

# SENATE BILL No. 799

November 3, 2011, Introduced by Senators PAPPAGEORGE, MOOLENAAR, GREEN, EMMONS, COLBECK, PROOS, NOFS, HANSEN, MEEKHOF and BRANDENBURG and referred to the Committee on Veterans, Military Affairs and Homeland Security.

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  
8 UNITED STATES.

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

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

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

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

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

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

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

26 (6) IF A VACANCY OCCURS DURING THE TERM OF OFFICE OF A MEMBER  
27 OF THE BOARD OF MANAGERS, THE MEMBER'S SUCCESSOR SHALL BE SELECTED

1 FROM THE SAME ORGANIZATION AND IN THE SAME MANNER AS THE ORIGINAL  
2 APPOINTMENT FOR THE BALANCE OF THE UNEXPIRED TERM.

3 (7) AS USED IN THIS ACT:

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

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

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

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

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

1 **MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.**

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

12       Enacting section 1. Sections 2, 9, and 10 of 1885 PA 152, MCL  
13 36.2, 36.9, and 36.10, are repealed.

14       Enacting section 2. This amendatory act takes effect January  
15 1, 2012.