

HOUSE BILL No. 5333

February 10, 2016, Introduced by Reps. Maturen, Barrett, Kosowski and Lucido and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1947 PA 12, entitled
"Veterans' military pay act,"
by amending section 2 (MCL 35.922).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Period of service" means the period of time between
3 September 16, 1940 ~~—~~and June 30, 1946 ~~—~~and, for purposes of
4 **FORMER** section 25 ~~—OF~~ article ~~10—X~~ of the **STATE** constitution of
5 ~~this state, 1908,~~ also means the period of time between June 27,
6 1950 ~~—~~and the termination of the state of national emergency,
7 which state of national emergency was proclaimed on December 16,
8 1950.

9 (b) "Veteran" means ~~each man or woman who has served honorably~~
10 ~~and faithfully for more than 60 days in the military, naval, marine~~
11 ~~or coast guard forces of the United States, at any time during the~~

~~period of service, and who was a resident of the state of Michigan at the time of entering such service and for at least 6 months prior thereto, and who has not applied for or received similar payments from another state.~~ **AN INDIVIDUAL WHO MEETS ALL OF THE**

FOLLOWING:

(i) IS A VETERAN AS DEFINED IN SECTION 1 OF 1965 PA 190, MCL 35.61.

(ii) PROVIDED HONORABLE AND FAITHFUL SERVICE FOR MORE THAN 60 DAYS DURING HIS OR HER PERIOD OF SERVICE.

(iii) WAS A RESIDENT OF THIS STATE AT THE TIME OF ENTERING SERVICE AND FOR AT LEAST 6 MONTHS PRIOR TO THAT DATE.

(c) "Beneficiary" means, in relation to a deceased veteran, the surviving husband or wife, **THE** child or children, or the surviving dependent mother, dependent father, dependent person standing in loco parentis, **OR** dependent brothers and sisters, in the order named, which determination may be made by the probate court of the county of residence of the veteran at the time of death on petition of the adjutant general.

(d) "Honorable and faithful service" shall be such service as is evidenced by **1 OR MORE OF THE FOLLOWING:**

(i) ~~(1) an~~ **AN** honorable discharge. ~~, or~~

(ii) ~~(2) in~~ **IN** the case of an officer, a certificate of service. ~~, or~~

(iii) ~~(3) in~~ **IN** the case of a veteran who has not been discharged, a certificate from appropriate service authority that his **OR HER** service was honorable and faithful.

(e) "Foreign service" means military service by a veteran

1 during the period of service anywhere outside of any state of the
2 United States and the District of Columbia.

3 (f) "Domestic service" means military service by a veteran
4 during the period of service in ~~any state~~ **1 OR MORE STATES** of the
5 United States ~~and OR IN~~ the District of Columbia.

6 (g) "Adjutant general" means the adjutant general of ~~the~~ **THIS**
7 state. ~~of Michigan.~~

8 (h) "Board" means the state administrative board.

9 (i) "Resident" means a person who ~~has acquired a status as~~
10 ~~follows.~~ **MEETS 1 OR MORE OF THE FOLLOWING:**

11 (i) ~~(1)~~ Was born in and lived in ~~the~~ **THIS** state ~~of Michigan~~
12 until entrance into the armed forces of the United States. ~~or~~

13 (ii) ~~(2)~~ Was born in ~~or~~ but was temporarily living outside ~~the~~
14 **OF THIS** state, ~~of Michigan,~~ not having abandoned residence ~~therein~~
15 **IN THIS STATE** prior to entrance into the armed forces of the United
16 States. ~~or~~

17 (iii) ~~(3)~~ Was born elsewhere but had resided within ~~the~~ **THIS**
18 state ~~of Michigan~~ for at least 6 months prior to entrance into
19 military service and had prior to or during such 6 months' period
20 **MET 1 OR MORE OF THE FOLLOWING:**

21 (A) ~~(a)~~ ~~registered~~ **REGISTERED** for voting in ~~the~~ **THIS** state. ~~of~~
22 Michigan, ~~or~~

23 (B) ~~(b)~~ ~~being~~ **WAS** an unemancipated minor during such period of
24 residence ~~had lived~~ **WHILE LIVING** with a parent or person standing
25 in loco parentis who ~~had acquired a residence~~ **WAS A RESIDENT** as set
26 forth in ~~subparagraphs (1), (2), (3a), (3b) or (3c) of this~~
27 ~~subsection (i), or~~ **THIS SUBPARAGRAPH OR SUBPARAGRAPH (i) OR (ii).**

1 (C) ~~(c) if~~ **IF** not registered for voting in ~~the~~ **THIS** state, ~~of~~
2 ~~Michigan,~~ was not registered for voting in another state. +

3 ~~Provided, That~~ **HOWEVER**, applications filed under this act prior to
4 March 18, 1949 ~~, which~~ **THAT** have been rejected by the adjutant
5 general because of ~~non-compliance~~ **NONCOMPLIANCE** with the foregoing
6 requirement ~~shall be~~ **ARE** eligible for allowance despite ~~such non-~~
7 ~~compliance~~ **THAT NONCOMPLIANCE** if the applicant had not voted in
8 another state within 6 months prior to entering service ~~, and had~~
9 resided in ~~the~~ **THIS** state ~~of Michigan~~ for at least 6 months prior
10 to entrance into the armed forces of the United States. ~~, or~~

11 ~~—— (4) No information~~ **INFORMATION** appearing on the discharge of
12 the veteran ~~which~~ **THAT** shows "permanent address for mailing
13 purposes", "address from which employment will be sought", and
14 "home address at time of entry into service", in another state,
15 shall **NOT** necessarily be construed to mean that the veteran ~~thereby~~
16 intended to abandon his **OR HER** residence in ~~the~~ **THIS** state ~~of~~
17 ~~Michigan~~ for the purpose of this act.

18 (iv) ~~(5)~~ In all other cases than those outlined under
19 ~~subparagraphs (1), (2) and (3) of this subsection (i)~~ **SUBPARAGRAPH**
20 **(i), (ii), OR (iii)**, complies with the residence requirements set
21 forth in **FORMER** section ~~23~~ **23 [A]** of article ~~10~~ **X** of the state
22 constitution ~~, of 1908~~ in accordance with the rules and regulations
23 of the board.

24 Enacting section 1. This amendatory act takes effect 90 days
25 after the date it is enacted into law.

26 Enacting section 2. This amendatory act does not take effect
27 unless Senate Bill No. ____ or House Bill No. 5332 (request no.

1 02698'15 *) of the 98th Legislature is enacted into law.