

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5885

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of military and veterans affairs for the fiscal year ending September

1 30, 2011, from the funds indicated in this part. The following is a
 2 summary of the appropriations in this part:

3 **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

4 APPROPRIATION SUMMARY

5	Full-time equated unclassified positions.....	7.0	
6	Full-time equated classified positions.....	970.0	
7	GROSS APPROPRIATION.....		\$ 150,051,100
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers		1,152,900
11	ADJUSTED GROSS APPROPRIATION.....		\$ 148,898,200
12	Federal revenues:		
13	Total federal revenues.....		82,203,800
14	Special revenue funds:		
15	Total local revenues.....		645,400
16	Total private revenues.....		1,382,700
17	Total other state restricted revenues.....		28,233,400
18	State general fund/general purpose.....		\$ 36,432,900
19	Sec. 102. HEADQUARTERS AND ARMORIES		
20	Full-time equated unclassified positions.....	7.0	
21	Full-time equated classified positions.....	110.0	
22	Headquarters and armories--85.0 FTE positions.....		\$ 11,239,800
23	Unclassified military personnel.....		665,000
24	Military appeals tribunal.....		900
25	Michigan emergency volunteers.....		5,000
26	State active duty.....		100,100
27	Challenge program--25.0 FTE positions.....		4,091,000

1	Homeland security.....	1,000,000
2	Military family relief fund.....	<u>600,000</u>
3	GROSS APPROPRIATION.....	\$ 17,701,800
4	Appropriated from:	
5	IDG, challenge grant.....	152,900
6	IDG, community health.....	100,000
7	IDG, state police.....	900,000
8	Federal revenues:	
9	DOD-DOA-NGB.....	6,519,800
10	Special revenue funds:	
11	Local-school aid fund.....	645,400
12	Rental fees.....	346,400
13	Mackinac Bridge authority.....	70,000
14	Private donations.....	842,700
15	Military family relief fund.....	600,000
16	State general fund/general purpose.....	\$ 7,524,600
17	Sec. 103. MILITARY TRAINING SITES AND SUPPORT	
18	FACILITIES	
19	Full-time equated classified positions.....	181.0
20	Military training sites and support	
21	facilities--181.0 FTE positions.....	\$ 25,358,500
22	Military training sites and support facilities test	
23	projects	<u>100,000</u>
24	GROSS APPROPRIATION.....	\$ 25,458,500
25	Appropriated from:	
26	Federal revenues:	
27	DOD-DOA-NGB.....	23,988,400

1	Special revenue funds:		
2	Test project fees.....		100,000
3	State general fund/general purpose.....	\$	1,370,100
4	Sec. 104. DEPARTMENTWIDE APPROPRIATIONS		
5	Departmentwide accounts.....	\$	1,860,800
6	Special maintenance - state.....		651,200
7	Special maintenance - federal.....		5,300,000
8	Military retirement.....		3,584,100
9	Counter narcotic operations.....		50,000
10	Starbase grant.....		<u>2,322,000</u>
11	GROSS APPROPRIATION.....	\$	13,768,100
12	Appropriated from:		
13	Federal revenues:		
14	DOD-DOA-NGB.....		9,288,100
15	Federal counternarcotic revenues.....		50,000
16	State general fund/general purpose.....	\$	4,430,000
17	Sec. 105. VETERANS ADVICE, ADVOCACY, AND ASSISTANCE		
18	Veterans advice, advocacy, and assistance grants.....	\$	<u>3,029,600</u>
19	GROSS APPROPRIATION.....	\$	3,029,600
20	Appropriated from:		
21	State general fund/general purpose.....	\$	3,029,600
22	Sec. 106. GRAND RAPIDS VETERANS' HOME		
23	Full-time equated classified positions..... 513.0		
24	Grand Rapids veterans' home--513.0 FTE positions.....	\$	50,891,300
25	Board of managers.....		<u>665,000</u>
26	GROSS APPROPRIATION.....	\$	51,556,300
27	Appropriated from:		

1	Federal revenues:		
2	DVA-VHA.....		17,609,600
3	HHS, Medicaid.....		164,300
4	HHS, Medicare.....		2,561,500
5	Special revenue funds:		
6	Private - veterans' home post and posthumous funds ...		415,000
7	Income and assessments.....		15,689,300
8	Military family relief fund.....		250,000
9	Lease revenue.....		12,200
10	State general fund/general purpose.....	\$	14,854,400
11	Sec. 107. D.J. JACOBETTI VETERANS' HOME		
12	Full-time equated classified positions.....	158.0	
13	D.J. Jacobetti veterans' home--158.0 FTE positions ...	\$	16,521,400
14	Board of managers.....		<u>275,000</u>
15	GROSS APPROPRIATION.....	\$	16,796,400
16	Appropriated from:		
17	Federal revenues:		
18	DVA-VHA.....		5,924,400
19	HHS, Medicare.....		589,200
20	HHS, Medicaid.....		10,800
21	Special revenue funds:		
22	Private - veterans' home post and posthumous funds ...		125,000
23	Military family relief fund.....		150,000
24	Income and assessments.....		5,128,600
25	State general fund/general purpose.....	\$	4,868,400
26	Sec. 108. VETERANS' AFFAIRS DIRECTORATE		
27	Full-time equated classified positions.....	8.0	

1	Veterans' affairs directorate administration--2.0		
2	FTE positions	\$	198,400
3	Veterans' trust fund administration--6.0 FTE		
4	positions		1,279,000
5	Veterans' trust fund grants.....		<u>3,746,500</u>
6	GROSS APPROPRIATION.....	\$	5,223,900
7	Appropriated from:		
8	Special revenue funds:		
9	Michigan veterans' trust fund.....		5,025,500
10	State general fund/general purpose.....	\$	198,400
11	Sec. 109. INFORMATION TECHNOLOGY		
12	Information technology services and projects.....	\$	<u>1,016,500</u>
13	GROSS APPROPRIATION.....	\$	1,016,500
14	Appropriated from:		
15	Federal revenues:		
16	DOD-DOA-NGB.....		130,400
17	DVA-VHA.....		356,800
18	HHS, Medicare.....		10,500
19	Special revenue funds:		
20	Income and assessments.....		361,400
21	State general fund/general purpose.....	\$	157,400
22	Sec. 110. CAPITAL OUTLAY		
23	Special maintenance, remodeling and additions.....	\$	15,000,000
24	Land acquisitions and appraisals.....		<u>500,000</u>
25	GROSS APPROPRIATION.....	\$	15,500,000
26	Appropriated from:		
27	Federal revenues:		

1	DOD-DOA-NGB.....	15,000,000
2	Special revenue funds:	
3	Michigan national guard construction fund.....	500,000
4	State general fund/general purpose.....	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

8 Sec. 201. Pursuant to section 30 of article IX of the state
9 constitution of 1963, total state spending from state resources
10 under part 1 for fiscal year 2010-2011 is \$64,666,300.00 and state
11 spending from state resources to be paid to local units of
12 government for fiscal year 2010-2011 is \$120,000.00. The itemized
13 statement below identifies appropriations from which spending to
14 local units of government will occur:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

MILITARY TRAINING SITES AND SUPPORT FACILITIES

17	Payments in lieu of taxes.....	\$ 70,000
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MICHIGAN VETERANS' TRUST FUND

19	County counselor education and training expenses.....	\$ <u>50,000</u>
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20	TOTAL.....	\$ 120,000
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21 Sec. 202. The appropriations authorized under this act are
22 subject to the management and budget act, 1984 PA 431, MCL 18.1101
23 to 18.1594.

24 Sec. 203. As used in this act:

25 (a) "Department" means the department of military and veterans

1 affairs.

2 (b) "Director" means the director of the department of
3 military and veterans affairs.

4 (c) "DOD" means the United States department of defense.

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

7 (e) "DVA" means the United States department of veterans
8 affairs.

9 (f) "DVA-VHA" means the DVA veterans health administration.

10 (g) "FTE" means full-time equated.

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

13 (i) "IDG" means interdepartmental grant.

14 (j) "Large veterans service organization" means a VSO that can
15 certify that its membership exceeds 30,000 individuals.

16 (k) "Medium veterans service organization" means a VSO that
17 can certify that its membership is between 2,500 and 30,000
18 individuals.

19 (l) "Small veterans service organization" means a VSO that can
20 certify that its membership is between 1,000 and 2,499 individuals.

21 (m) "VSO" means veterans service organization.

22 Sec. 204. The department of civil service shall bill the
23 departments and agencies at the end of the first fiscal quarter for
24 the 1% charge authorized by section 5 of article XI of the state
25 constitution of 1963. Payments shall be made for the total amount
26 of the billing by the end of the second fiscal quarter.

27 Sec. 205. (1) A hiring freeze is imposed on the state

1 classified civil service. State departments and agencies are
2 prohibited from hiring any new full-time state classified civil
3 service employees and prohibited from filling any vacant state
4 classified civil service positions. This hiring freeze does not
5 apply to internal transfers of classified employees from 1 position
6 to another within a department.

7 (2) The state budget director may grant exceptions to this
8 hiring freeze when the state budget director believes that the
9 hiring freeze will result in rendering a state department or agency
10 unable to deliver basic services, causes loss of revenue to the
11 state, would result in the inability of the state to receive
12 federal funds, or would necessitate additional expenditures that
13 exceed any savings from maintaining a vacancy. The state budget
14 director shall report quarterly to the chairpersons of the senate
15 and house of representatives standing committees on appropriations
16 the number of exceptions to the hiring freeze approved during the
17 previous quarter and the reasons to justify the exception.

18 Sec. 208. Unless otherwise specified, the department shall use
19 the Internet to fulfill the reporting requirements of this act.
20 This requirement may include transmission of reports via electronic
21 mail to the recipients identified for each reporting requirement or
22 it may include placement of reports on an Internet or Intranet
23 site.

24 Sec. 209. Funds appropriated in part 1 shall not be used for
25 the purchase of foreign goods or services, or both, if
26 competitively priced and of comparable quality American goods or
27 services, or both, are available. Preference should be given to

1 goods or services, or both, manufactured or provided by Michigan
2 businesses, if they are competitively priced and of comparable
3 quality. In addition, preference should be given to goods or
4 services, or both, that are manufactured or provided by Michigan
5 businesses owned and operated by veterans, if they are
6 competitively priced and of comparable quality.

7 Sec. 210. The director of each department receiving
8 appropriations in part 1 shall take all reasonable steps to ensure
9 businesses in deprived and depressed communities compete for and
10 perform contracts to provide services or supplies, or both. Each
11 director shall strongly encourage firms with which the department
12 contracts to subcontract with certified businesses in depressed and
13 deprived communities for services, supplies, or both.

14 Sec. 211. The departments and agencies receiving
15 appropriations in part 1 shall receive and retain copies of all
16 reports funded from appropriations in part 1. The department shall
17 follow all federal guidelines and state laws regarding short-term
18 and long-term retention of records.

19 Sec. 213. The department shall consult with the house and
20 senate appropriations subcommittees on military and veterans
21 affairs regarding the projected closing or consolidation of any
22 national guard armories.

23 Sec. 214. It is the intent of the legislature that, should the
24 necessary legislation be enacted and funding become available,
25 funds be appropriated for state military cemeteries in Crawford and
26 Dickinson Counties.

27 Sec. 221. From the funds appropriated in part 1 for

1 information technology, departments and agencies shall pay user
2 fees to the department of technology, management, and budget for
3 technology-related services and projects. These user fees shall be
4 subject to provisions of an interagency agreement between the
5 departments and agencies and the department of technology,
6 management, and budget.

7 Sec. 223. Amounts appropriated in part 1 for information
8 technology may be designated as work projects and carried forward
9 to support technology projects under the direction of the
10 department of technology, management, and budget. Funds designated
11 in this manner are not available for expenditure until approved as
12 work projects under section 451a of the management and budget act,
13 1984 PA 431, MCL 18.1451a.

14 Sec. 225. (1) Due to the current budgetary problems in this
15 state, out-of-state travel for the fiscal year ending September 30,
16 2011 shall be limited to situations in which 1 or more of the
17 following conditions apply:

18 (a) The travel is required by legal mandate or court order or
19 for law enforcement purposes.

20 (b) The travel is necessary to protect the health or safety of
21 Michigan citizens or visitors or to assist other states in similar
22 circumstances.

23 (c) The travel is necessary to produce budgetary savings or to
24 increase state revenues, including protecting existing federal
25 funds or securing additional federal funds.

26 (d) The travel is necessary to comply with federal
27 requirements.

1 (e) The travel is necessary to secure specialized training for
2 staff that is not available within this state.

3 (f) The travel is financed entirely by federal or nonstate
4 funds.

5 (2) If out-of-state travel is necessary but does not meet 1 or
6 more of the conditions in subsection (1), the state budget director
7 may grant an exception to allow the travel. Any exceptions granted
8 by the state budget director shall be reported on a monthly basis
9 to the senate and house of representatives standing committees on
10 appropriations.

11 (3) Not later than January 1 of each year, each department
12 shall prepare a travel report listing all travel by classified and
13 unclassified employees outside this state in the immediately
14 preceding fiscal year that was funded in whole or in part with
15 funds appropriated in the department's budget. The report shall be
16 submitted to the chairs and members of the senate and house of
17 representatives standing committees on appropriations, the senate
18 and house fiscal agencies, and the state budget director. The
19 report shall include the following information:

20 (a) The name of each person receiving reimbursement for travel
21 outside this state or whose travel costs were paid by this state.

22 (b) The destination of each travel occurrence.

23 (c) The dates of each travel occurrence.

24 (d) A brief statement of the reason for each travel
25 occurrence.

26 (e) The transportation and related costs of each travel
27 occurrence, including the proportion funded with state general

1 fund/general purpose revenues, the proportion funded with state
2 restricted revenues, the proportion funded with federal revenues,
3 and the proportion funded with other revenues.

4 (f) A total of all out-of-state travel funded for the
5 immediately preceding fiscal year.

6 Sec. 226. The department shall not take disciplinary action
7 against an employee for communicating with a member of the
8 legislature or his or her staff.

9 Sec. 227. Sixty days prior to the public announcement of the
10 intention to sell any department property, the department shall
11 submit notification of that intent to the appropriate senate and
12 house appropriations subcommittees and the senate and house fiscal
13 agencies.

14 Sec. 228. Funds appropriated in part 1 shall not be used by a
15 principal executive department, state agency, or authority to hire
16 a person to provide legal services that are the responsibility of
17 the attorney general. This prohibition does not apply to legal
18 services for bonding activities and for those activities that the
19 attorney general authorizes.

20 Sec. 232. (1) In addition to the funds appropriated in part 1,
21 there is appropriated an amount not to exceed \$10,000,000.00 for
22 federal contingency funds. These funds are not available for
23 expenditure until they have been transferred to another line item
24 in this act under section 393(2) of the management and budget act,
25 1984 PA 431, MCL 18.1393.

26 (2) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$2,000,000.00 for state

1 restricted contingency funds. These funds are not available for
2 expenditure until they have been transferred to another line item
3 in this act under section 393(2) of the management and budget act,
4 1984 PA 431, MCL 18.1393.

5 (3) In addition to the funds appropriated in part 1, there is
6 appropriated an amount not to exceed \$100,000.00 for local
7 contingency funds. These funds are not available for expenditure
8 until they have been transferred to another line item in this act
9 under section 393(2) of the management and budget act, 1984 PA 431,
10 MCL 18.1393.

11 (4) In addition to the funds appropriated in part 1, there is
12 appropriated an amount not to exceed \$100,000.00 for private
13 contingency funds. These funds are not available for expenditure
14 until they have been transferred to another line item in this act
15 under section 393(2) of the management and budget act, 1984 PA 431,
16 MCL 18.1393.

17 Sec. 233. Not later than September 30, 2011, the department
18 shall prepare and transmit a report that provides for estimates of
19 the total general fund/general purpose appropriation lapses at the
20 close of the fiscal year. This report shall summarize the projected
21 year-end general fund/general purpose appropriation lapses by major
22 departmental program or program areas. The report shall be
23 transmitted to the office of the state budget, the chairpersons of
24 the senate and house appropriations committees, and the senate and
25 house fiscal agencies.

26 Sec. 234. Any fiscal year 2010-2011 unused general
27 fund/general purpose funds identified by the department as lapsed

1 funds shall be transferred to the appropriation for special
2 maintenance - state in part 1 and shall be used for the repair and
3 maintenance of state-owned armories.

4 Sec. 235. The department shall seek partnerships with United
5 States armed forces reserve units for the colocation of activities,
6 including sharing in the acquisition and costs for facilities.

7 **HEADQUARTERS AND ARMORIES**

8 Sec. 301. The department may charge reasonable rental and
9 equipment usage fees for renting an armory or using the distance
10 learning network. The fee shall include the cost of overtime
11 compensation, insurance coverage, and any maintenance required.

12 Sec. 302. (1) The funds appropriated in this act for private
13 donations to the challenge program shall be considered state
14 restricted revenue, and unexpended funds remaining at the close of
15 the fiscal year shall not lapse to the general fund but shall be
16 carried forward to the subsequent fiscal year.

17 (2) The department may charge a parent or guardian of a
18 participant in the challenge program a fee for participating in the
19 program if the participant is a member of a family with an income
20 that exceeds 200% of the federal poverty guidelines as published by
21 the United States department of health and human services. The
22 amount charged the parent or guardian shall not exceed the per-
23 student state share cost of administering the program. The parent
24 or guardian shall be notified of any charge to be assessed under
25 this subsection prior to enrollment of the child in the program.

26 (3) The department shall take steps to recruit candidates to

1 the challenge program from economically disadvantaged areas,
2 including those with low-income and high-unemployment backgrounds.

3 Sec. 304. The department will partner with the department of
4 human services to identify youth who may be eligible for the
5 challenge program from those youth served by department of human
6 services programs. These eligible youth shall be given priority for
7 enrollment in the program.

8 **VETERANS ADVICE, ADVOCACY, AND ASSISTANCE**

9 Sec. 501. (1) The department shall develop and operate a
10 program which will provide benefits counseling and representation
11 to veterans of this state for the purpose of assisting veterans to
12 obtain United States department of veterans affairs health,
13 financial, and memorial benefits for which they are eligible. The
14 department shall work to maximize the coordination between veterans
15 service organizations and any other organization which assists
16 veterans.

17 (2) The department shall create a 5-member veterans advisory
18 board to assist in matters pertaining to veterans advice, advocacy,
19 and assistance, including recommendations concerning disbursement
20 of any grant money. The department shall request that the state
21 commanders group name candidates serving as president/commander
22 from 2 large veterans service organizations, 2 medium veterans
23 service organizations, and 1 small veterans service organization to
24 serve on the advisory board. The veterans advisory board shall meet
25 no less than twice a year, without reimbursement by the department.

26 (3) The duties of the veterans advisory board shall include,

1 but are not limited to, the following:

2 (a) Serving as a liaison between grant recipients, the
3 department, and the legislature.

4 (b) Assisting in recognizing any deficiencies in the grant
5 process and performance.

6 (c) Providing a forum regarding veterans issues.

7 (d) Suggesting changes in department programs that would help
8 keep pace with changing veterans needs.

9 (e) Providing a direct contact with the veterans
10 administration regarding updates on procedures.

11 (f) Creating an awareness to make sure that grant recipients
12 are performing the services intended.

13 (g) Representing a voice for veterans service organizations.

14 (h) Providing for a sounding board for grant recipients.

15 (i) Assisting the department in establishing criteria for
16 grant awards.

17 (j) Assisting the department in developing plans, reviewing
18 service delivery, and identifying goals to better assist veterans
19 in applying for and receiving benefits from the federal, state, and
20 local governments.

21 (k) Providing testimony, if requested, to legislative
22 committees.

23 (4) Of the appropriations in part 1 for veterans advice,
24 advocacy, and assistance grants for the period of October 1, 2010
25 to September 30, 2011, \$3,029,600.00 shall be distributed by the
26 department in the form of 5 grants: 2 large, 2 small, and 1
27 specialized grant for the period beginning October 1, 2010. The

1 specialized grant shall be awarded to a group specializing in
2 advocacy for paralyzed veterans. The department, while utilizing
3 advice provided by the veterans advisory board establishing grant
4 criteria, is solely responsible for determination of the amounts
5 and recipients of these grants.

6 (5) Money used for grants to veterans service organizations
7 shall be used only for salaries, wages, related personnel costs,
8 in-state training, and equipment for accredited veteran service
9 advocacy officers and necessary support and managerial staff.
10 Training shall be provided for service advocacy officers and shall
11 be conducted by accredited advocacy officers.

12 (6) To receive a grant from the money appropriated in part 1,
13 a veterans service organization or a veterans service organization
14 which is part of a combination of organizations receiving a grant
15 shall meet the following eligibility requirements:

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

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

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

23 (d) Comply with the department's and the legislature's
24 requirements of accounting audits, service work activity,
25 accounting of recoveries, listing of volunteer hours, budget
26 requests, and other requirements specified in subsection (3). Each
27 veterans service organization receiving a grant from the money

1 appropriated in part 1 shall provide a copy of the most recent
2 audit report to the department not later than May 1, 2011.

3 (e) For a veterans service organization founded after
4 September 30, 1989, be in operation and providing service to
5 Michigan veterans for not less than 2 years before receiving an
6 initial state grant. During this 2-year period of time, the
7 organization shall file a listing of service work activity and an
8 accounting of recoveries with the department, the senate and house
9 fiscal agencies, the senate and house of representatives
10 appropriations subcommittees on military affairs, and the state
11 budget office on forms as prescribed by the department.

12 (7) A veterans service organization receiving a grant from the
13 money appropriated in part 1 shall file with the department an
14 accounting of its expenditures, audited and certified by a
15 certified public accountant, within 120 days after the
16 organization's fiscal year end. Each veterans service organization
17 shall provide 5 copies of a listing of all service activity, an
18 accounting of recoveries, and a listing of volunteer hours for the
19 fiscal year ending September 30, 2010 to the department by January
20 31, 2011. Each organization shall include a listing of expenditures
21 by spending category, including a listing of individual salaries of
22 each officer and administrative staff. The listing of volunteer
23 hours shall include the hours, services, and donations provided to
24 residents of the Grand Rapids veterans' home and the D.J. Jacobetti
25 veterans' home. Each veterans service organization shall provide a
26 copy of the most recent and completed internal revenue service form
27 990 to the department at the end of the fiscal year ending

1 September 30, 2010. A veterans service organization receiving a
2 grant from the money appropriated in part 1 shall use the forms
3 recommended by the Michigan veterans organizations rehabilitation
4 and veterans service committee for filing reports required by this
5 act. The department shall provide a report not later than June 1,
6 2011 to the senate and house fiscal agencies, the senate and house
7 appropriations subcommittees on state police and military and
8 veterans affairs, and the state budget office detailing the most
9 recent expenditure information provided by the veterans service
10 organizations. The department shall also provide within that report
11 specific notification whether any veterans service organization
12 receiving a grant from the money appropriated in part 1 failed to
13 comply with the reporting requirements of this section.

14 (8) The veterans service directors committee and the
15 department shall take steps to improve the coordination of veterans
16 benefits counseling in the state to maximize the effective and
17 efficient use of taxpayer dollars in this goal and to ensure that
18 every veteran is served.

19 (9) To accomplish the goal of subsection (8), the veterans
20 service directors committee and the department shall take steps to
21 increase their responsibility in the administration, management,
22 oversight, and outreach of the delivery of services to veterans.
23 The veterans service directors committee and the department shall
24 involve county veterans counselors and representatives from the
25 Michigan veterans trust fund to work in concert to identify,
26 implement, and evaluate steps to do all of the following:

27 (a) Increase the veterans service directors committee and the

1 department's role in working directly with the United States
2 department of veterans affairs to enhance the delivery of services
3 to Michigan veterans.

4 (b) Increase the number of initial claims filed with the
5 United States department of veterans affairs on behalf of veterans
6 for service-connected disability or pension benefits. The veterans
7 service directors committee and the department may work toward
8 either an absolute increase of approved claims or an increase in
9 the percentage of Michigan veterans with approved claims.

10 (c) Develop methods to increase rates of recovery paid by the
11 United States department of veterans affairs to Michigan veterans
12 either by an increase in compensation paid per approved claim or an
13 increase in compensation paid on a per capita basis.

14 (d) Expand training opportunities for veterans service
15 organization service officers.

16 (e) Increase either the number or percentage of Michigan
17 veterans enrolled in the veterans affairs health care system.

18 (f) Publicize the availability, benefit, and value of burial
19 in the Fort Custer and Great Lakes national cemeteries.

20 (g) Review each grant recipient's performance under the
21 program and require that performance be a major consideration in
22 the future funding of each grant recipient.

23 (h) Identify areas of redundancy which may exist among
24 services provided by veterans service organizations grantees,
25 Michigan veterans trust fund county committees, and county veterans
26 counselors and provide a proposal on how any redundancies may be
27 minimized and identify specific cost savings which could result.

1 (10) Each veterans service organization receiving a grant from
2 the money appropriated in part 1 shall file a report with the
3 department not later than May 1, 2011 detailing the following
4 information:

5 (a) Training completed by each veterans service officer
6 employed by or working on behalf of the veterans service
7 organization.

8 (b) A roster of the cases that each veterans service
9 organization is serving or processing, including if those cases
10 have been completed or are still pending, whether those cases have
11 been initiated and completed by the veterans service organization,
12 and which cases have been referred to and by county veterans
13 counselors, congressional or senate offices, or any other
14 organizations that serve veterans.

15 (11) The veterans advisory board, the Michigan association of
16 county veterans counselors, and the department shall create a
17 report of the efforts to complete the goals outlined in this
18 section and shall provide suggestions on how a more effective and
19 efficient veterans benefit counseling program may best be designed
20 for implementation for fiscal year 2011-2012. This report shall be
21 delivered to the house and senate appropriations subcommittees no
22 later than March 1, 2011.

23 (12) The department shall record any additional administrative
24 costs for collecting and compiling the information from subsections
25 (7) and (10) and also provide this information with the reports
26 required under subsection (7).

27 (13) The veterans affairs directorate shall design and operate

1 an advocacy program to coordinate with other organizations which
2 assist veterans, including county counselors and other groups, to
3 ensure referrals between groups occur when warranted and to provide
4 the veterans of the state with the most cost-effective and
5 comprehensive counseling services possible. The department shall
6 also take steps to become certified with the United States
7 department of veterans affairs to assist in this task.

8 (14) The veterans affairs directorate shall deliver progress
9 reports regarding the activities of the advocacy program to the
10 senate and house appropriations subcommittees on state police and
11 military and veterans affairs, with the first report due not later
12 than April 1, 2011 and the second report due not later than October
13 1, 2011.

14 (15) The department shall issue performance standards to each
15 veterans service organization grant recipient. Compliance with
16 these performance standards shall be the basis for funding for
17 future years. Failure to meet any or all of the performance
18 standards may result in that organization losing funding in future
19 years, and the department shall forward to the senate and house of
20 representatives appropriations subcommittees on state police and
21 military and veterans affairs corrective action and penalty
22 recommendations.

23 **VETERANS' HOMES**

24 Sec. 601. Appropriations in this act for the Grand Rapids
25 veterans' home and the D.J. Jacobetti veterans' home shall not be
26 used for any purpose other than for veterans and veterans'

1 families.

2 Sec. 602. The Grand Rapids veterans' home and the D.J.
3 Jacobetti veterans' home, together with the department and the
4 department of technology, management, and budget, shall produce and
5 deliver to the senate and house of representatives appropriations
6 subcommittees on state police and military and veterans affairs an
7 annual written report. The report shall include an accounting of
8 member populations and bed space available; a description and
9 accounting of services and activities provided to members;
10 financial information; current state nursing home licensure status;
11 the steps required for Medicaid certification, including a listing
12 of any personnel, equipment, supplies, or budgetary increases
13 required; and whether or not steps are being taken toward Medicaid
14 certification. The annual report shall be submitted to the senate
15 and house of representatives appropriations subcommittees on
16 military affairs no later than February 1, 2011.

17 Sec. 603. The money appropriated in this act for the boards of
18 managers may be expended for facility improvements, the purchase
19 and repair of equipment and furnishings, member services, and other
20 purposes that benefit the Grand Rapids veterans' home and the D.J.
21 Jacobetti veterans' home.

22 Sec. 605. The department shall, prior to altering the spending
23 plan by the board of managers of post and posthumous funds, report
24 to the appropriate senate and house appropriations subcommittees 30
25 days prior to that action and shall indicate the rationale for that
26 decision.

1 **VETERANS' AFFAIRS DIRECTORATE**

2 Sec. 703. By April 1, 2010, the department shall submit to the
3 senate and house of representatives appropriations subcommittees on
4 military affairs and the state budget office a detailed annual
5 report of the Michigan veterans' trust fund for fiscal year 2009-
6 2010. The report shall include information on grants provided from
7 the emergency grant program, including details concerning the
8 methodology of allocations, the selection of emergency grant
9 program authorized agents, and a detailed breakdown of trust fund
10 expenditures for that year. The report shall also provide an update
11 on the department's efforts to reduce program administrative costs
12 and restore the Michigan veterans' trust fund corpus to its
13 original amount of \$50,000,000.00.

14 Sec. 704. The Michigan veterans' affairs directorate
15 administration and the Michigan veterans' trust fund administration
16 shall take steps to assist the county veterans counselors of the
17 state to obtain training necessary for the execution of their
18 duties.

19 Sec. 705. It is the intent of the legislature that the
20 department create incentives for all counties in the state to fund
21 at least 1 full-time county veteran's counselor for the purpose of
22 assisting veterans with obtaining federal veterans benefits that
23 they may be eligible to receive. The incentives could include, but
24 not be limited to, matching funds or sharing IT resources from the
25 department for counties to use in maximizing benefits received by
26 Michigan veterans.

1 **CAPITAL OUTLAY**

2 Sec. 801. The appropriations in part 1 for the department of
3 military and veterans affairs design and construction projects are
4 contingent upon the availability of federal and state restricted
5 funds for financing.

6 Sec. 802. (1) The director shall allocate lump-sum
7 appropriations made in this act consistent with statutory
8 provisions and the purposes for which funds were appropriated.
9 Lump-sum allocations shall address priority program or facility
10 needs and may include, but are not limited to, design,
11 construction, remodeling and addition, special maintenance, major
12 special maintenance, energy conservation, and demolition.

13 (2) The state budget director may authorize that funds
14 appropriated for lump-sum appropriations shall be available for no
15 more than 3 fiscal years following the fiscal year in which the
16 original appropriation was made. Any remaining balance from
17 allocations made in this section shall lapse to the fund from which
18 it was appropriated pursuant to the lapsing of funds as provided in
19 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

20 Sec. 803. The appropriations in part 1 for capital outlay
21 shall be carried forward at the end of the fiscal year consistent
22 with section 248 of the management and budget act, 1984 PA 431, MCL
23 18.1248.