



HOUSE BILL No. 5640

February 27, 1996, Introduced by Reps. Lowe, DeMars, Yokich, Perricone, Llewellyn, Bodem, Profit, McBryde, Horton, Hammerstrom, Hill, McManus, Gernaat, Voorhees, London, Anthony, Cropsey, Green, Pitoniak and Jersevic and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to amend the title and section 2 of Act No. 245 of the Public Acts of 1935, entitled as amended

"An act to provide educational opportunities for the children of certain members of the armed forces of the United States,"

section 2 as amended by Act No. 27 of the Public Acts of 1980, being section 35.112 of the Michigan Compiled Laws; and to add section 3.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 2 of Act No. 245 of the
2 Public Acts of 1935, section 2 as amended by Act No. 27 of the
3 Public Acts of 1980, being section 35.112 of the Michigan
4 Compiled Laws, are amended and section 3 is added to read as
5 follows:

TITLE

1

2 An act to provide educational opportunities for the children
3 of certain members of the armed forces of the United States; TO
4 ESTABLISH A FUND; AND TO PROVIDE FOR THE ADMINISTRATION OF THAT
5 FUND.

6 Sec. 2. (1) The Michigan veterans' trust fund board of
7 trustees shall determine the eligibility of a person who may make
8 application for the benefits provided in section 1 and shall sat-
9 isfy itself of the attendance and progress of that person at the
10 institution and of the accuracy of the charge or charges submit-
11 ted to the board by the authorities of the institution on account
12 of the person's attendance at the institution. A member of the
13 board or the secretary shall not receive compensation for the
14 services. The board of trustees shall promulgate rules pursuant
15 to THE ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of the
16 Public Acts of 1969, ~~as amended,~~ being sections 24.201 to
17 ~~24.315~~ 24.328 of the Michigan Compiled Laws, to provide uniform
18 consideration of persons who are eligible for the benefits of
19 this act. The appropriations provided to the institutions or
20 state board of education for this purpose shall be made to the
21 ~~Michigan veterans' trust fund board of trustees~~ VETERANS'
22 DEPENDENTS' EDUCATION FUND ESTABLISHED UNDER SECTION 3.

23 (2) The Michigan veterans' trust fund board of trustees
24 shall notify each person who, before ~~the effective date of this~~
25 ~~subsection~~ MARCH 7, 1980, was determined to be ineligible for
26 benefits provided in section 1 because the person was the child
27 of a veteran who, as the result of wartime service, had been

1 totally disabled, but had died before the person made his or her
2 application. The notice shall advise the person that he or she
3 may be eligible for and may reapply for benefits provided in sec-
4 tion 1.

5 SEC. 3. (1) THE VETERANS' DEPENDENTS' EDUCATION FUND IS
6 CREATED WITHIN THE STATE TREASURY.

7 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS
8 FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER
9 SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER
10 SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND
11 INVESTMENTS.

12 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL
13 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

14 (4) THE MICHIGAN VETERANS' TRUST FUND BOARD OF TRUSTEES
15 SHALL EXPEND MONEY FROM THE FUND, UPON APPROPRIATION, TO PROVIDE
16 THE BENEFITS DESCRIBED IN SECTION 1 TO INDIVIDUALS DETERMINED
17 ELIGIBLE TO RECEIVE THOSE BENEFITS UNDER SECTION 2.

18 (5) AS USED IN THIS SECTION:

19 (A) "BOARD OF TRUSTEES" MEANS THE MICHIGAN VETERANS' TRUST
20 FUND BOARD OF TRUSTEES.

21 (B) "FUND" MEANS THE VETERANS' DEPENDENTS' EDUCATION FUND
22 ESTABLISHED UNDER SUBSECTION (1).