



HOUSE BILL No. 4423

February 15, 1995, Introduced by Reps. McBryde, McNutt, Oxender, Walberg, Gilmer, Johnson, Dolan, Middleton, Geiger and Bobier and referred to the Committee on Appropriations.

EXECUTIVE BUDGET BILL

A bill to make appropriations for the department of military affairs for the fiscal year ending September 30, 1996; to provide for the expenditure of the appropriations; to provide for certain duties of the department of military affairs, other state agencies, and local units of government; and to provide for the preparation of certain reports.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 101. There is appropriated for the department of military
2 affairs, for the fiscal year ending September 30, 1996, from the funds
3 identified as follows:

4 DEPARTMENT OF MILITARY AFFAIRS

5 APPROPRIATIONS SUMMARY:

6 Unclassified positions 7.0

1	Permanent career FTE employees	974.0	
2	GROSS APPROPRIATION		\$ 83,322,500
3	Total interdepartmental grants and		
4	intradepartmental transfers		0
5	ADJUSTED GROSS APPROPRIATION		\$ 83,322,500
6	Federal revenues:		
7	Total federal revenues		32,581,400
8	Special revenue funds:		
9	Total local revenues		0
10	Total private revenues		375,000
11	Total other state restricted revenues		13,741,000
12	State general fund/general purpose		\$ 36,625,100
13	HEADQUARTERS AND ARMORIES		
14	Headquarters and armories		\$ 7,422,700
15	Unclassified military personnel		532,100
16	Military appeals tribunal		900
17	Michigan emergency volunteers		5,000
18	State active duty		55,000
19	Federal initiatives		<u>200,000</u>
20	GROSS APPROPRIATION		\$ 8,215,700
21	Appropriated from:		
22	Federal revenues:		
23	DOD-DOA-NGB		1,561,900
24	Special revenue funds:		
25	Armory rentals		350,000
26	Mackinac bridge authority		35,000
27	State general fund/general purpose		\$ 6,268,800
28	MILITARY TRAINING SITES AND SUPPORT FACILITIES		
29	Military training sites and support		

1	facilities	\$	10,600,800
2	Federal initiatives		200,000
3	Military training sites and support		
4	facilities test projects		<u>100,000</u>
5	GROSS APPROPRIATION	\$	10,900,800
6	Appropriated from:		
7	Federal revenues:		
8	DOD-DOA-NGB		9,618,600
9	Special revenue funds:		
10	Test project fees		100,000
11	State general fund/general purpose	\$	1,182,200
12	DEPARTMENTWIDE APPROPRIATIONS		
13	Departmentwide accounts	\$	7,378,800
14	Special maintenance-state		436,200
15	Special maintenance-federal		2,302,000
16	Equipment safety training		59,800
17	Military contingency fund		100
18	Military retirement		2,366,200
19	Counter narcotic operations		50,000
20	Starbase grant		<u>500,000</u>
21	GROSS APPROPRIATION	\$	13,093,100
22	Appropriated from:		
23	Federal revenues:		
24	DOD-DOA-NGB		7,431,900
25	DOJ-DEA		50,000
26	State general fund/general purpose	\$	5,611,200
27	VETERANS' SERVICE ORGANIZATIONS		
28	American legion	\$	656,500
29	Disabled American veterans		596,100

1	Marine corps veterans		273,800
2	American veterans of World War II and Korea . . .		378,300
3	Veterans of foreign wars		721,100
4	Michigan paralyzed veterans of America		134,900
5	Purple heart		128,400
6	Veterans of World War I		100
7	Polish legion of American veterans		33,700
8	Jewish veterans of America		33,700
9	State of Michigan council-Vietnam		
10	veterans of Michigan		45,000
11	Catholic war veterans		<u>10,800</u>
12	GROSS APPROPRIATION	\$	3,012,400
13	Appropriated from:		
14	State general fund/general purpose	\$	3,012,400
15	GRAND RAPIDS VETERANS' HOME		
16	Grand Rapids veterans' home	\$	35,128,500
17	Board of managers		<u>300,000</u>
18	GROSS APPROPRIATION	\$	35,428,500
19	Appropriated from:		
20	Federal revenues:		
21	DVA-VHA		7,196,300
22	HHS-HCFA, medicare, hospital insurance		150,000
23	HHS-HCFA, grants to states for medicaid,		
24	medical assistance payments		2,300,000
25	Special revenue funds:		
26	Private-veterans' home post		
27	and posthumous funds		300,000
28	Income and assessments		9,875,000
29	State general fund/general purpose	\$	15,607,200

1	D. J. JACOBETTI VETERANS' HOME		
2	D. J. Jacobetti veterans' home	\$	12,597,000
3	Board of managers		<u>75,000</u>
4	GROSS APPROPRIATION	\$	12,672,000
5	Appropriated from:		
6	Federal revenues:		
7	HHS-HCFA, medicare, hospital insurance		230,200
8	HHS-HCFA, grants to states for medicaid,		
9	medical assistance payments		2,100,000
10	DVA-VHA		1,942,500
11	Special revenue funds:		
12	Private-veterans' home post and		
13	posthumous funds		75,000
14	Income and assessments		3,381,000
15	State general fund/general purpose	\$	4,943,300

16 **GENERAL SECTIONS**

17 Sec. 201. The expenditures and funding sources authorized under
18 this bill are subject to the management and budget act, Act No. 431 of
19 the Public Acts of 1984, being sections 18.1101 to 18.1594 of the
20 Michigan Compiled Laws.

21 Sec. 202. (1) The amounts appropriated from one fund to another
22 fund shall be authorized pursuant to annual appropriations within the
23 departments responsible for each fund's appropriations.

24 (2) Funds for which the state is acting as the custodian or agent
25 are not subject to annual appropriation.

26 Sec. 203. (1) The number of permanent career FTE employees shall
27 not exceed the number listed in section 101 of this bill unless an
28 exception has been granted by the director of the department of
29 management and budget. Exceptions shall only be given if failure to

1 fill the positions will result in rendering the department unable to
2 deliver basic services, cause a loss of revenue to the state, or
3 necessitate additional expenditures that exceed savings from
4 maintaining a vacancy. On the fifteenth of each month, the department
5 of management and budget shall report to the house and senate
6 appropriations committees and the governor any exceptions that have
7 been granted in the preceding month.

8 (2) Permanent career appointments shall be used as defined by the
9 civil service commission.

10 (3) The number of FTEs to be funded by each individual line item
11 amount shall be determined by the department within the overall limit
12 on permanent career FTEs for the department.

13 Sec. 204. (1) Any federal, local, private, or state restricted
14 funds received by a department in addition to the amount appropriated
15 in section 101, are appropriated.

16 (2) Funds appropriated in subsection (1) totalling less than
17 \$50,000.00 during the fiscal year from any one source may be expended
18 for the purposes for which the funds were made available. Receipt of
19 these funds shall be reported to the senate and house appropriations
20 committees and the house and senate fiscal agencies within thirty days
21 after the close of each fiscal quarter.

22 (3) Funds appropriated in subsection (1) totalling \$50,000.00 or
23 more during the fiscal year are not available for expenditure until
24 they have been transferred to another line item in this act through an
25 administrative transfer as defined in section 393(1) of Act No. 431 of
26 the Public Acts of 1984, as amended, being section 18.1393(1) of the
27 Michigan Compiled Laws.

28 Sec. 205. The department of civil service shall bill departments
29 and/or agencies at the end of the first fiscal quarter for the 1%
30 charges authorized by section 5 of Article XI of the State Constitution

1 of 1963. Payments shall be made for the total amount of the billing by
2 the end of the second fiscal quarter.

3 Sec. 206. As used in this appropriation bill:

4 (a) "Department" means the department of military affairs.

5 (b) "DOD" means the United States department of defense.

6 (c) "DOD-DOA-NGB" means the DOD department of the army, national
7 guard bureau.

8 (d) "DOJ" means the United States department of justice.

9 (e) "DOJ-DEA" means the DOJ drug enforcement agency.

10 (f) "DVA" means the United States department of veterans' affairs.

11 (g) "DVA-VHA" means the DVA veterans' health administration.

12 (h) "HHS" means the United States department of health and human
13 services.

14 (i) "HHS-HCFA" means the HHS health care financing administration.

15 Sec. 207. (1) Pursuant to the department provisions of civil
16 service rules and regulations and applicable collective bargaining
17 agreements, individuals seeking employment with the department shall
18 submit to a controlled substance test administered by the department.

19 (2) Individuals seeking employment with the department who refuse
20 to take a controlled substance test or who test positive for the
21 illicit use of a controlled substance on such a test shall be denied
22 employment by the department for a minimum of 1 year.

23 Sec. 208. From the funds appropriated in section 101 such payments
24 of wages and salaries as are made for classified state employees shall
25 be made in accordance with applicable laws, rules, and regulations of
26 the civil service commission. The funds identified in section 101 for
27 unclassified employees are based upon prior year levels adjusted
28 consistent with pay plan recommendations for non-exclusively
29 represented employees (NEREs) of the civil service commission, except
30 in the case of department directors and heads of type I agencies, where

1 the funds provided are in an amount equal to the standards established
2 by the civil service commission as the maximum pay for state executive
3 service classification 20 and state executive service classification 18
4 employees, respectively. Although the funds identified in section 101
5 for unclassified employees are based upon the standards set forth
6 above, the exact salaries of individual unclassified employees shall be
7 set by the appointing authority, not to exceed the state executive
8 service classification 20 maximum payment in the case of a department
9 director, or the state executive service classification 18 maximum
10 payment in the case of a head of a type I agency. The salaries of
11 individual unclassified employees shall be a matter of public record.

12 **HEADQUARTERS AND ARMORIES**

13 Sec. 301. The department may charge a reasonable rental fee for
14 renting an armory. The fee shall include the cost of overtime
15 compensation, insurance coverage, and any maintenance required.

16 **DEPARTMENTWIDE APPROPRIATIONS**

17 Sec. 401. Money appropriated in section 101 for the military duty
18 contingency fund shall be used to fund nonfederally supported missions
19 of the national guard when called to state duty.

20 Sec. 402. The Michigan veterans' memorial park commission may
21 receive and expend gifts, contributions, and bequests from any person,
22 public or private corporation, organization, foundation, governmental
23 entity, or any other source for the purpose of establishing a veterans'
24 memorial park as described in Executive Order No. 1992-12. Money
25 contributed to the Michigan veterans' memorial park commission shall be
26 deposited in the state treasury through the department and shall be
27 available for expenditure. Project costs authorized by this act shall
28 not exceed the gifts, contributions, and bequests received. Money under
29 this section and any specific work orders or projects adopted by the
30 Michigan veterans' memorial park commission in accordance with section

1 451(4) of the management and budget act, Act No. 431 of the Public Acts
2 of 1984, being section 18.1451 of the Michigan Compiled Laws, shall not
3 lapse at the end of this fiscal year but shall be available for
4 expenditure until September 30, 1997. Expenditures shall be in
5 accordance with methods and procedures approved by the Michigan
6 veterans' memorial park commission, the department, and appropriate
7 state agencies.

8 Sec. 403. Money available from the Michigan national guard armory
9 construction fund created in section 382a of the Michigan military act,
10 Act No. 150 of the Public Acts of 1967, being section 32.782a of the
11 Michigan Compiled Laws, is appropriated for expenditure for the
12 purposes specified in section 382a of Act No. 150 of the Public Acts of
13 1967.

14 **VETERANS' SERVICE ORGANIZATIONS**

15 Sec. 501. (1) Money appropriated in section 101 for grants to
16 veterans' service organizations shall be used only for salaries, wages,
17 related personnel costs, training, and equipment for accredited veteran
18 service advocacy officers and necessary support and managerial staff.
19 Training shall be provided for service advocacy officers and shall be
20 conducted by accredited advocacy officers.

21 (2) To receive a grant from the money appropriated in section 101,
22 a veterans' service organization shall meet the following eligibility
23 requirements:

24 (a) Be congressionally chartered by the United States congress.

25 (b) Be an active participating member of the Michigan veterans'
26 organizations' rehabilitation and veterans' service committee and abide
27 by its rules, guidelines, and programs.

28 (c) Demonstrate the receipt of monetary or service support from its
29 own organization.

30 (d) Comply with the department's and legislature's requirements of

1 accounting audits, service work activity, accounting of recoveries,
2 listing of volunteer hours, budget requests, and other requirements
3 specified in subsection (3).

4 (e) For a veterans' service organization founded after September
5 30, 1989, be in operation and providing service to Michigan veterans
6 for not less than two years prior to receiving an initial state grant.
7 During this two-year period of time, the organization shall file a
8 listing of service work activity and an accounting of recoveries with
9 the department, the senate and house fiscal agencies, and the senate
10 and house subcommittees on military affairs on forms as described by
11 the department.

12 (3) A veterans' service organization receiving a grant from the
13 money appropriated in section 101 shall file with the department a
14 certified accounting of its expenditures within 120 days after the
15 organization's fiscal year end. Each organization shall provide a
16 detailed budget request for the fiscal year ending September 30, 1996
17 to the department by November 15, 1995 within the format as described
18 by the department to be used in the development of the budget ending
19 September 30, 1996. Each organization shall provide five copies of a
20 listing of all service activity, an accounting of recoveries, and a
21 listing of volunteer hours for the fiscal year ending September 30,
22 1995 to the department by January 31, 1996. A veterans' service
23 organization receiving a grant from the money appropriated in section
24 101 shall use the forms recommended by the Michigan veterans'
25 organizations' rehabilitation and veterans' service committee for
26 filing reports required by this act. The department shall forward
27 information required under this section to the senate and house fiscal
28 agencies and to the senate and house appropriations subcommittees on
29 military affairs.

30 Sec. 502. Appropriations in section 101 for veterans' service

1 organizations shall include funding to provide services to veterans of
2 World War I.

3 **VETERANS' HOMES**

4 Sec. 601. Appropriations in section 101 for the veterans' homes
5 shall not be used for any purpose other than for veterans and veterans'
6 families.

7 Sec. 602. The veterans' homes, together with the department and the
8 department of management and budget, shall produce and deliver to the
9 senate and house appropriations subcommittees on military affairs an
10 annual written report on the progress toward meeting the standards
11 required for state nursing home licensure and the progress toward
12 meeting standards necessary for medicaid certification. The report
13 shall include detailed information as to institutional changes that
14 have been made in efforts to meet these standards, evidence of a
15 qualified third party evaluation as to the progress made toward those
16 standards, a statement of what changes still need to be made, including
17 a listing of any personnel, equipment, supplies, or budgetary increases
18 required, and an estimate as to the likelihood of the homes receiving
19 medicaid funds for the year and the impact on the adequacy of current
20 funding should those funds be received or not received. The annual
21 report shall be received by the subcommittees no later than April 1,
22 1997.

23 Sec. 603. The money appropriated in section 101 for the boards of
24 managers may be expended for facility improvements, the purchase and
25 repair of equipment and furnishings, member services, and other
26 purposes that benefit the veterans' homes.