



Livingston County
VETERANS AFFAIRS

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September 10, 2012

Rep. Ray Franz, Chairman
Military and Veterans Affairs and Homeland Security

Re: HB 5251, 5252 & 5253

Mr. Chairman,

I will be attending the hearing and would like to give testimony regarding the above bills.

HB 5251: This bill proposes to amend 1911 PA 235 (MCL 35.801-803) in several ways:

Page 2, Lines 7 & 8 define which county is responsible for payment of the burial benefit. This is a handicap to both Kent and Marquette counties because the two veterans' homes in Michigan are located in these counties. County Counselors have agreed that the county of residence prior to admission to the veterans' homes should pay the burial benefit when their veteran dies in the state veterans homes. This is even more significant when the veteran has a spouse who still resides in the county from which the veteran entered the veterans' home, does one county pay for the vet and another pay for the spouse?

Page 2, Lines 20 & 21 changes the application period from 2 years from date of death to 6 months. This time frame would be impossible to meet in most cases where a death certificate is not available for a variety of reasons: autopsy, criminal death, missing person, ignorance of the law, out of state death, etc.

Page 2, Lines 22-27 and Page 3, Lines 1-5 amends the law to revert the estate value to \$25,000 from the current \$40,000. This is regressive thinking based on the history of the estate value. When the law was passed in 1911 the estate value was set at \$15,000 and in 1978 it was raised to \$25,000 and in 2004 it was raised to \$40,000. These increases were made at the request of the membership of the Michigan Association of County Veterans Counselors in order to recognize the increases in cost of living.

Page 3, Lines 10-24 amends the law by transferring the approving authority for payment of the burial benefit (and most likely the marker setting fee also) from the county Soldiers Relief Commission or Department of Veterans Affairs to the County Committee or

District Committee of the Michigan Veterans Trust Fund. This is done while keeping the county responsible for the payment even though the state decides if the deceased is eligible. If the state is going to make the decision then the state should make the payment.

HB 5252: This bill proposes to amend 1946 PA 9 (MCL 35.601-610), Section (2).

HB 5253: This bill proposes to amend 1965 PA 190 (MCL 35.61-62).

This bill is basically cleaning up the definition of "Veteran". It removes the need for war time service to qualify for benefits in Michigan. One problem is it also removes active duty death from qualification for benefits if the member served less than 180 days active federal service.

Carl A. Pardon, Director
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