

# SENATE BILL No. 1108

October 2, 2014, Introduced by Senators GREGORY, ANDERSON, BIEDA, COLBECK, MARLEAU, KAHN, JOHNSON, HOOD, HOPGOOD and ANANICH and referred to the Committee on Appropriations.

A bill to amend 1974 PA 370, entitled "Vietnam veteran era bonus act," by amending section 2 (MCL 35.1022), as amended by 1980 PA 194.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2. As used in this act:

2       (a) "Period of service" means that period of time between  
3 12:01 a.m., January 1, 1961, and 12:01 a.m., ~~September 1, 1973.~~**MAY**  
4 7, 1975.

5       (b) "Veteran" means a person who completed not less than 190  
6 days of honorable service or is listed as missing in action or died  
7 during the period of service from service-connected causes in the  
8 army, air, naval, marine, or coast guard forces of the United  
9 States including the auxiliary branches, was a resident of this

1 state for not less than 6 months before entering the service or,  
2 while on active duty, was a resident of this state for not less  
3 than 6 months immediately before January 1, 1961, and has not  
4 applied for and received similar benefits from another state for  
5 the same period of service. The 190 days required active duty does  
6 not include a period when assigned full time by the armed forces to  
7 a civilian institution for a course substantially the same as a  
8 course offered to civilians; or a period served as a cadet or  
9 midshipman at a service academy, active duty for training in an  
10 enlistment in the army or air national guard, or as a reserve for  
11 service in the army, navy, air force, marine corps, or coast guard  
12 reserve, with the exception of those military personnel who  
13 converted to active duty immediately upon completion of the initial  
14 active duty for training as evidenced by noninterruption in pay  
15 status from that of initial active duty for training to that of  
16 active duty. The 190 days' active duty requirement shall not apply  
17 to a person who died or who received a medical discharge from  
18 active military service due to injuries or disease incurred in the  
19 line of duty, as verified by the veterans' records or by the  
20 veterans' administration.

21 (c) "Combat veteran" means a veteran listed as missing in  
22 action, or a veteran eligible to wear the Vietnam service medal or  
23 the armed forces expeditionary medal if eligibility for the award  
24 occurred during the period of service.

25 (d) "Beneficiary", subject to section 14(2), means in relation  
26 to a deceased veteran or a veteran listed as missing in action, the  
27 surviving spouse, child or children, or the dependent surviving

1 mother or father in the order named which determination may be made  
2 by the probate court of the county of residence of the veteran at  
3 the time of death. A surviving parent of a veteran shall be  
4 eligible as a dependent of the veteran if that person had a  
5 reasonable expectation of support in whole or in part from the  
6 veteran and that expectation is stated in the application.

7 (e) "Honorable service" means that service as evidenced by:

8 (i) Honorable or general discharge, or separation under  
9 honorable conditions.

10 (ii) In the case of a person who has not been discharged, a  
11 certificate from the appropriate service authority that a person  
12 did qualify under subparagraph (i) as if the veteran was being  
13 discharged or separated.

14 Time lost while absent without leave, in desertion, in  
15 confinement while undergoing the sentence of a court-martial, or  
16 time lost while in a nonduty status because of disease contracted  
17 through the veteran's own misconduct shall not be construed as  
18 honorable service.

19 (f) "Adjutant general" means the adjutant general of this  
20 state.

21 (g) "Resident" means a person who has acquired a status as  
22 follows:

23 (i) Was born in and lived in this state until entrance into the  
24 armed forces of the United States.

25 (ii) Was born in, but was temporarily living outside this  
26 state, not having abandoned residence in this state before entrance  
27 into the armed forces of the United States.

1           (iii) Had resided within this state for at least 6 months  
2 immediately before entrance into military service or, while on  
3 active duty, was a resident of this state for not less than 6  
4 months immediately before January 1, 1961, and had, before or  
5 during this 6 months' period:

6           (A) Registered to vote in this state.

7           (B) Lived with a parent or person standing in loco parentis  
8 who had acquired a residence as set forth in this subdivision,  
9 while an unemancipated minor.

10           (C) If not registered to vote in this state, was not  
11 registered to vote in another state, or had not voted in another  
12 state within 6 months before entering service or before January 1,  
13 1961.

14           (iv) Information appearing on the discharge documents of the  
15 veteran which shows a permanent address for mailing purposes, an  
16 address from which employment will be sought, or a home address at  
17 time of entry into service in another state, shall not necessarily  
18 be construed to mean that the veteran intended to abandon his or  
19 her residence in this state for purposes of this act.