



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 750 (as passed by the Senate)
Sponsor: Senator Raymond E. Basham
Committee: Senior Citizens and Veterans Affairs

(as enrolled)

Date Completed: 11-29-07

RATIONALE

Under Public Act 205 of 1897, an honorably discharged veteran must be given preference for appointment and employment in public positions. In order to receive the veterans preference, an applicant must have been a resident of Michigan for at least two years, and of the county in which the office or position is located for at least one year. Some people believe that the one-year county residency requirement is unnecessarily restrictive and should be deleted.

CONTENT

The bill would amend Public Act 205 of 1897 to delete a requirement that a veteran applicant be a resident of the county in which the office or position is located for at least one year in order to receive preference for public employment or appointment.

The Act provides that, in every public department and upon the public works of the State, and of every county and municipal corporation of the State, an honorably discharged veteran must be preferred for appointment and employment. The Act specifies that age, loss of limb, or other physical impairment that does not incapacitate does not disqualify the veteran. In addition, if it is necessary to fill a vacancy in an elective office by appointment, the appointment is within the Act. The Act requires an applicant to be of good moral character and have been a resident of Michigan for at least two years, and of the county in which the office or position is located for at least one year. The bill would delete the county residency requirement.

Under the Act, "veteran" means that term as defined in Public Act 190 of 1965, i.e., a person who served in the active military forces, during a period of war or who received the armed forces expeditionary or other campaign service medal during an emergency condition and who was discharged or released under honorable conditions.

MCL 35.401

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

By giving veterans a preference in the appointment to or employment in public positions, the Act provides them with a valuable benefit. The requirement that a veteran live in a county for at least one year to receive the hiring preference for a job in that county is outdated and too restrictive, however. While the county residency provision may have been appropriate at one time, the workforce is much more mobile today than in years past. Like other employees and job candidates, a veteran may be willing to relocate to another part of the State or to commute to a neighboring county in order to serve in a public position. The veteran's county of residence should not be an impediment to his or her employment opportunities.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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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.