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Senate Bill 799 (as introduced 11-3-11) *(as passed by the Senate)*
Sponsor: Senator John Pappageorge
Committee: Veterans, Military Affairs, and Homeland Security

Date Completed: 11-7-11

CONTENT

The bill would amend Public Act 152 of 1885, which authorizes the establishment Michigan Veterans' Facility, to do all of the following:

- **Repeal and replace a provision establishing the board of managers of the Michigan Veterans' Facility and providing that the general supervision and government of the facility is vested in the board.**
- **Delete a provision specifying that board members are entitled to per diem compensation.**
- **Revise a provision pertaining to the board's annual meeting.**
- **Repeal two sections dealing with certain powers of the board of managers.**

The bill would take effect on January 1, 2012.

Board of Managers

Section 2 of the Act provides that the general supervision and government of the Michigan Veterans' Facility is vested in a board of managers consisting of seven members appointed by the Governor, as follows:

- Two representatives of the American Legion.
- Two representatives of the Veterans of Foreign Wars (VFW) of the United States.
- One representative of the Disabled American Veterans (DAV).
- One representative of the American Veterans of World War II-Korea-Vietnam (AMVETS).
- One veteran who served in the active military forces during a period of war or who received the Armed Forces Expeditionary or other campaign service medal during an emergency condition and who was honorably discharged or released, but who does not represent one of the veterans services organizations listed above.

The bill would repeal Section 2.

The bill would enact a new Section 2a providing that the general supervision and government of the Michigan Veterans' Facility would be vested in a seven-member board of managers. Each member would have to demonstrate knowledge, skills, and experience in public health, business, or finance. Members would have to be appointed as follows:

- One representative of the American Legion.
- One representative of the VFW.

- One representative of the DAV.
- One representative of any other Congressionally chartered veterans organization.
- Three veterans who could be, but would not have to be, a member of one or more Congressionally chartered veterans' organization but would not represent any such organization.

Board members would have to be appointed by the Governor, by and with the advice and consent of the Senate. Each member would hold office for a three-year term and would continue to hold office at the pleasure of the Governor. Members representing the American Legion, VFW, DAV, and any other Congressionally chartered veterans' organization would have to be appointed from a list of at least three individuals recommended by each respective organization. Each member would have to take and file the constitutional oath of office.

The Governor could remove any member of the board for misfeasance, malfeasance, or nonfeasance in office, after a hearing. Missing three or more consecutive meetings would be considered malfeasance and would be grounds for removal.

Members of the board would serve without compensation, but would be entitled to actual and necessary expenses incurred in attending scheduled meetings of the board.

If a vacancy occurred during a board member's term of office, his or her successor would have to be selected from the same organization and in the same manner as the original appointment and would serve for the balance of the unexpired term.

Compensation & Annual Meeting

The Act specifies that each member of the board is entitled to per diem compensation and reimbursement of expenses from the appropriations to the Veterans' Facility. The bill would delete the entitlement to per diem compensation.

The Act requires the board to meet annually at the Veterans' Facility on the second Wednesday in March of each year and to elect its officers at that meeting. The bill, instead, would require the board to meet annually at the Veterans' Facility, and to elect its officers.

Repeal of Certain Board Powers

The bill would repeal Sections 9 and 10 of the Act (MCL 36.9 and 36.10). Section 9 authorizes the board of managers to send one of its members to visit institutions similar to the Veterans' Facility to acquire an insight into the principles and practical workings of those facilities. Section 10 requires the board to appoint a commandant for the Veterans Facility.

MCL 36.6 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.