

**SUBSTITUTE FOR
SENATE BILL NO. 881**

A bill to create the veterans memorial property commission; to authorize the acquisition of certain property; and to provide for certain duties of certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "veterans memorial property commission act".

3 Sec. 2. (1) The veterans memorial property commission is
4 established. Within 90 days after the effective date of this act,
5 the governor shall appoint 7 commission members from a list of
6 recommended members provided by the senate majority leader and the
7 speaker of the house of representatives. One member shall represent
8 the department of veterans and military affairs. The commission
9 members shall serve at the pleasure of the governor.

1 (2) If a vacancy occurs in the commission, the vacancy shall
2 be filled for the unexpired term in the same manner as the original
3 appointment.

4 (3) The governor may remove a member of the commission for
5 incompetency, dereliction of duty, malfeasance, misfeasance, or
6 nonfeasance in office, or any other good cause.

7 Sec. 3. The commission shall meet at least 1 time in a
8 calendar year. The members of the commission shall serve without
9 compensation. However, members of the commission may be reimbursed
10 for actual and necessary expenses incurred in the performance of
11 their official duties as determined by the legislature. The
12 commission shall determine whether any military-related site in
13 this state should be acquired, by purchase or other means, so that
14 the site can be protected as a military or veterans memorial site.
15 In deciding whether property is available for acquisition, the
16 commission may consider input from all of the following:

17 (a) The department of military and veterans affairs.

18 (b) The department of history, arts, and libraries.

19 (c) The Michigan historical museum.

20 (d) The general public.

21 Sec. 4. Upon a request from a member of the Michigan
22 legislature concerning an existing military-related site or
23 veteran's memorial on public property that may be subject to
24 encroachment, the commission shall review the request and make
25 recommendations to the legislature about addressing the
26 encroachment, including, but not limited to, a recommendation to
27 relocate the memorial or a recommendation to the local unit of

1 government where the memorial is located.

2 Sec. 5. Within 180 days of considering input from the parties
3 enumerated in section 3, the commission may determine whether to
4 recommend that the property be acquired for protection under this
5 act and, if a majority of commission members recommend acquisition
6 of specific properties, the commission may report recommendations
7 to the legislature. After reviewing the report, the legislature
8 shall determine how and whether to proceed.

9 Sec. 6. As used in this act:

10 (a) "Encroachment" means any obstruction of a military-related
11 site that has the result of obscuring the view of the public or
12 otherwise reducing the public enjoyment and usefulness of the site.

13 (b) "Military-related site" means property where a military
14 base, installation, or reserve unit operation once stood, a site
15 where a battle took place in our nation's history, or any veteran's
16 memorial site or other site owned by local government honoring
17 veterans.

18 Enacting section 1. This act does not take effect unless
19 Senate Bill No. 882 of the 93rd Legislature is enacted into law.