

# HOUSE BILL NO. 6065

August 06, 2020, Introduced by Reps. Cherry, Hoadley, Brixie, Kuppa, Ellison, Kennedy, Hood, Koleszar, Brenda Carter, Warren, Sowerby and Rabhi and referred to the Committee on Government Operations.

A bill to amend 1947 PA 12, entitled  
"Veterans' military pay act,"  
by amending sections 2, 4, 4a, and 5 (MCL 35.922, 35.924, 35.924a,  
and 35.925), section 2 as amended by 2016 PA 200.

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

- 1           Sec. 2. As used in this act:
- 2           (a) "Period of service" means the period of time between
- 3           September 16, 1940 and June 30, 1946 and, for purposes of former
- 4           section 25 of article X of the state constitution of 1908, also
- 5           means the period of time between June 27, 1950 and the termination



1 of the state of national emergency ~~, which state of national~~  
 2 ~~emergency~~ **that** was proclaimed on December 16, 1950.

3 (b) "Veteran" means an individual who meets all of the  
 4 following:

5 (i) Is a veteran as **that term is** defined in section 1 of 1965  
 6 PA 190, MCL 35.61.

7 (ii) Provided honorable and faithful service for more than 60  
 8 days during his or her period of service.

9 (iii) Was a resident of this state at the time of entering  
 10 service and for at least 6 months prior to that date.

11 (c) "Beneficiary" means, in relation to a deceased veteran,  
 12 the surviving ~~husband or wife,~~ **spouse**, the child or children, or  
 13 the surviving dependent ~~mother, dependent father,~~ **parent**, dependent  
 14 person standing in loco parentis, or dependent brothers and  
 15 sisters, in the order named, ~~which determination~~ **the determination**  
 16 **of which** may be made by the probate court of the county of  
 17 residence of the veteran at the time of death on petition of the  
 18 adjutant general.

19 (d) "Honorable and faithful service" shall be such service as  
 20 is evidenced by 1 or more of the following:

21 (i) An honorable discharge.

22 (ii) In the case of an officer, a certificate of service.

23 (iii) In the case of a veteran who has not been discharged, a  
 24 certificate from appropriate service authority that his or her  
 25 service was honorable and faithful.

26 (e) "Foreign service" means military service by a veteran  
 27 during the period of service anywhere outside of any state of the  
 28 United States and the District of Columbia.

29 (f) "Domestic service" means military service by a veteran



1 during the period of service in 1 or more states of the United  
2 States or in the District of Columbia.

3 (g) "Adjutant general" means the adjutant general of this  
4 state.

5 (h) "Board" means the state administrative board.

6 (i) "Resident" means ~~a person~~ **an individual** who meets 1 or  
7 more of the following:

8 (i) Was born in and lived in this state until entrance into the  
9 ~~armed forces~~ **Armed Forces** of the United States.

10 (ii) Was born in but was temporarily living outside of this  
11 state, not having abandoned residence in this state prior to  
12 entrance into the ~~armed forces~~ **Armed Forces** of the United States.

13 (iii) Was born elsewhere but had resided within this state for  
14 at least 6 months prior to entrance into military service and had  
15 prior to or during ~~such that~~ 6 months' period met 1 or more of the  
16 following:

17 (A) Registered for voting in this state.

18 (B) Was an unemancipated minor during such period of residence  
19 while living with a parent or person standing in loco parentis ~~who~~  
20 **that** was a resident as set forth in this subparagraph or  
21 subparagraph (i) or (ii).

22 (C) If not registered for voting in this state, was not  
23 registered for voting in another state. However, applications filed  
24 under this act prior to March 18, 1949 that have been rejected by  
25 the adjutant general because of noncompliance with the foregoing  
26 requirement are eligible for allowance despite that noncompliance  
27 if the applicant had not voted in another state within 6 months  
28 prior to entering service and had resided in this state for at  
29 least 6 months prior to entrance into the ~~armed forces~~ **Armed Forces**



1 of the United States. Information appearing on the discharge of the  
 2 veteran that shows "permanent address for mailing purposes",  
 3 "address from which employment will be sought", and "home address  
 4 at time of entry into service", in another state, shall not  
 5 necessarily be construed to mean that the veteran intended to  
 6 abandon his or her residence in this state for the purpose of this  
 7 act.

8 (iv) In all other cases than those outlined under subparagraph  
 9 (i), (ii), or (iii), complies with the residence requirements set forth  
 10 in former section 23[a] of article X of the state constitution of  
 11 1908 in accordance with the rules and regulations of the board.

12 Sec. 4. There shall be paid on application to the beneficiary  
 13 of ~~each~~**a** veteran ~~heretofore~~**formerly** or ~~hereafter~~**in the future**  
 14 deceased from service connected causes arising during the period of  
 15 service a sum equal to the difference between any payments received  
 16 by the veteran or his **or her** beneficiary under section 3 and the  
 17 sum of \$500.00. In the event the veteran or his **or her** beneficiary  
 18 has not received payment under section 3 the entire sum of \$500.00  
 19 shall be paid to the beneficiary.

20 Sec. 4a. There shall be paid on application of the ~~mother and~~  
 21 ~~father,~~**parents,** or the surviving parent, of ~~each~~**a** veteran  
 22 ~~heretofore~~**formerly** or ~~hereafter~~**in the future** deceased from  
 23 service connected causes arising during the period of service a sum  
 24 equal to the difference between any payments received by the  
 25 veteran or his **or her** beneficiary under section 3 and the sum of  
 26 \$500.00. In the event the veteran or his **or her** beneficiary has not  
 27 received payment under section 3, the entire sum of \$500.00 shall  
 28 be paid to the ~~mother and father,~~**parents,** or the surviving parent.  
 29 Any person or persons claiming payment under this section shall not



1 be required to prove dependency. There is hereby appropriated from  
 2 the general fund of the state the sum of \$200,000.00, to be  
 3 credited to the veterans' military pay fund, to pay benefits under  
 4 the provisions of this section.

5 Sec. 5. ~~Each~~ **A** veteran or his **or her** beneficiary entitled to  
 6 payment shall make application to the adjutant general upon such  
 7 form as may be prescribed by ~~him: Provided, That~~ **the adjutant**  
 8 **general** if the veteran ~~be~~ **is** incompetent, or his **or her** beneficiary  
 9 ~~be~~ **is** incompetent, or a minor application ~~shall be~~ **is** made by his  
 10 **or her** guardian. ~~Each~~ **An** application ~~shall~~ **must** be accompanied by a  
 11 certified copy of honorable discharge as ~~defined~~ **described** in  
 12 section 2, or by such evidence of honest and faithful service  
 13 during the period of service as ~~shall be~~ prescribed by ~~said~~ **the**  
 14 adjutant general. ~~Each~~ **An** application ~~shall~~ **must** be subscribed and  
 15 sworn to by the applicant before witnesses in ~~such a~~ manner ~~as~~  
 16 ~~shall be~~ prescribed by the adjutant ~~general: Provided, That~~ **the**  
 17 **general. The** adjutant general shall provide by regulation for an  
 18 endorsement on the evidence of service required in section ~~2d~~ **2 (d)**  
 19 that **an** application for payment has been made.

20 Enacting section 1. This amendatory act does not take effect  
 21 unless Senate Joint Resolution \_\_\_\_ or House Joint Resolution T  
 22 (request no. 02690'19) of the 100th Legislature becomes a part of  
 23 the state constitution of 1963 as provided in section 1 of article  
 24 XII of the state constitution of 1963.

