

HOUSE JOINT RESOLUTION G

May 21, 2003, Introduced by Reps. Garfield, Richardville, Acciavatti, Tabor, Brandenburg, Shaffer, Ward, Vander Veen, Ehardt, Middaugh, Amos, Pappageorge, Vagnozzi, Milosch, Caswell, LaJoy, Ruth Johnson, Robertson, Casperson, Paletko and Nofs and referred to the Committee on Veterans Affairs and Homeland Security.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article XI, to establish a hiring preference for veterans in the classified state civil service.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to establish a hiring preference for veterans in the classified state civil service, is proposed, agreed to, and submitted to the people of the state:

ARTICLE XI

Sec. 5. The classified state civil service shall consist of all positions in the state service except those filled by popular election, heads of principal departments, members of boards and commissions, the principal executive officer of boards and commissions heading principal departments, employees of courts of

1 record, employees of the legislature, employees of the state
2 institutions of higher education, all persons in the armed forces
3 of the state, eight exempt positions in the office of the
4 governor, and within each principal department, when requested by
5 the department head, two other exempt positions, one of which
6 shall be policy-making. The civil service commission may exempt
7 three additional positions of a policy-making nature within each
8 principal department.

9 The civil service commission shall be non-salaried and shall
10 consist of four persons, not more than two of whom shall be
11 members of the same political party, appointed by the governor
12 for terms of eight years, no two of which shall expire in the
13 same year.

14 The administration of the commission's powers shall be
15 vested in a state personnel director who shall be a member of the
16 classified service and who shall be responsible to and selected
17 by the commission after open competitive examination.

18 The commission shall classify all positions in the
19 classified service according to their respective duties and
20 responsibilities, fix rates of compensation for all classes of
21 positions, approve or disapprove disbursements for all personal
22 services, determine by competitive examination and performance
23 exclusively on the basis of merit, efficiency, ~~and~~ fitness, **and**
24 **status as an honorably discharged veteran of the armed forces of**
25 **the United States** the qualifications of all candidates for
26 positions in the classified service, make rules and regulations
27 covering all personnel transactions, and regulate all conditions

1 of employment in the classified service.

2 State Police Troopers and Sergeants shall, through their
3 elected representative designated by 50% of such troopers and
4 sergeants, have the right to bargain collectively with their
5 employer concerning conditions of their employment, compensation,
6 hours, working conditions, retirement, pensions, and other
7 aspects of employment except promotions which will be determined
8 by competitive examination and performance on the basis of merit,
9 efficiency and fitness; and they shall have the right 30 days
10 after commencement of such bargaining to submit any unresolved
11 disputes to binding arbitration for the resolution thereof the
12 same as now provided by law for Public Police and Fire
13 Departments.

14 No person shall be appointed to or promoted in the
15 classified service who has not been certified by the commission
16 as qualified for such appointment or promotion. **The commission**
17 **shall grant a preference in appointments in the classified**
18 **service to those otherwise qualified persons who are honorably**
19 **discharged veterans of the armed forces of the United States.** No
20 appointments, promotions, demotions or removals in the classified
21 service shall be made for religious, racial or partisan
22 considerations.

23 Increases in rates of compensation authorized by the
24 commission may be effective only at the start of a fiscal year
25 and shall require prior notice to the governor, who shall
26 transmit such increases to the legislature as part of his
27 budget. The legislature may, by a majority vote of the members

1 elected to and serving in each house, waive the notice and permit
2 increases in rates of compensation to be effective at a time
3 other than the start of a fiscal year. Within 60 calendar days
4 following such transmission, the legislature may, by a two-thirds
5 vote of the members elected to and serving in each house, reject
6 or reduce increases in rates of compensation authorized by the
7 commission. Any reduction ordered by the legislature shall apply
8 uniformly to all classes of employees affected by the increases
9 and shall not adjust pay differentials already established by the
10 civil service commission. The legislature may not reduce rates
11 of compensation below those in effect at the time of the
12 transmission of increases authorized by the commission.

13 The appointing authorities may create or abolish positions
14 for reasons of administrative efficiency without the approval of
15 the commission. Positions shall not be created nor abolished
16 except for reasons of administrative efficiency. Any employee
17 considering himself aggrieved by the abolition or creation of a
18 position shall have a right of appeal to the commission through
19 established grievance procedures.

20 The civil service commission shall recommend to the governor
21 and to the legislature rates of compensation for all appointed
22 positions within the executive department not a part of the
23 classified service.

24 To enable the commission to exercise its powers, the
25 legislature shall appropriate to the commission for the ensuing
26 fiscal year a sum not less than one percent of the aggregate
27 payroll of the classified service for the preceding fiscal year,

1 as certified by the commission. Within six months after the
2 conclusion of each fiscal year the commission shall return to the
3 state treasury all moneys unexpended for that fiscal year.

4 The commission shall furnish reports of expenditures, at
5 least annually, to the governor and the legislature and shall be
6 subject to annual audit as provided by law.

7 No payment for personal services shall be made or authorized
8 until the provisions of this constitution pertaining to civil
9 service have been complied with in every particular. Violation
10 of any of the provisions hereof may be restrained or observance
11 compelled by injunctive or mandamus proceedings brought by any
12 citizen of the state.

13 Resolved further, That the foregoing amendment shall be
14 submitted to the people of the state at the next general election
15 in the manner provided by law.