

# HOUSE BILL No. 4275

February 22, 1989, Introduced by Reps. Maynard, DeMars, Rocca, Bartnik, Scott, Dutko, Varga, DeBeaussaert, Gire, Stupak, Griffin, Spaniola and Hoekman and referred to the Committee on Military and Veterans' Affairs.

A bill to amend the title and sections 1, 2, and 3 of Act No. 359 of the Public Acts of 1921, entitled as amended

"An act to provide for the issuance of veterans' licenses without cost to former members of the coast guard, soldiers, sailors or marines of the military or naval service of the United States, to hawk, vend and peddle their own goods, wares and merchandise within this state,"

being sections 35.441, 35.442, and 35.443 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. The title and sections 1, 2, and 3 of Act  
2 No. 359 of the Public Acts of 1921, being sections 35.441,  
3 35.442, and 35.443 of the Michigan Compiled Laws, are amended to  
4 read as follows:

## TITLE

1  
2 An act to provide for the issuance of veterans' licenses  
3 without cost to former members of the ~~coast guard, soldiers,~~  
4 ~~sailors or marines of the military or naval service~~ ARMED FORCES  
5 of the United States ~~,~~ to ~~hawk, vend and peddle~~ SELL their  
6 own goods ~~,~~ ~~wares and merchandise~~ within this state; AND TO  
7 PRESCRIBE PENALTIES.

8 Sec. 1. (1) Every honorably discharged member of the ~~coast~~  
9 ~~guard, soldier, sailor or marine of the military or naval~~  
10 ~~service~~ ARMED FORCES of the United States ~~,~~ who is a resident  
11 of this state ~~,~~ and a veteran of ~~the War of the Rebellion, or~~  
12 ~~of the Spanish American War, or of the~~ World War I, ~~or of~~  
13 World War II, or ~~of~~ any other war in which the United States of  
14 America has been or shall be a participant, ~~shall have~~ HAS the  
15 right to ~~hawk, vend and peddle~~ SELL his OR HER own goods ~~,~~  
16 ~~wares and merchandise~~ within this state ~~,~~ by procuring a  
17 license for that purpose ~~to be~~ issued as ~~herein~~ provided IN  
18 THIS ACT, which shall be valid for a period of 1 year.

19 (2) ~~For~~ EXCEPT AS PROVIDED IN SUBSECTION (3), FOR the pur-  
20 poses of the administration of this act, a Michigan veteran of  
21 World War II ~~shall be deemed to be~~ IS any person ~~,~~ ~~male or~~  
22 ~~female,~~ whose legal residence is in Michigan, who entered upon  
23 or was in active service in the ~~army, navy, marine corps or~~  
24 ~~coast guard,~~ ARMED FORCES of the United States ~~,~~ ~~at any time~~  
25 for at least 90 days from ~~and after~~ August 27, 1940, UP to and  
26 including the date of the termination of World War II, whether by  
27 induction, enlistment, commission, warrant, or otherwise, and who

1 has been honorably discharged, retired, or separated ~~therefrom,~~  
 2 FROM ACTIVE MILITARY SERVICE or who has reverted to an inactive  
 3 status ~~therefrom~~ under honorable conditions. ~~— Provided,~~  
 4 ~~That former members—~~

5 (3) A FORMER MEMBER of the women's auxiliary army corps who  
 6 refused to accept transfer to or induction into the women's army  
 7 corps shall not be ~~deemed to be veterans within the meaning of~~  
 8 ~~this definition~~ CONSIDERED A MICHIGAN VETERAN OF WORLD WAR II.

9 Sec. 2. (1) ~~On~~ UPON the presentation to the clerk of any  
 10 county ~~—~~ in which any former member of the ~~coast guard, sol-~~  
 11 ~~dier, sailor or marine may reside,~~ ARMED FORCES RESIDES of a  
 12 certificate of honorable discharge from the ~~coast guard, army,~~  
 13 ~~navy or marine corps~~ ARMED FORCES of the United States, ~~which~~  
 14 ~~discharge shall show~~ SHOWING that the person presenting it is a  
 15 veteran of ~~the War of the Rebellion, or of the Spanish American~~  
 16 ~~War, or of the~~ World War I, ~~or of~~ World War II, or ~~of~~ any  
 17 other war in which the United States of America has been or shall  
 18 be a participant, ~~such~~ THE county clerk shall issue without  
 19 cost to ~~such~~ THE veteran ~~—~~ a veteran's license ~~—~~ certifying  
 20 him OR HER to be entitled to the benefits of this act. The  
 21 county clerk shall provide ~~himself with~~ proper ~~blank~~ forms  
 22 and books and shall keep a record of all licenses issued under  
 23 ~~the provisions of~~ this act. A ~~veteran's~~ license issued  
 24 ~~without cost~~ under ~~the provisions of~~ this act ~~— shall be~~ IS  
 25 personal to the licensee. ~~and any~~ AN assignment or transfer  
 26 ~~thereof shall be absolutely~~ OF THE LICENSE IS void.

1 (2) IF THE PROCEEDS FROM THE SALE OF GOODS UNDER THIS ACT  
2 ARE USED OR INTENDED TO BE USED FOR THE DIRECT PERSONAL BENEFIT  
3 OR GAIN OF THE VETERAN LICENSED TO SELL THE GOODS, THEN AT THE  
4 TIME OF SALE A WRITTEN STATEMENT OF NOT LESS THAN 24-POINT BOLD-  
5 FACE TYPE SHALL BE PRINTED ON OR ATTACHED TO THE GOODS, IN SUB-  
6 STANTIALY THE FOLLOWING FORM:

7 "THE PROFIT FROM THE SALE OF THIS PRODUCT IS FOR MY PERSONAL  
8 BENEFIT".

9 (3) A PERSON SHALL NOT KNOWINGLY MAKE A FALSE REPRESENTATION  
10 THAT THE PROCEEDS FROM GOODS SOLD UNDER THIS ACT BENEFIT A  
11 VETERANS' ORGANIZATION. AS USED IN THIS SUBSECTION "VETERANS'  
12 ORGANIZATION" MEANS ANY OF THE FOLLOWING:

13 (A) A VETERANS' ORGANIZATION CHARTERED UNDER FEDERAL LAW.

14 (B) AN ORGANIZATION COMPOSED OF VETERANS AS DEFINED IN ACT  
15 NO. 190 OF THE PUBLIC ACTS OF 1965, BEING SECTIONS 35.61 TO 35.62  
16 OF THE MICHIGAN COMPILED LAWS, THAT IS ORGANIZED FOR A BONA FIDE  
17 FRATERNAL, BENEVOLENT, EDUCATIONAL, PHILANTHROPIC, HUMANE, PATRI-  
18 OTIC, OR ELEEMOSYNARY PURPOSE.

19 (4) A PERSON WHO VIOLATES SUBSECTION (2) OR (3) IS GUILTY OF  
20 A MISDEMEANOR.

21 Sec. 3. Nothing in this act shall be construed as contra-  
22 vening the provisions of Act No. ~~191~~ 51 of the Public Acts of  
23 ~~1901~~ or Act No. 294 of the Public Acts of 1913, as amended,  
24 ~~known as the "itinerant vendors" and "transient merchants" acts~~  
25 1925, BEING SECTIONS 445.371 TO 445.378 OF THE MICHIGAN COMPILED  
26 LAWS.