

# SENATE BILL No. 1097

September 21, 2016, Introduced by Senators MACGREGOR, HILDENBRAND, STAMAS, KNEZEK and MARLEAU and referred to the Committee on Veterans, Military Affairs and Homeland Security.

A bill to amend 1885 PA 152, entitled

"An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules,"

by amending section 2a (MCL 36.2a), as amended by 2016 PA 213.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 2a. (1) The general supervision and government of the  
2 Michigan veterans' facility is vested in a board of managers  
3 consisting of 7 members. Each member shall have demonstrated  
4 knowledge, skills, and experience in public health, business, or  
5 finance. Members shall be appointed as follows:

6           (a) One representative of the American Legion.

7           (b) One representative of the Veterans of Foreign Wars of the  
8 United States.

9           (c) One representative of the Disabled American Veterans.

1 (d) One representative of any other congressionally chartered  
2 veterans' organization other than those organizations identified in  
3 subdivision (a), (b), or (c).

4 (e) Three members who are veterans, who may or may not be a  
5 member of 1 or more congressionally chartered veterans'  
6 organizations, but shall not represent any congressionally  
7 chartered veterans' organization of which they are a member.

8 (2) The members shall be appointed by the governor by and with  
9 the advice and consent of the senate. Each member shall hold office  
10 for the term of 3 years from the time of his or her appointment and  
11 shall continue to hold office at the pleasure of the governor. The  
12 members enumerated in subsection (1) (a), (b), (c), and (d) shall be  
13 appointed by the governor from a list of at least 3 individuals  
14 recommended by each respective organization.

15 (3) Each member of the board shall qualify by taking and  
16 filing the constitutional oath of office.

17 (4) The governor may remove any member of the board for  
18 misfeasance, malfeasance, or nonfeasance in office, after **A**  
19 hearing. Missing 3 or more consecutive meetings ~~shall be considered~~  
20 **CONSTITUTES** malfeasance and is grounds for removal.

21 (5) Members of the board shall serve without compensation, but  
22 shall be entitled to actual and necessary expenses incurred in  
23 attending scheduled meetings of the board of managers in accordance  
24 with the accounting laws of this state.

25 (6) If a vacancy occurs during the term of office of a member  
26 of the board of managers, the member's successor shall be selected  
27 from the same organization and in the same manner as the original

Senate Bill No. 1097 as amended December 14, 2016  
1 appointment for the balance of the unexpired term.

2 (7) As used in this act:

3 (a) "Board" means the board of managers of the Michigan  
4 veterans' facility created in this section.

5 **(B) "MICHIGAN VETERANS' FACILITY" MEANS A LONG-TERM CARE**  
6 **FACILITY AND ANCILLARY FACILITIES FOR VETERANS AND THEIR**  
7 **DEPENDENTS. MICHIGAN VETERANS' FACILITY DOES NOT INCLUDE A**  
8 **VETERANS' FACILITY AS THAT TERM IS DEFINED IN SECTION 2 OF THE**  
9 **MICHIGAN VETERANS' FACILITY AUTHORITY ACT.**

10 (C) ~~(b)~~—"Veteran" means an individual who meets both of the  
11 following **CRITERIA**:

12 (i) Is a veteran as defined in section 1 of 1965 PA 190, MCL  
13 35.61.

14 (ii) Was honorably discharged.

15 ~~[Enacting section 1. This amendatory act takes effect 90 days~~  
16 ~~after the date it is enacted into law.]~~

17 Enacting section [1]. This amendatory act does not take effect  
18 unless Senate Bill No. 1100

19 of the 98th Legislature is enacted into law.