FY 2019-20: DEPARTMENT OF MILITARY AND

VETERANS AFFAIRS

Summary: Enacted with Vetoes and Ad Board Transfers

Public Act 54 of 2019, Senate Bill 144



Analyst: Michael Cnossen

	FY 2018-19 YTD	FY 2019-20	FY 2019-20	FY 2019-20	FY 2019-20	Difference: Enacted From FY 2018-19 YTD	
	as of 3/5/19	Executive	House	Senate	Enacted	Amount	%
IDG/IDT	\$101,800	\$101,800	\$101,800	\$101,800	\$101,800	\$0	0.0
Federal	98,170,200	106,177,200	106,130,200	106,177,200	106,177,200	8,007,000	8.2
Local	1,545,400	0	0	0	0	(1,545,400)	(100.0)
Private	630,000	630,000	630,000	630,000	630,000	0	0.0
Restricted	23,279,500	23,908,600	23,503,700	23,908,600	23,908,600	629,100	2.7
GF/GP	75,912,400	70,284,900	72,082,200	74,379,900	69,247,500	(6,664,900)	(8.8)
Gross	\$199,639,300	\$201,102,500	\$202,447,900	\$205,197,500	\$200,065,100	\$425,800	0.2
FTEs	921.5	933.5	933.5	933.5	933.5	12.0	1.3

Notes: (1) FY 2018-19 year-to-date figures include mid-year budget adjustments through March 5, 2019. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time."

The Department of Military and Veterans Affairs provides for the operations of the Michigan National Guard in support of the military and security needs of the state and the federal government. The department, through the Michigan Veterans Affairs Agency, also oversees state programs for veterans, including the state's veterans' homes, grants to veterans service organizations, and the Michigan Veterans Trust Fund.

Major Budget Changes From FY 2018-19 YTD Appropriations		FY 2018-19 Year-to-Date (as of 3/5/18)	FY 2019-20 Enacted <u>Change</u>
1. CMS Certification Revenue Adjustment Executive authorizes an increase of \$1.8 million in federal funds and a reduction of \$900,000 GF/GP to reflect a net increase of \$900,000 Gross in anticipated federal revenue following Centers for Medicare/Medicaid Services certification of facilities at the D.J. Jacobetti Home for Veterans. House concurs. Senate concurs. Conference concurs.	Gross	\$23,687,200	\$900,000
	Federal	8,516,300	1,800,000
	Restricted	5,157,300	0
	GF/GP	\$10,013,600	(\$900,000)
2. IT User Service Rate Change Executive includes \$105,000 GF/GP to reflect adjusted DTMB IT service charges, which now include user fees in addition to desktop fees, which has raised service costs to the department due to an exceptionally high number of users. House concurs. Senate concurs. Conference concurs.	Gross Federal Restricted GF/GP	\$1,407,000 579,000 419,400 \$408,600	\$105,000 0 0 \$105,000
3. Selfridge Air Base Executive includes \$400,000 GF/GP and 12.0 FTE positions required to receive federal match funding of 75%, or \$1.2 million federal, for personnel and maintenance at Selfridge Air National Guard Base. Authorization of federal funds is already available for this line. House concurs. Senate concurs. Conference concurs.	FTE	203.0	12.0
	Gross	\$36,411,300	\$400,000
	Federal	31,002,800	0
	Restricted	1,567,800	0
	GF/GP	\$3,840,700	\$400,000
4. Military Retirement Transfer from DTMB to DMVA Executive transfers \$5.2 million GF/GP from DTMB to the department for military retirement payment obligations. House concurs. Senate concurs. Conference concurs.	Gross	NA	\$5,244,800
	GF/GP	NA	\$5,244,800

Major Budget Changes From FY 2018-19 YTD Appropriations		FY 2018-19 Year-to-Date (as of 3/5/18)	FY 2019-20 Enacted <u>Change</u>
5. Military Retirement Payment Reduction Executive decreases retirement payment obligations by \$4.2 million GF/GP based on updated actuarial assumptions following a lump-sum payment of \$35.8 million appropriated in 2018 PA 618 to reduce the unfunded actuarial accrued liability for pensions. House concurs. Senate concurs. Conference concurs.	Gross	NA	(\$4,244,800)
	GF/GP	NA	(\$4,244,800)
6. Land and Acquisitions Increase Executive increases authorization for land acquisitions and appraisals by \$400,000 should land become available. House concurs. Senate concurs. Conference concurs.	Gross Restricted GF/GP	\$2,900,000 2,900,000 \$0	\$400,000 400,000 \$0
7. Youth ChalleNGe Academy SAF Shift Executive replaces \$1.6 million of funding from the School Aid Fund (SAF) for the at-risk youth education and job placement program with \$1.6 million GF/GP to align use of SAF funding with more traditional K-12 education spending. House concurs. Senate concurs. Conference concurs.	FTE	50.0	0.0
	Gross	\$6,023,000	\$0
	Federal	2,970,300	0
	Local	1,545,400	(1,557,800)
	Private	90,000	0
	GF/GP	\$1,417,300	\$1,557,800
8. County Veterans Services Targeted Grants Executive eliminates \$200,000 GF/GP for grants to counties for targeted outreach to veterans who may not be connected to Veterans Service Organizations and for software costs for claims management. House concurs. Senate concurs. Conference concurs.	Gross	\$200,000	(\$200,000)
	GF/GP	\$200,000	(\$200,000)
9. Grand Rapids Home for Veterans House increases authorization for the Grand Rapids Home for Veterans by \$200,000 GF/GP. Senate does not include. Conference does not include.	FTE Gross Federal Restricted GF/GP	347.0 \$50,869,200 21,413,900 6,693,000 \$22,762,300	0.0 \$0 0 0 \$0
10. Federal and State Restricted Alignment with Available Revenues Executive authorizes \$5.5 million Gross to align restricted and federal funding authorizations with available revenues. Authorizations include \$3.0 million federal for the Headquarters and Armories line, \$1.5 million federal for the Michigan Youth ChalleNGe Academy line, \$1.0 million federal for the Military Training Sites and Support Facilities line, and \$27,800 state restricted for the Grand Rapids Home for Veterans. The increase recognizes available funds previously appropriated through contingency fund transfers. House concurs. Senate concurs. Conference concurs.	Gross Federal Restricted GF/GP	NA NA NA NA	\$5,527,800 5,500,000 27,800 \$0
11. Removal of One-Time Appropriations Executive eliminates \$5.9 million GF/GP of one-time funding appropriated in FY 2018-19. These items are \$1.0 million for armory sustainment, restoration, and modernization, \$600,000 for an outreach program to connect Vietnam Era veterans with USDVA benefits, \$275,000 for an in-room video monitoring pilot program at the Grand Rapids Home for Veterans, \$1.5 million for maintenance costs at Camp Grayling, and \$2.5 million for the National Guard Tuition Assistance Fund. House concurs. Senate retains \$1.0 million for armory sustainment, restoration, and modernization. Conference retains \$1.0 million for armory sustainment, restoration, and modernization as ongoing funding.	Gross	\$5,875,000	(\$4,875,000)
	GF/GP	\$5,875,000	(\$4,875,000)
12. Armory Sustainment, Restoration, and Modernization Conference includes \$65,100 for armory maintenance projects for sustainment, restoration, and modernization as one-time funding.	Gross	\$1,000,000	\$65,100
	GF/GP	\$1,000,000	\$65,100

Major Budget Changes From FY 2018-19 YTD Appropriations		FY 2018-19 Year-to-Date (as of 3/5/18)	FY 2019-20 Enacted <u>Change</u>
13. FTE Transfers from Grand Rapids Home for Veterans Executive transfers 22.5 FTE positions to the D.J. Jacobetti Home for Veterans and 3.0 FTE positions to the Veterans Facility Authority from the Grand Rapids Home for Veterans to align FTE positions with department operations for a net change of 0.0 FTE positions. The Grand Rapids Home for Veterans has excess FTE positions authorization as a result of decreasing residents and staffing needs at the home. House concurs. Senate concurs. Conference concurs.	FTE	NA	0.0
	Gross	NA	\$0
	GF/GP	NA	\$0
14. County Veteran Service Fund – VETOED Executive reduces \$2.1 million GF/GP for grants to counties for veteran services to include advocacy, advice, and assistance with obtaining eligible benefits. House retains. Senate retains. Conference reduces \$200,000. Veto removes \$4.2 million.	Gross	\$4,200,000	(\$4,200,000)
	GF/GP	\$4,200,000	(\$4,200,000)
15. Economic Adjustments Executive reflects increased costs of \$1.3 million Gross (\$384,700 GF/GP) for negotiated salary and wage increases (2.0% ongoing, 2.0% lump sum), actuarially required retirement contributions, worker's compensation, building occupancy charges, and other economic adjustments. House concurs. Senate concurs. Conference concurs.	Gross Federal Local Restricted GF/GP	NA NA NA NA	\$1,305,400 707,000 12,400 201,300 \$384,700
16. Administrative Efficiencies House reduces operational funding throughout the budget by \$825,000 Gross (\$373,100 GF/GP), reflecting a 3% reduction from the Executive recommended budget to be achieved through administrative efficiencies. Senate does not include. Conference does not include.	Gross	NA	\$0
	Federal	NA	0
	Restricted	NA	0
	GF/GP	NA	\$0
17. Information Technology Reduction House reduces funding available for information technology services and projects by \$129,700 GF/GP, or 25%, from the Executive recommended budget. Senate does not include. Conference does not include.	Gross	\$1,407,000	\$0
	Federal	579,000	0
	Restricted	419,400	0
	GF/GP	\$408,600	\$0
18. Buddy-to-Buddy Veterans Program Placeholder – VETOED House adds a \$100 placeholder for the volunteer peer-to-peer program, developed in partnership with the Michigan Army National Guard, that offers support and resources for Michigan service members and veterans. Senate does not include. Conference includes \$250,000. Veto removes \$250,000.	Gross	\$0	\$0
	GF/GP	\$0	\$0
19. Veterans Benefits Eligibility Study – VETOED Senate adds a \$100 placeholder for a future study regarding veterans benefits eligibility. Conference includes \$250,000. Veto removes \$250,000.	Gross	NA	\$0
	GF/GP	NA	\$0
20. High School ROTC Program Enhancements Senate adds a \$100 placeholder to provide improvements to John J. Pershing High School ROTC Program. Conference does not include.	Gross	NA	\$0
	GF/GP	NA	\$0
21. National Guard Uniform Update – VETOED <u>Conference</u> incudes \$50,000 for the fielding and issuing of aircrew combat uniforms with the updated operational camouflage pattern to replace the discontinued camouflage pattern uniforms. <u>Veto</u> removes \$50,000.	Gross	NA	\$0
	GF/GP	NA	\$0
22. Military Cemetery Feasibility Study – VETOED Veto removes \$2,500, from the MVAA Administration line, for a feasibility study related to assessing the need and cost of establishing a veterans cemetery in the Upper Peninsula.	Gross	NA	(\$2,500)
	GF/GP	NA	(\$2,500)

Sec. 210. Contingency Funding - REVISED

Contains authorization for up to \$12.0 million in federal, \$3.0 million in state restricted, \$500,000 in local, and \$100,000 in private contingency funds; authorizes expenditures of the funds only after legislative transfer to specific line items. Senate deletes. Conference includes and authorizes up to \$8.6 million in federal, \$1.1 million in state restricted, \$250,000 in local, and \$100,000 in private contingency funds, which are non-GF/GP revenues that become available during the year; funds available for expenditure following legislative transfer to line items.

Sec. 215. Disciplinary Action Against State Employees – RETAINED (UNENFORCEABLE)

Prohibits departments from taking disciplinary action against employees for communicating with legislators or their staff. Executive deletes. House retains. Senate retains. Conference retains. (Signing letter states section is unenforceable.)

Sec. 216. Quarterly Reporting on Achieving Requirements - REVISED

Requires the department to provide quarterly reports on the status of work projects, its financial status, evidence of efficiencies, corrective action plans for requirements not achieved, the department's performance against metrics stated in the act, and employment levels. <u>Executive</u> revises to require reports biannually. <u>House</u> concurs. <u>Senate</u> revises by requiring biannual reports and retaining the requirement to report the number of active employees by job classification and program. Conference concurs with Senate.

Sec. 301. Unclassified Positions - REVISED (UNENFORCEABLE)

Lists titles of unclassified positions currently in the department; requires the department to notify the subcommittees prior to submitting requests for additional unclassified positions or requests for substantive changes to the duties of existing unclassified positions. Executive deletes. House concurs. Senate retains but eliminates the list of authorized position titles. Conference concurs with Senate. (Signing letter states subsection 2, relating to notifying the subcommittees prior to submitting requests for additional unclassified positions, is unenforceable.)

Sec. 307. National Guard Tuition Assistance Program - REVISED

Requires DMVA to establish and maintain a tuition assistance program for members of the Michigan National Guard; states the program's objectives and performance metrics. Executive revises performance metric by establishing a goal of 55% of National Guard members having received a credential or who are still enrolled in the Tuition Assistance Program after their initial term of enlistment. House revises performance metric by establishing a goal of 55%, or the current graduation rate of students at four-year universities in Michigan, whichever is higher, of National Guard members having received a credential or who are still enrolled in the Tuition Assistance Program after their initial term of enlistment. Senate revises by requiring a report on program participation, the average amount of financial assistance received, total funds spent, unmet tuition needs, denied applications, educational institutions no longer eligible, and barriers to successful utilization of funds. Conference concurs with House and Senate revisions.

Sec. 402(15). Grand Rapids Home for Veterans (GRHV) and D.J. Jacobetti Home for Veterans (DJJHV) Service and Care Requirements – REVISED

Requires the GRHV and DJJHV to meet applicable standards of care as provided under listed federal and state legal authorities; specifies standards around issues concerning psychiatric care, the monitoring of comprehensive care plans, supply inventory, pharmaceutical inventory, controls over donated goods and money, and the personal funds of residents. Executive revises to require funds of residents who have left the home to be released within 30 calendar days after leaving the home instead of 3 business days and requires a full accounting of a resident's funds to be sent to a representative of that resident within 30 calendar days of the resident member's death instead of 10 business days. House concurs. Senate revises by requiring 15 calendar days for the release of funds. Conference concurs with Senate.

Sec. 402(20). Grand Rapids Home for Veterans (GRHV) and D.J. Jacobetti Home for Veterans (DJJHV) Service and Care Requirements – REVISED

Requires the department to report the status of Centers for Medicare and Medicaid Services (CMS) certification. <u>Executive</u> deletes. <u>House</u> retains and revises by requiring reports to be submitted biannually in accordance with section 216. <u>Senate</u> concurs with Executive. <u>Conference</u> revises by requiring the report to be submitted quarterly.

Sec. 402(21). GRHV Video Monitoring Pilot Project - DELETED

Permits funds appropriated for Grand Rapids Home for Veterans Video Monitoring Pilot Project to be expended for an inroom safety monitoring program at GRHV; states the purpose of the project is to determine if a video monitoring system can improve safety at GRHV; permits MVAA to contract with a third party to develop the program; requires MVAA to provide a report regarding the feasibility of the pilot project with input from industry experts and recommendations from MVAA prior to expending appropriated funds. Executive deletes. House concurs. Senate concurs. Conference concurs.

Sec. 403. DJJHV CMS Certification - DELETED

Requires the department to pursue CMS certification for DJJHV; requires CMS certification completion by June 1, 2018; requires standards of care to improve with CMS certification. Executive deletes. House concurs. Senate concurs. Conference concurs.

Sec. 404. GRHV and DJJHV CMS Certification Reporting - REVISED (UNENFORCEABLE)

Requires the department to report to the legislature quarterly regarding improvements in full-spectrum health care resulting from facility upgrades to obtain CMS certification. <u>Executive</u> deletes. <u>House</u> revises by requiring the current quality of care of all health care services to meet or exceed the standards required for CMS certification. <u>Senate</u> concurs with Executive. Conference concurs with House. (Signing letter states section is unenforceable.)

Sec. 405(1). Veterans' Trust Fund Grants - REVISED

Requires MVAA to report on the Michigan Veterans Trust Fund financial status, awarded grants, and administrative expenses. <u>Executive</u> revises by adding program expenses to be reported. <u>House</u> retains current language. <u>Senate</u> concurs with Executive. Conference concurs with House.

Sec. 405(3). Veterans Trust Fund Administration - REVISED

Requires MVAA to provide emergency grants from the Michigan Veterans Trust Fund (MVTF) as provided by listed legal authorities; requires an annual report on MVTF financial and grant activities and efforts to reduce administrative costs and maintain the corpus at \$50.0 million; requires unexpended funds to lapse back to the MVTF. Executive revises by renumbering Sec. 408 as Sec. 405(3), deleting the list of program legal authorities, changing report due date from December 1 to February 1, requiring MVAA to report on efforts to grow the trust's corpus for future generations, instead of maintain at \$50.0 million. House concurs with Executive revisions but retains the list of program legal authorities. Senate concurs with Executive but retains a December 1 due date and retains the requirement for the department to maintain the trust's corpus instead of to grow it. Conference concurs with Senate.

Sec. 406(1). MVAA Outreach Services - REVISED

Requires MVAA to provide outreach services to veterans, communicate information on available VA benefits, process requests for military discharge documents, digitize military medical and discharge documents, and assist in processing claims for VA benefits; requires quarterly reports on MVAA's performance against the performance outcomes, measures, and objectives stated in its strategic plan developed under 2013 PA 9; requires a report by April 1 providing an estimate on the state's homeless veterans population. Executive revises to require the agency to provide the percentage of Michigan veterans contacted, with a goal of 100% of veterans contacted, and to report upon outreach findings to the subcommittees; eliminates subsection (5) pertaining to targeted grants to counties. House revises by concurring with reporting requirement but eliminates the goal of 100%. Senate concurs with Executive. Conference revises by concurring with the Executive but changing the goal to 90%.

Sec. 406(2). Regional Service Coordination – UNENFORCEABLE

Requires the MVAA to provide for the regional coordination of services, including benefit counseling, state health and human service programs, workforce and economic development programs, and community-based programs; allows service officers to include mental health care referral services; requires the MVAA to work with the Department of Health and Human Services and the Department of Corrections in coordinating benefits and services to eligible veterans; requires training on processing veterans benefits due to military sexual trauma, post-traumatic stress disorder, depression, anxiety, substance abuse, and other mental health issues. House and Conference revise by stating that regional coordinators may be selected through a staff augmentation contract with VSOs or with a Michigan-based non-profit. Senate does not include. (Signing letter states subsection 2(a), relating to selection of regional coordinators through a staff augmentation contract, is unenforceable.)

Sec. 407. Grants to Veterans Service Organizations - REVISED

Requires MVAA to provide grants to veterans service organizations (VSOs) in a manner that is consistent with MVAA performance goals and objectives; requires quarterly reports from grantees on claims and services provided; requires grant recipients to meet performance metrics, including a goal that 40% of VSO-filed claims for VA benefits be considered fully developed by the VA; specifies the basic parameters of the grant agreement, including regional service delivery, payment of a fixed hourly rate of \$34.00 per hour, the provision of service hours based upon appropriations and the fixed hourly rate, including in state correctional facilities; and requires quarterly reports on claims activities. Executive revises reporting requirements to require grantees of VSO grants to submit information on claims submitted by the grantees to the USDVA. House concurs. Senate concurs. Conference concurs.

Sec. 409. Interagency Agreement with Department of Health and Human Services (DHHS) – NEW (UNENFORCEABLE)

Requires the department to enter into a cooperative agreement with DHHS to identify veteran Medicaid recipients who may be eligible for other benefits; requires an annual report of the number of veterans identified and referred for additional benefits under the agreement. <u>Senate</u> adds. <u>Conference</u> includes. (Signing letter states section is unenforceable.)

Sec. 410. County Veterans Service Fund - NEW (VETOED)

Requires funds appropriated for the County Veteran Service Fund to be deposited into the County Veteran Service Fund created in 2018 PA 210 and stipulates that funds are available for expenditure to support county veterans' services grants. <u>Executive</u> adds. <u>House</u> concurs. <u>Senate</u> concurs but revises authorizing statute reference and renumbers from Section 409 to 410. <u>Conference</u> concurs with Senate.

Sec. 411. Veterans Cemetery – NEW (VETOED)

Requires MVAA to conduct a needs, feasibility, and cost assessment of establishing and maintaining a new veterans cemetery in the Upper Peninsula; requires the assessment to consider the availability of federal funds for its determinations; requires MVAA to report the findings of its assessment by not later than the end of the fiscal year. <u>House</u> adds. <u>Senate</u> does not include. Conference includes and renumbers as Section 411.

Sec. 504. Armory Maintenance - RETAINED

Authorizes capital outlay appropriations to be carried forward at the end of the fiscal year and requires appropriations to be expended in accordance with sections 302 and 305 of the department budget act to modernize and repair National Guard facilities. Executive deletes. House concurs. Senate retains and renumbers from Section 601 to 504 under ongoing appropriations. Conference concurs with Senate.

Sec. 601. High School Reserve Officer Training Corps (ROTC) Improvement - NOT INCLUDED

Directs One-time funding to improve the ROTC program at John J. Pershing High School in Detroit. <u>Senate</u> adds. Conference does not include.

Sec. 601. Buddy-To-Buddy Program – NEW (VETOED)

Directs one-time funding to be used to train volunteer veterans to provide outreach and support for other service members and veterans in dealing with challenges related to finances, securing benefits, legal issues, education, and health, family, and emotional concerns. Conference adds.

Sec. 602. Vietnam Era Veterans Outreach - DELETED

Requires funds appropriated for Vietnam Veterans Outreach to be used by MVAA for outreach to Vietnam veterans and their families to inform them about and connect them with eligible VA benefits; requires coordination among specified veteran organizations for outreach activities; requires an advertising campaign to reach 70% of the targeted audience four times each; requires the project to increase subscriptions to MVAA Vietnam Quarterly newsletter; requires MVAA to assess the efficacy of the program by annually comparing benchmarks specified in this section and provide quarterly reports on the effectiveness of the program; authorizes unexpended and unencumbered funds to not lapse and to carry forward to the next fiscal year. Executive deletes. House concurs. Senate concurs. Conference concurs.

Sec. 602. Aircrew Uniform Camouflage Update - NEW (VETOED)

Directs one-time funding to be used for the fielding and issuing of aircrew combat uniforms with the updated operational camouflage pattern to replace the discontinued camouflage pattern uniforms. <u>Conference</u> includes.

Sec. 603. Veterans Benefits Eligibility Study – NEW (VETOED)

Directs one-time funding to be used for the commission of a study that will seek to determine the frequency of Medicaid recipients who are eligible for federal VA healthcare benefits but who have not taken steps to receive those benefits by creating and evaluating a program that will identify the number of veterans who are eligible but who do not apply for benefits. The study must report recommendations to the department for effective strategies for identifying such veterans and facilitating their exploration and use of benefits. Conference includes.

Sec. 701. Anticipated Appropriations - DELETED

Expresses legislative intent to provide the same appropriations for FY 2019-20 as provided in FY 2018-19, except for where adjustments are made for caseload and related costs, federal fund match rates, economic factors, and available revenue. <u>Executive</u> deletes. <u>House concurs</u>. <u>Senate retains and updates fiscal years</u>. <u>Conference concurs with Executive</u>.

Sec. 702. MVAA Outreach - DELETED

Requires MVAA to provide quarterly reports on the percentage of Michigan veterans contacted through its outreach activities, with a goal of contacting 100% of Michigan veterans. Executive deletes. House concurs. Senate concurs. Conference concurs.

Sec. 703. MVAA Claims Services - DELETED

Requires that 50% of MVAA-filed claims for VA benefits be fully developed. <u>Executive</u> deletes. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.