

## VETERANS MEMORIAL PROPERTY

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### Senate Bills 881 and 882

**Sponsor: Sen. Bruce Patterson**

**House Committee: Veterans Affairs and Homeland Security**

**Senate Committee: Senior Citizens and Veterans Affairs**

**Complete to 4-24-06**

## A SUMMARY OF SENATE BILLS 881 AND 882 AS PASSED BY THE SENATE 3-16-06

Senate Bill 881 would create the Veterans Memorial Property Commission Act to establish the Veterans Memorial Property Commission, which would consist of seven members appointed by the Governor from a list of recommended members provided by the Senate Majority Leader and the Speaker of the House of Representatives. One member would represent the Department of Veterans and Military Affairs.

The commission would be required to determine whether any military-related site in the state should be acquired, by purchase or otherwise, so that it could be protected as a military or veterans memorial site. The commission could recommend to the Legislature the acquisition of specific property if a majority of the members voted to make that recommendation. The commission could consider input from the Department of Military and Veterans Affairs; the Department of History, Arts, and Libraries; the Michigan Historical Museum; and the general public. After reviewing the commission's report, the Legislature would have to determine how and whether to proceed.

A "military-related site" would be property where a military base, installation, or reserve unit once stood; a site where a battle took place; or any veteran's memorial site or other site owned by local government honoring veterans.

Upon a request from a member of the Legislature concerning an existing military-related site or veteran's memorial on public property that could be subject to encroachment, the commission would have to review that request and make recommendations to the Legislature on addressing the encroachment, including whether to relocate the memorial. ("Encroachment" means obstruction of a site that obscures the view of the public or otherwise reduces public enjoyment and usefulness.)

Members of the commission would serve without compensation, but could be reimbursed for expenses incurred in the performance of their duties.

The bill is tie-barred to Senate Bill 882.

Senate Bill 882 would create the Veterans Memorial Property Act to require that the Veterans Memorial Park and any other property owned by the state and dedicated to memorializing veterans be used solely for the purpose of honoring and memorializing

veterans of the state. The bill also specifies that the boundaries of state-owned property dedicated to memorializing veterans could not be encroached, and the property could not be desecrated.

A person who violated provisions of the bill would be responsible for a civil infraction and could be ordered to pay a maximum civil fine of \$500.

**FISCAL IMPACT:**

Senate Bill 881 (S-2): The fiscal impact to the state is indeterminate. Costs to the state could be incurred if the Legislature chooses to reimburse members of the Commission for actual and necessary expenses incurred in the performance of their official duties. There would be costs to the state if the Legislature determines that the state should purchase property.

Senate Bill 882 (S-1): The fiscal impact to the state is indeterminate. Costs to the state could be incurred for enforcement. Revenues brought into the state would depend on the number of violations and amount of civil fines ordered.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.