

MICHIGAN VETERANS' FACILITY AUTHORITY ACT (EXCERPT)
Act 560 of 2016

***** 36.106.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 24, 2021 *****

36.106.amended Authority; powers; employees; factors when determining operation and staffing of veterans' facility; duties.

Sec. 6. (1) The authority has all of the following powers:

(a) To review and revise a system of oversight and governance for Michigan veteran homes, that must include all rules, regulations, and laws necessary for effective management and preserving the health and welfare of veterans and dependents residing at veterans' facilities in this state.

(b) To solicit and accept gifts, grants, and loans from any person.

(c) To invest any money of the authority at the authority's discretion, in any obligations determined proper by the authority, and name and use depositories for its money.

(d) To procure insurance against any loss in connection with the property, assets, or activities of the authority.

(e) To sue and be sued, to have a seal, and to make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise of the authority's powers.

(f) To make and amend bylaws.

(g) To employ and contract with individuals necessary for the operation of the authority and 1 or more veterans' facilities.

(h) To make and execute contracts including without limitation sale agreements, trust agreements, trust indentures, bond purchase agreements, tax regulatory agreements, continuing disclosure agreements, ancillary facilities, and all other instruments necessary or convenient for the exercise of its powers and functions, and commence any action to protect or enforce any right conferred upon it by law, or by any contract or other agreement.

(i) To engage the services of financial advisors and experts, legal counsel, placement agents, underwriters, appraisers, and other advisors, consultants, and fiduciaries as may be necessary to effectuate the purposes of this act.

(j) To pay its operating expenses and financing costs.

(k) To pledge revenues or other assets as security for the payment of the principal of and interest on any bonds.

(l) To procure insurance, letters of credit, or other credit enhancement with respect to any bonds for the payment of tenders of bonds, or for the payment upon maturity of short-term bonds.

(m) To develop or operate 1 or more veterans' facilities.

(n) To solicit federal funds and other funding sources to develop veterans' facilities.

(o) To establish or permit to be established on its behalf 1 or more separate nonprofit corporations organized under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192, to assist the authority in the furtherance of its public purposes.

(p) To do any and all things necessary or convenient to carry out its purposes and exercise the powers expressly given and granted in this act.

(2) All employees of the authority are state employees, except for those positions that the authority fills using alternative methods of service delivery in accordance with established civil service rules and regulations. The authority is subject to all established civil service rules and regulations pertaining to employment and hiring practices. On the effective date of the amendatory act that added section 6a, employees of a veterans' facility established under former 1885 PA 152 shall continue in their current employment status. Any changes or modifications to these and future employees' compensation, benefits, or employment status must be made in accordance with established civil service rules and regulations.

(3) In determining the operation and staffing of a veterans' facility, the authority shall do both of the following:

(a) Consider nationally recognized models and guidelines for the delivery of health care in veterans' facilities.

(b) Follow the rules and regulations of the civil service commission.

History: 2016, Act 560, Imd. Eff. Jan. 11, 2017;—Am. 2018, Act 630, Imd. Eff. Dec. 28, 2018;—Am. 2020, Act 351, Eff. Mar. 24, 2021.