

VETERANS CEMETERY ACT

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Senate Bill 971 as passed by the Senate
Sponsor: Sen. Curtis S. VanderWall
House Committee: Military, Veterans and Homeland Security
1st Senate Committee: Families, Seniors, and Veterans
2nd Senate Committee: Appropriations
Complete to 9-20-22

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 971 would create a new act, the Veterans Cemetery Act, to authorize the designation and administration of a state veterans cemetery.

Specifically, the act would allow the Department of Military and Veterans Affairs (DMVA) to acquire and purchase land that is suitable for a cemetery in Crawford County or Presque Isle County. The department also could designate state-owned land under its jurisdiction in one of those two counties as a veterans cemetery.¹ The director of DMVA would have to apply for and accept all grants available under 38 USC 2408 (which provides federal grants under certain conditions for state or county veterans cemeteries).²

The director of DMVA would have to administer a veterans cemetery created under the bill and comply with federal laws and regulations in doing so.

The bill also would create the Veterans Cemetery Fund in the state treasury and require the state treasurer to deposit into the fund money and other assets from any source. The treasurer would have to direct the investment of money in the fund and credit to the fund interest and earnings from those investments. DMVA would be the administrator of the fund for auditing purposes. Money in the fund at the close of the fiscal year would not lapse to the general fund.

DMVA could expend money from the Veterans Cemetery Fund, upon appropriation, only for one or more of the following purposes:

- For architectural design, for engineering plans, and for any necessary environmental impact studies prescribed by law.
- For necessary expenses to qualify for federal grants under 38 USC 2408.
- To prepare for operational use land that is acquired or purchased for a veterans cemetery or designated as a veterans cemetery.
- For ongoing expenses related to the operation of a veterans cemetery.

The bill says the legislature must appropriate sufficient money to accomplish the bill's purpose.

¹ The bill specifies that the land must be in a county with a population of at least 12,500 but not more than 13,500. Section 3v of 1846 RS 1 ("Of the statutes") provides that in Michigan law the population of a political subdivision must be determined on the basis of the latest federal decennial census. Crawford (12,988) and Presque Isle (12,982) were the only two Michigan counties with a population between 12,500 and 13,500 under the 2020 Census.

² See <https://www.law.cornell.edu/uscode/text/38/2408>

FISCAL IMPACT:

A fiscal analysis is in progress.

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