

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 799

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 sections 6, 7, and 8 (MCL 36.6, 36.7, and 36.8) and by adding section 2a; and to repeal acts and parts of acts.

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

1 UNITED STATES.

2 (C) ONE REPRESENTATIVE OF THE DISABLED AMERICAN VETERANS.

3 (D) ONE REPRESENTATIVE OF ANY OTHER CONGRESSIONALLY CHARTERED
4 VETERANS' ORGANIZATION OTHER THAN THOSE ORGANIZATIONS IDENTIFIED IN
5 SUBDIVISION (A), (B), OR (C).

6 (E) THREE MEMBERS WHO ARE VETERANS, WHO MAY OR MAY NOT BE A
7 MEMBER OF 1 OR MORE CONGRESSIONALLY CHARTERED VETERANS'
8 ORGANIZATIONS, BUT SHALL NOT REPRESENT ANY CONGRESSIONALLY
9 CHARTERED VETERANS' ORGANIZATION OF WHICH THEY ARE A MEMBER.

10 (2) THE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR BY AND WITH
11 THE ADVICE AND CONSENT OF THE SENATE. EACH MEMBER SHALL HOLD OFFICE
12 FOR THE TERM OF 3 YEARS FROM THE TIME OF HIS OR HER APPOINTMENT AND
13 SHALL CONTINUE TO HOLD OFFICE AT THE PLEASURE OF THE GOVERNOR. THE
14 MEMBERS ENUMERATED IN SUBSECTION (1) (A), (B), (C), AND (D) SHALL BE
15 APPOINTED BY THE GOVERNOR FROM THE ORIGINAL LIST OF AT LEAST 3
16 INDIVIDUALS RECOMMENDED BY EACH RESPECTIVE ORGANIZATION.

17 (3) EACH MEMBER OF THE BOARD SHALL QUALIFY BY TAKING AND
18 FILING THE CONSTITUTIONAL OATH OF OFFICE.

19 (4) THE GOVERNOR MAY REMOVE ANY MEMBER OF THE BOARD FOR
20 MISFEASANCE, MALFEASANCE, OR NONFEASANCE IN OFFICE, AFTER HEARING.
21 MISSING 3 OR MORE CONSECUTIVE MEETINGS SHALL BE CONSIDERED
22 MALFEASANCE AND IS GROUNDS FOR REMOVAL.

23 (5) MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION, BUT
24 SHALL BE ENTITLED TO ACTUAL AND NECESSARY EXPENSES INCURRED IN
25 ATTENDING SCHEDULED MEETINGS OF THE BOARD OF MANAGERS IN ACCORDANCE
26 WITH THE ACCOUNTING LAWS OF THIS STATE.

27 (6) IF A VACANCY OCCURS DURING THE TERM OF OFFICE OF A MEMBER

1 OF THE BOARD OF MANAGERS, THE MEMBER'S SUCCESSOR SHALL BE SELECTED
 2 FROM THE SAME ORGANIZATION AND IN THE SAME MANNER AS THE ORIGINAL
 3 APPOINTMENT FOR THE BALANCE OF THE UNEXPIRED TERM.

4 (7) AS USED IN THIS ACT:

5 (A) "BOARD" MEANS THE BOARD OF MANAGERS OF THE MICHIGAN
 6 VETERANS' FACILITY CREATED IN THIS SECTION.

7 (B) "VETERAN" MEANS AN HONORABLY DISCHARGED MEMBER OF THE
 8 ARMED FORCES OF THE UNITED STATES.

9 Sec. 6. Each ~~of the members~~ **MEMBER** of the board shall be ~~IS~~
 10 entitled to ~~per diem compensation and reimbursement of expenses~~
 11 from the appropriations to the facility in accordance with the
 12 accounting laws of the ~~THIS~~ state.

13 Sec. 7. (1) The ~~members of the~~ board of managers shall meet
 14 annually at ~~the A facility on the second Wednesday in March of each~~
 15 ~~year, and at the annual meeting shall elect of their own body, a~~
 16 chairperson, a chairperson pro tempore, a secretary, a treasurer,
 17 and a clerk, who shall hold office for 1 year and until a successor
 18 is elected and qualified. However, instead of electing a treasurer
 19 and a clerk, the board **OF MANAGERS** may appoint the ~~adjutant of the~~
 20 ~~facility~~ **ADMINISTRATOR OF THE FACILITIES** to perform the duties of
 21 the treasurer and the clerk and other duties ~~as~~ prescribed by the
 22 board.

23 (2) The business ~~which~~ **THAT** the board of managers may perform
 24 shall be conducted at a public meeting of the board held in
 25 compliance with ~~Act No. 267 of the Public Acts of 1976, being~~
 26 ~~sections 15.261 to 15.275 of the Michigan Compiled Laws.~~ **THE OPEN**
 27 **MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.** Public notice of

1 the time, date, and place of the meeting shall be given in the
2 manner required by ~~Act No. 267 of the Public Acts of 1976.~~ **THE OPEN**
3 **MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.**

4 Sec. 8. ~~It shall be the duty of the~~ **THE** board of managers ~~to~~
5 **SHALL** meet **NOT LESS THAN** once ~~in every 3 months. on their own~~
6 adjournment, ~~and oftener if they shall deem it advisable, at which~~
7 ~~meeting they~~ **THE BOARD OF MANAGERS** shall prepare, and carefully
8 ~~digest and mature~~ **REVIEW, AND REVISE** a system of government for
9 ~~said home, embracing~~ **THE HOMES, WHICH SHALL INCLUDE** all such rules,
10 regulations, and ~~general laws as they may deem necessary for~~
11 ~~preserving order, for enforcing discipline, for~~ **EFFECTIVE**
12 **MANAGEMENT AND** preserving the health of ~~such~~ **THE** disabled soldiers,
13 ~~sailors or marines as may be received at this~~ **VETERANS ADMITTED TO**
14 **THE** home.

15 Enacting section 1. 1895 PA 90, MCL 36.42 to 36.43 is
16 repealed.

17 Enacting section 2. Sections 2, 9, and 10 of 1885 PA 152, MCL
18 36.2, 36.9, and 36.10, are repealed.

19 Enacting section 3. This amendatory act takes effect January
20 1, 2012.