



Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

COUNTY VETERANS BOARDS: INCREASE MEMBERS

House Bill 4771 with committee
amendment
First Analysis (10-10-95)

Sponsor: Rep. Clyde LeTarte
Committee: Senior Citizens and Veterans
Affairs

THE APPARENT PROBLEM:

Public Act 214 of 1899 requires the county board of commissioners of each county in the state to levy and collect an annual property tax of up to .10 mill in order to create a fund for the relief of honorably discharged indigent members of the armed forces and their dependents. A county board of commissioners may create a county department of veterans' affairs and appoint a committee to administer the department. The duties of the committee are primarily to administer the county veterans' relief fund and to appoint a veterans' service officer, commonly known as the "county counselor". In addition, the department assists veterans in determining eligibility for emergency funds and other public assistance.

The four positions on the committee, as required by law, are filled by veterans who have served honorably on active duty in each of the World Wars, in the Korean War, and in Viet Nam. If a World War I veteran cannot be found who is able and willing to serve, the law allows the position to be filled by a veteran from any other conflict. However, if a veteran from the other wars cannot be located to fill the designated slot, the post goes unfilled. Further, some people feel that the needs of younger veterans, especially veterans of the Persian Gulf War, should also be addressed.

THE CONTENT OF THE BILL:

Under current law, a county board of commissioners has the authority to create a county department of veterans' affairs and to appoint a committee to administer the department. The bill would amend the law to increase the number of committee members from four to five to allow for the addition of a member who had served in the Persian Gulf War. (Currently, the committee is composed of one veteran of each of the World

Wars, the Korean War, and the Vietnam Conflict.) Further, when a veteran of World War I willing to serve on the committee cannot be found, the law allows a veteran of any war to fill that position. The bill would change this provision to read "If a notice of an opening on a committee of veterans is provided by the county board of commissioners to 1 or more newspapers within the county and to veteran service organizations within the county and a veteran of a war or conflict described in this section cannot be located who is willing to serve, a veteran of any war may be appointed to serve on the committee".

MCL 35.621

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal impact on the state. However, local governments could see increased costs if they elect to form a department of veterans' affairs. (10-9-95)

ARGUMENTS:

For:

Some counties have found it increasingly difficult to locate World War I veterans who are willing and able to serve on these committees; as time goes by, World War II veterans may also become more difficult to find. Currently, only a World War I veteran may be replaced by a veteran from another era. Rather than amend the law every time a group of veterans of a particular war become scarce due to the passage of time, it makes sense to rewrite the language to provide a contingency if a veteran of a certain war cannot be located to serve on a committee. Also, though it is a positive step to

House Bill 4771 (10-10-95)

include veterans of the Persian Gulf War on the committees, due to the brevity of the war, not every county having a Department of Veterans' Affairs may have a Gulf War veteran living within its borders. It has been reported that some counties have had situations where a Korean or Viet Nam veteran able to serve could not be found. In these cases, the post went unfilled. The bill would remedy the situation by allowing a county to fill vacancies with veterans of any of the wars or conflicts (WW I & II, Korea, Vietnam, and the Persian Gulf War) after a search had been conducted for representatives of each of these.

For:

Typically, veterans' organizations are dominated by veterans of World War II, mainly due to the large number of men and women who served during the war. However, veterans of each war or conflict appear to have their own unique needs. Younger veterans, therefore, may feel that their concerns are not being adequately addressed. The bill would remedy this situation by adding a veteran of the Persian Gulf War to the list of wars and conflicts that a representative must be chosen from to fill posts on county departments of veterans' affairs. Increasing the committee membership from four to five would also better allow for a majority voice to be established on issues.

Against:

Current law entitles county veterans' committee members to receive the same per diem and mileage for attending meetings as the county board of commissioners. Therefore, some feel that the state should not mandate the number of seats on a department of veterans' affairs committee, believing instead that it should be up to the county commissioners to decide what is best for their counties. Reportedly, some counties, especially rural ones, are having difficulty filling the four positions as required under current law. Increasing the requirement to five positions could only add to their difficulty, as would increasing the money the county would pay out in per diem and mileage reimbursement costs. The bill could also be construed as a state mandated cost under the "Headlee" amendment to the state constitution.

Response:

First of all, the decision by a county to have a department of veterans' affairs is optional. Therefore, the bill should not have Headlee implications. Though the bill would increase the committee posts by one, the bill would also remove

the requirement to have each position filled only by a veteran of a particular war or conflict and would instead allow a position to be filled by a veteran of any war or conflict. Surely it should not prove too difficult to find five veterans county-wide willing and able to serve their fellow veterans.

POSITIONS:

The Veterans of Foreign Wars (VFW) supports the bill. (10-9-95)

The American Legion supports the bill. (10-9-95)

The Department of Military Affairs has no position on the bill. (10-9-95)

The Michigan Association of County Veterans Counselors opposes the bill. (10-10-95)