

# SENATE BILL No. 361

April 20, 1989, Introduced by Senators POLLACK, CROUSEY, BARCIA, MILLER, IRWIN, CHERRY, FREDRICKS, FAUST, WELBORN, SEDERBURG, FAXON and GEO. HART and referred to the Committee on Local Government and Veterans.

A bill to amend the title and sections 1 and 1a of Act No. 245 of the Public Acts of 1935, entitled as amended "An act to provide educational opportunities for the children of certain members of the armed forces of the United States," section 1 as amended by Act No. 216 of the Public Acts of 1984, being sections 35.111 and 35.111a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. The title and sections 1 and 1a of Act No. 245  
2 of the Public Acts of 1935, section 1 as amended by Act No. 216  
3 of the Public Acts of 1984, being sections 35.111 and 35.111a of  
4 the Michigan Compiled Laws, are amended to read as follows:

**TITLE**

6       An act to provide educational opportunities for the children  
7 AND SPOUSES of certain ~~members of the armed forces of the United~~  
8 ~~States~~ MICHIGAN VETERANS.

1       Sec. 1. (1) ~~A person not under 16 and not over 22 years of~~  
2 ~~age who has been a resident of this state for the preceding 12~~  
3 ~~months, and who is a child of a Michigan veteran who was killed~~  
4 ~~in action or died from other cause during a war or war condition~~  
5 ~~in which the United States has been, is, or may be a participant,~~  
6 ~~or who as a result of service connected illness or injury who has~~  
7 ~~since died or is totally disabled, or who as a result of service~~  
8 ~~connected illness or injury was totally disabled before death~~  
9 ~~from any cause, or who is officially listed by the United States~~  
10 ~~government as missing in action in a foreign country~~ EXCEPT AS  
11 OTHERWISE PROVIDED IN SUBSECTION (5), UPON APPLICATION, A CHILD  
12 OF A MICHIGAN VETERAN shall be admitted to and may attend a  
13 Michigan state tax supported educational or training institution  
14 of a secondary or college grade AS PROVIDED IN SUBSECTION (4) IF  
15 ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

16       (A) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), HE OR  
17 SHE IS NOT LESS THAN 16 OR MORE THAN 22 YEARS OF AGE AT THE TIME  
18 OF APPLICATION.

19       (B) HE OR SHE HAS BEEN A RESIDENT OF THIS STATE FOR THE 12  
20 MONTHS IMMEDIATELY PRECEDING APPLICATION.

21       (C) THE INSTITUTION DETERMINES THAT HE OR SHE MEETS ITS  
22 ADMISSION REQUIREMENTS.

23       (2) ~~Attendance at Michigan state tax supported institutions~~  
24 ~~under this act shall not exceed 36 months full time equated~~  
25 ~~education.~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5), A  
26 SPOUSE OF A MICHIGAN VETERAN UPON APPLICATION SHALL BE ADMITTED  
27 TO AND MAY ATTEND A MICHIGAN TAX SUPPORTED EDUCATION OR TRAINING

1 INSTITUTION OF A SECONDARY OR COLLEGE GRADE AS PROVIDED IN  
2 SUBSECTION (4) IF ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

3 (A) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), HE OR  
4 SHE APPLIES FOR BENEFITS UNDER THIS ACT WITHIN 7 YEARS AFTER THE  
5 DATE THAT THE MICHIGAN VETERAN IS CLASSIFIED UNDER A CATEGORY  
6 LISTED IN SECTION 1A(D).

7 (B) HE OR SHE HAS BEEN A RESIDENT OF THIS STATE FOR THE 12  
8 MONTHS IMMEDIATELY PRECEDING APPLICATION.

9 (C) THE INSTITUTION DETERMINES THAT HE OR SHE MEETS ITS  
10 ADMISSION REQUIREMENTS.

11 (3) A person who has his or her education interrupted OR  
12 POSTPONED by military service or a physically or mentally dis-  
13 abling condition or illness, AS certified by a licensed physi-  
14 cian, which condition or illness interrupted OR POSTPONED the  
15 person's education for at least 1 month, shall have his or her  
16 eligibility TO APPLY FOR OR RECEIVE BENEFITS extended beyond the  
17 ~~age of 22~~ TIME PERIODS DESCRIBED IN THIS ACT for a period equal  
18 to the time lost due to the disabling condition or illness or  
19 military service. ~~A person who, on November 30, 1977, is older~~  
20 ~~than 22 years of age and has previously had his or her education~~  
21 ~~interrupted by a physically or mentally disabling condition or~~  
22 ~~illness for at least 1 month certified by a licensed physician,~~  
23 ~~shall have his or her eligibility extended beyond November 30,~~  
24 ~~1977, for a period equal to the time lost due to the disabling~~  
25 ~~condition or illness.~~

26 (4) ~~(3)~~ A person ELIGIBLE FOR BENEFITS UNDER THIS ACT  
27 SHALL BE admitted to a Michigan tax supported EDUCATIONAL OR

1 TRAINING institution ~~under this act~~ OR INSTITUTIONS FOR A  
 2 PERIOD NOT TO EXCEED 12 SEMESTERS OF CLASSES, OR THE EQUIVALENT  
 3 OF 12 SEMESTERS IN TRIMESTERS, QUARTERS, OR TERMS, OVER A PERIOD  
 4 OF NOT MORE THAN 6 YEARS. THAT PERSON shall not be required to  
 5 pay ~~a~~ tuition or any ~~other~~ fee which takes the place of  
 6 tuition charges during the time in which ~~that~~ THE person is a  
 7 student at the ~~Michigan state~~ institution.

8 (5) A person ~~who would~~ otherwise ~~be~~ eligible for educa-  
 9 tional or training benefits under this ~~section shall not be eli-~~  
 10 ~~gible for the benefits if the person~~ ACT BECOMES INELIGIBLE IF  
 11 HE OR SHE is receiving ~~an educational benefit, scholarship, or~~  
 12 ~~financial aid~~ THE BENEFIT DESCRIBED IN SUBSECTION (4) from  
 13 another ~~state~~ SOURCE.

14 (6) A PERSON WHO WOULD HAVE BEEN ELIGIBLE FOR BENEFITS UNDER  
 15 THIS ACT ON JANUARY 1, 1985, IF THE AMENDATORY ACT THAT ADDED  
 16 THIS SUBSECTION HAD BEEN IN EFFECT ON THAT DATE, IS ELIGIBLE TO  
 17 APPLY FOR BENEFITS UNTIL JANUARY 1, 1993, IF, AT THE TIME OF  
 18 APPLICATION, THE PERSON HAS BEEN A RESIDENT OF THE STATE FOR THE  
 19 PRECEDING 12 MONTHS.

20 Sec. 1a. As used in this act: ~~—~~

21 (A) "CHILD OF A MICHIGAN VETERAN" MEANS THE NATURAL OR  
 22 LEGALLY ADOPTED CHILD OF A MICHIGAN VETERAN.

23 (B) "Michigan veteran" means a ~~person~~ VETERAN whose legal  
 24 residence immediately ~~before entering~~ PRECEDING HIS OR HER  
 25 ENTRANCE INTO MILITARY service was in this state. A veteran ~~who~~  
 26 ~~did not have~~ HAVING legal residence in this state ~~before~~  
 27 ~~entering~~ IMMEDIATELY PRECEDING ENTRANCE INTO the military

1 service ~~shall be~~ IS considered a Michigan veteran ~~for purposes~~  
2 ~~of this act~~ after ~~having established~~ ESTABLISHING a legal res-  
3 idence in this state. ~~A veteran whose legal residence was in~~  
4 ~~this state before entering military service shall not be consid-~~  
5 ~~ered a Michigan veteran for purposes of this act if the person~~  
6 ~~leaves this state for more than 2 years.~~

7 (C) "SPOUSE OF A MICHIGAN VETERAN" MEANS A PERSON WHO IS  
8 BOTH OF THE FOLLOWING:

9 (i) MARRIED TO A MICHIGAN VETERAN, OR MARRIED TO A MICHIGAN  
10 VETERAN AT THE TIME OF THE DEATH OF THE MICHIGAN VETERAN AND NOT  
11 REMARRIED.

12 (ii) A NATURAL OR LEGAL PARENT OF A CHILD THAT IS THE ISSUE  
13 OF, OR WAS ADOPTED BY, A MICHIGAN VETERAN.

14 (D) "VETERAN" MEANS A PERSON CLASSIFIED BY THE VETERANS  
15 ADMINISTRATION OR UNITED STATES armed forces under 1 or more of  
16 the following categories:

17 (i) Persons who were killed in action or died from any cause  
18 during a war, war condition, or service related action in which  
19 the United States has been or is a participant.

20 (ii) Persons who died or are totally disabled as a result of  
21 service connected illness or injury.

22 (iii) Persons who before death were totally disabled as a  
23 result of service connected illness or injury, regardless of the  
24 cause of death.

25 (iv) Persons officially listed by the United States govern-  
26 ment as missing in action in a foreign country.