

Act No. 341
Public Acts of 2010
Approved by the Governor
December 21, 2010
Filed with the Secretary of State
December 21, 2010
EFFECTIVE DATE: December 21, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Senators Allen, Pappageorge, Olshove, Basham, Anderson, Barcia, Birkholz, Bishop, Brater, Brown, Cassis, Cherry, Clark-Coleman, Clarke, Cropsey, Garcia, George, Gilbert, Gleason, Hardiman, Hunter, Jacobs, Jansen, Jelinek, Kahn, Kuipers, McManus, Nofs, Patterson, Prusi, Richardville, Sanborn, Scott, Stamas, Thomas, Van Woerkom and Whitmer

ENROLLED SENATE BILL No. 1499

AN ACT to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," by amending section 11 (MCL 36.11), as amended by 1982 PA 391.

The People of the State of Michigan enact:

Sec. 11. (1) A veteran of the armed forces of the United States eligible for United States department of veterans affairs' health care or financial assistance for long-term nursing or day care may be admitted to a veterans' facility in this state that is established under this act. Nothing in this section prevents the board of managers from admitting to membership in a facility any applicant otherwise qualified, but who has adequate means of support and is not dependent upon public or private charity, provided that the applicant, as a condition of admission, pays to the board of managers in advance, or at those times as may be fixed by the board of managers, for the use and benefit of the state a sum for his or her support as the board of managers determines to be proper. The board of managers shall annually determine the per diem expense of maintenance of members in the facilities and shall require any member who has adequate means of support or sufficient property or income, to pay the board of managers in full for the expenses of maintenance. All members in the facilities shall be charged in the first instance with the maintenance, which shall be collected either in whole or in part, if the member has sufficient property or income, but otherwise the board of managers may remit the per diem charge either in whole or in part. The maintenance charges as determined by the board of managers shall be paid to the adjutant of the facilities in advance not later than the fifth day of each month. Failure to comply with a condition shall be cause for dismissal from a facility.

(2) There is created a veterans' facilities operation fund in the state treasury. Except as provided by subsection (3), money received under this section and from the veterans' administration in direct payment for services to members of the facilities established under this act shall be turned over to the state treasury and credited to the veterans' facilities operation fund. Money in the veterans' facilities operation fund shall be expended only for the operation of the facilities established under this act.

(3) The board of managers of the facilities may make a condition for admission to a facility that all applicants shall assign to the board of managers any balance of money accumulated while a member of the facility, or due to the applicant or on deposit with any bank, trust company, corporation, or with any individual, at the time of the death of the applicant. All such sums shall first be expended to pay for all residual maintenance costs attributable to the deceased individual and shall then be paid to the wife, minor children, or dependent mother or father, in the order named. If no such relative shall be found within a period of 2 years, or if no claim for the sums has been made within a period of 2 years, the balance of the money shall be paid into the posthumous fund, which is hereby created by this subsection. The posthumous fund shall be expended as prescribed by 1905 PA 313, MCL 36.61.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor