee membership. In addition, the House-passed version specified that if a veteran of any particular war, rather than just World War I, who was willing to serve could not be found, a veteran of any war could be appointed.

The Senate Committee on Human Resources, Labor and Veterans Affairs adopted a substitute (S-1) that removes all references to particular wars, but specifies that not more than one member could represent a single war or conflict. The substitute also would require that when a committee vacancy arose, the county board of commissioners provide notice in newspapers and to veteran service organizations within the county.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Since the youngest World War I veterans are now in their 90s, it is unrealistic and unnecessary to continue to require that a veteran of that war be included in the membership of a county's veterans' committee. Also, with World War II having been over for more than 50 years, it will become increasingly difficult to find veterans of that war to serve on committees. In addition, younger veterans (of the Persian Gulf War, for instance) have been able to serve on county veterans' committees only as replacements for designated World War I veterans. In order to include younger representative on these committees, and to allow for participation by prospective veterans, requirements that specific wars be represented should be eliminated. The bill would continue to ensure broad representation on the committee by prohibiting more than one member from representing a particular war or conflict.

Response: Each generation of veterans has its own particular interests and needs, and representatives serving on county committees should be designated by the war in which they served. Since so few World War I veterans are living, however, it might be desirable to replace their membership on county committees with a veteran of the Persian Gulf War. If a particular committee still had active representation by a World War I veteran, perhaps that membership could be grandfathered into the law. This arrangement would keep the war designation in the makeup of the county veterans' committees

and would facilitate participation by younger military veterans.

Supporting Argument

Allowing veterans' committees to consist of three to five members, rather than requiring four members, would give counties greater flexibility in setting the size of their committee based on local needs and resources. Some smaller counties may not be able to locate four or five veterans from different wars willing to serve on a committee or may desire to have a committee of only three members for budgetary reasons. (County veterans' committee members receive the same per diem and mileage payments for attending meetings as do members of the county board of commissioners.)

Response: Allowing a county to set membership at three to five members likely would result in smaller committees in all counties based solely on county fiscal factors, rather than on the needs and interests of the county's veterans.

Legislative Analyst: P. Affholter

FISCAL IMPACT

Counties that provided notice of an opening on a committee of veterans would incur the cost of the notice.

This bill would have no fiscal impact on the State.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.