

# HOUSE BILL No. 5486

February 5, 2004, Introduced by Reps. Acciavatti, Garfield, Nofs, Pastor, Taub, Stahl, Brandenburg, Elkins, LaJoy and DeRossett and referred to the Committee on Veterans Affairs and Homeland Security.

A bill to amend 1946 (1st Ex Sess) PA 9, entitled

"An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act,"

by amending section 2 (MCL 35.602).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

HOUSE BILL No. 5486

1       Sec. 2. For the purposes of ~~the administration of~~ this  
2 act, a Michigan veteran **is a veteran as that term is** defined by  
3 ~~Act No. 190 of the Public Acts of 1965, as amended, shall be~~  
4 ~~deemed to be a person, male or female,~~ **1965 PA 190, MCL 35.61 to**  
5 **35.62,** whose legal residence immediately prior to entering ~~the~~  
6 **service in the armed forces or merchant marines of the United**  
7 **States** was in Michigan, ~~who~~ **if by induction, enlistment,**  
8 **commission, warrant, or other means that veteran entered** ~~upon~~

1 or was in active service in the armed forces **or merchant marines**  
2 of the United States — at any time for at least 180 days ~~from~~  
3 ~~and after the date as defined by Act No. 190 of the Public Acts~~  
4 ~~of 1965, as amended, being sections 35.61 and 35.62 of the~~  
5 ~~Michigan Compiled Laws, or Vietnam era, as determined for the~~  
6 ~~purposes of administration of this act, whether by induction,~~  
7 ~~enlistment, commission, warrant, or otherwise, and who~~ **during a**  
8 **period described in section 1 of 1965 PA 190, MCL 35.61, and if**  
9 **that veteran** has been honorably discharged, retired, or separated  
10 ~~therefrom, or who~~ **from that service or** has reverted to an  
11 inactive status ~~therefrom~~ **from that service** under honorable  
12 conditions. However, former members of the women's auxiliary  
13 army corps who refused to accept transfer to or induction into  
14 the women's army corps ~~shall not be deemed to be~~ **are not**  
15 **Michigan veterans.** ~~within the meaning of this definition.~~ A  
16 veteran who did not have legal residence in Michigan immediately  
17 prior to entering ~~the military~~ service **in the armed forces or**  
18 **merchant marines of the United States** may become eligible ~~to~~  
19 **for** benefits ~~administered~~ under this act after ~~having~~  
20 ~~established~~ **establishing** a legal residence in Michigan. A  
21 veteran whose legal residence was in Michigan prior to entering  
22 military service ~~will lose~~ **loses** his **or her** rights under this  
23 act by leaving this state for a period of time exceeding 2  
24 years. A person ~~who shall have been~~ separated **from service in**  
25 **the armed forces or merchant marines of the United States** for  
26 reason of physical or mental disability incurred in the line of  
27 duty prior to the completion of 180 ~~days'~~ **days of** service

1 ~~shall be considered~~ **is** a veteran ~~for the purpose of the~~  
2 ~~administration of~~ **under** this act. World War II ~~shall be deemed~~  
3 ~~to be~~ **is** that period from ~~and after~~ August 27, 1940 ~~, to the~~  
4 ~~inclusive date of~~ **through** June 30, 1946. Grants made to  
5 eligible Michigan veterans between June 30, 1946 ~~, and the~~  
6 ~~effective date of this act~~ **September 23, 1949** are ~~declared~~  
7 valid. A person otherwise qualified with at least 90 days of  
8 service during World War I, **the** Spanish American War, or **the**  
9 Mexican Wars, as **those terms are** defined in ~~Act No. 190 of the~~  
10 ~~Public Acts of 1965, as amended, shall be deemed~~ **section 1 of**  
11 **1965 PA 190, MCL 35.61, is** a veteran for the purposes of this  
12 act.

13 Enacting section 1. This amendatory act does not take  
14 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. 5485  
15 (request no. 06101'04) of the 92nd Legislature is enacted into  
16 law.