

# HOUSE JOINT RESOLUTION O

March 2, 2011, Introduced by Reps. Heise, Franz, Foster, Gilbert, Hughes, Scott, Knollenberg and Yonker and referred to the Committee on Appropriations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV, sections 11, 14, 24, 26, 27, 28, 35, 35a, and 40 of article IX, and section 5 of article XI, to provide for a two-year fiscal period for the state budget.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for a two-year fiscal period for the state budget, is proposed, agreed to, and submitted to the people of the state:

## ARTICLE IV

Sec. 31. The general appropriation bills for the succeeding

1 fiscal period covering items set forth in the budget shall be  
 2 passed or rejected in either house of the legislature before that  
 3 house passes any appropriation bill for items not in the budget  
 4 except bills supplementing appropriations for the current fiscal  
 5 ~~year's~~ **PERIOD'S** operation. Any bill requiring an appropriation to  
 6 carry out its purpose shall be considered an appropriation bill.  
 7 One of the general appropriation bills as passed by the legislature  
 8 shall contain an itemized statement of estimated revenue by major  
 9 source in each operating fund for the ensuing fiscal period, the  
 10 total of which shall not be less than the total of all  
 11 appropriations made from each fund in the general appropriation  
 12 bills as passed. **FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2013**  
 13 **AND FOR EVERY FISCAL PERIOD THEREAFTER, THE FISCAL PERIOD SHALL BE**  
 14 **A PERIOD OF TWO YEARS AS PROVIDED BY LAW.**

#### 15 ARTICLE IX

16 Sec. 11. There shall be established a state school aid fund  
 17 which shall be used exclusively for aid to school districts, higher  
 18 education, and school employees' retirement systems, as provided by  
 19 law. Sixty percent of all taxes imposed at a rate of 4% on  
 20 retailers on taxable sales at retail of tangible personal property,  
 21 100% of the proceeds of the sales and use taxes imposed at the  
 22 additional rate of 2% provided for in section 8 of this article,  
 23 and other tax revenues provided by law, shall be dedicated to this  
 24 fund. Payments from this fund shall be made in full on a scheduled  
 25 basis, as provided by law. Beginning in the ~~1995-96 state fiscal~~  
 26 ~~year~~ **PERIOD BEGINNING OCTOBER 1, 2013** and each ~~state fiscal year~~  
 27 ~~after 1995-96~~ **PERIOD THEREAFTER**, the state shall guarantee that the

1 total state and local per pupil revenue for school operating  
2 purposes for each local school district shall not be less than **TWO**  
3 **TIMES** the 1994-95 total state and local per pupil revenue for  
4 school operating purposes for that local school district, as  
5 adjusted for consolidations, annexations, or other boundary  
6 changes. However, this guarantee does not apply in a ~~year~~**FISCAL**  
7 **PERIOD** in which the local school district levies a millage rate for  
8 school district operating purposes less than **TWICE WHAT** it levied  
9 in 1994.

10 Sec. 14. To meet obligations incurred pursuant to  
11 appropriations for any fiscal ~~year~~**PERIOD**, the legislature may by  
12 law authorize the state to issue its full faith and credit notes in  
13 which case it shall pledge undedicated revenues to be received  
14 within the same fiscal ~~year~~**PERIOD** for the repayment thereof. Such  
15 indebtedness in any fiscal ~~year~~**PERIOD** shall not exceed 15 percent  
16 of undedicated revenues received by the state during the preceding  
17 fiscal ~~year~~**PERIOD** and such debts shall be repaid at the time the  
18 revenues so pledged are received, but not later than the end of the  
19 same fiscal ~~year~~**PERIOD**.

20 Sec. 24. The accrued financial benefits of each pension plan  
21 and retirement system of the state and its political subdivisions  
22 shall be a contractual obligation thereof which shall not be  
23 diminished or impaired thereby.

24 Financial benefits arising on account of service rendered in  
25 each fiscal ~~year~~**PERIOD** shall be funded during that ~~year~~**PERIOD** and  
26 such funding shall not be used for financing unfunded accrued  
27 liabilities.

1       Sec. 26. There is hereby established a limit on the total  
2 amount of taxes which may be imposed by the legislature in any  
3 fiscal ~~year~~**PERIOD** on the taxpayers of this state. This limit shall  
4 not be changed without approval of the majority of the qualified  
5 electors voting thereon, as provided for in Article 12 of the  
6 Constitution. Effective with fiscal year 1979-1980, and for each  
7 fiscal ~~year~~**PERIOD** thereafter, the legislature shall not impose  
8 taxes of any kind which, together with all other revenues of the  
9 state, federal aid excluded, exceed the revenue limit established  
10 in this section. ~~The~~**BEGINNING IN THE FISCAL PERIOD BEGINNING**  
11 **OCTOBER 1, 2013 AND FOR EVERY FISCAL PERIOD THEREAFTER, THE** revenue  
12 limit shall be equal to **TWO TIMES** the product of the ratio of Total  
13 State Revenues in fiscal year 1978-79 divided by the Personal  
14 Income of Michigan in calendar year 1977 multiplied by the Personal  
15 Income of Michigan in either the prior calendar year or the average  
16 of Personal Income of Michigan in the previous three calendar  
17 years, whichever is greater.

18       For any fiscal ~~year~~**PERIOD** in the event that Total State  
19 Revenues exceed the revenue limit established in this section by 1%  
20 or more, the excess revenues shall be refunded pro rata based on  
21 the liability reported on the Michigan income tax and single  
22 business tax (or its successor tax or taxes) annual returns filed  
23 following the close of such fiscal ~~year~~**PERIOD**. If the excess is  
24 less than 1%, this excess may be transferred to the State Budget  
25 Stabilization Fund.

26       The revenue limitation established in this section shall not  
27 apply to taxes imposed for the payment of principal and interest on

1 bonds, approved by the voters and authorized under Section 15 of  
2 this Article, and loans to school districts authorized under  
3 Section 16 of this Article.

4 If responsibility for funding a program or programs is  
5 transferred from one level of government to another, as a  
6 consequence of constitutional amendment, the state revenue and  
7 spending limits may be adjusted to accommodate such change,  
8 provided that the total revenue authorized for collection by both  
9 state and local governments does not exceed that amount which would  
10 have been authorized without such change.

11 Sec. 27. The revenue limit of Section 26 of this Article may  
12 be exceeded only if all of the following conditions are met: (1)  
13 The governor requests the legislature to declare an emergency; (2)  
14 the request is specific as to the nature of the emergency, the  
15 dollar amount of the emergency, and the method by which the  
16 emergency will be funded; and (3) the legislature thereafter  
17 declares an emergency in accordance with the specific of the  
18 governor's request by a two-thirds vote of the members elected to  
19 and serving in each house. The emergency must be declared in  
20 accordance with this section prior to incurring any of the expenses  
21 which constitute the emergency request. The revenue limit may be  
22 exceeded only during the fiscal ~~year~~**PERIOD** for which the emergency  
23 is declared. In no event shall any part of the amount representing  
24 a refund under Section 26 of this Article be the subject of an  
25 emergency request.

26 Sec. 28. No expenses of state government shall be incurred in  
27 any fiscal ~~year~~**PERIOD** which exceed the sum of the revenue limit

1 established in Sections 26 and 27 of this Article plus federal aid  
2 and any surplus from a previous fiscal ~~year~~**PERIOD**.

3 Sec. 35. There is hereby established the Michigan natural  
4 resources trust fund. The trust fund shall consist of all bonuses,  
5 rentals, delayed rentals, and royalties collected or reserved by  
6 the state under provisions of leases for the extraction of  
7 nonrenewable resources from state owned lands, except such revenues  
8 accruing under leases of state owned lands acquired with money from  
9 state or federal game and fish protection funds or revenues  
10 accruing from lands purchased with such revenues. The trust fund  
11 may receive appropriations, money, or other things of value. The  
12 assets of the trust fund shall be invested as provided by law.

13 Until the trust fund reaches an accumulated principal of  
14 \$500,000,000.00, ~~\$10,000,000.00~~**\$20,000,000.00** of the revenues from  
15 bonuses, rentals, delayed rentals, and royalties described in this  
16 section otherwise dedicated to the trust fund that are received by  
17 the state each ~~state fiscal year~~**FISCAL PERIOD** shall be deposited  
18 into the Michigan state parks endowment fund. However, until the  
19 trust fund reaches an accumulated principal of \$500,000,000.00, in  
20 any state fiscal ~~year~~**PERIOD**, not more than 50 percent of the  
21 total revenues from bonuses, rentals, delayed rentals, and  
22 royalties described in this section otherwise dedicated to the  
23 trust fund that are received by the state each state fiscal ~~year~~  
24 **PERIOD** shall be deposited into the Michigan state parks endowment  
25 fund.

26 The amount accumulated in the trust fund in any ~~state fiscal~~  
27 ~~year~~**FISCAL PERIOD** shall not exceed \$500,000,000.00, exclusive of

1 interest and earnings and amounts authorized for expenditure  
2 pursuant to this section. When the accumulated principal of the  
3 trust fund reaches \$500,000,000.00, all revenue from bonuses,  
4 rentals, delayed rentals, and royalties described in this section  
5 that would be received by the trust fund but for this limitation  
6 shall be deposited into the Michigan state parks endowment fund  
7 until the Michigan state parks endowment fund reaches an  
8 accumulated principal of \$800,000,000.00. When the Michigan state  
9 parks endowment fund reaches an accumulated principal of  
10 \$800,000,000.00, all revenues from bonuses, rentals, delayed  
11 rentals, and royalties described in this section shall be  
12 distributed as provided by law.

13 The interest and earnings of the trust fund shall be expended  
14 for the acquisition of land or rights in land for recreational uses  
15 or protection of the land because of its environmental importance  
16 or its scenic beauty, for the development of public recreation  
17 facilities, and for the administration of the trust fund, which may  
18 include payments in lieu of taxes on state owned land purchased  
19 through the trust fund. The trust fund may provide grants to units  
20 of local government or public authorities which shall be used for  
21 the purposes of this section. The legislature shall provide that a  
22 portion of the cost of a project funded by such grants be provided  
23 by the local unit of government or public authority.

24 Until the trust fund reaches an accumulated principal of  
25 \$500,000,000.00, the legislature may provide, in addition to the  
26 expenditure of interest and earnings authorized by this section,  
27 that a portion, not to exceed 33-1/3 percent, of the revenues from

1 bonuses, rentals, delayed rentals, and royalties described in this  
2 section received by the trust fund during each state fiscal ~~year~~  
3 **PERIOD** may be expended during subsequent state fiscal ~~years~~**PERIODS**  
4 for the purposes of this section.

5 Not less than 25 percent of the total amounts made available  
6 for expenditure from the trust fund from any state fiscal ~~year~~  
7 **PERIOD** shall be expended for acquisition of land and rights in land  
8 and not more than 25 percent of the total amounts made available  
9 for expenditure from the trust fund from any state fiscal ~~year~~  
10 **PERIOD** shall be expended for development of public recreation  
11 facilities.

12 The legislature shall provide by law for the establishment of  
13 a trust fund board within the department of natural resources. The  
14 trust fund board shall recommend the projects to be funded. The  
15 board shall submit its recommendations to the governor who shall  
16 submit the board's recommendations to the legislature in an  
17 appropriations bill.

18 The legislature shall provide by law for the implementation of  
19 this section.

20 Sec. 35a. There is hereby established the Michigan state parks  
21 endowment fund. The endowment fund shall consist of revenues as  
22 provided in section 35 of this article, and as provided by law. The  
23 endowment fund may also receive private contributions of money or  
24 other things of value. All money in the Genevieve Gillette state  
25 parks endowment fund shall be transferred to the endowment fund.  
26 The assets of the endowment fund shall be invested as provided by  
27 law.



1       The accumulated principal of the endowment fund shall not  
2       exceed \$800,000,000.00, which amount shall be annually adjusted  
3       pursuant to the rate of inflation beginning when the endowment fund  
4       reaches \$800,000,000.00. This annually adjusted figure is the  
5       accumulated principal limit of the endowment fund.

6       Money available for expenditure from the endowment fund as  
7       provided in this section shall be expended for operations,  
8       maintenance, and capital improvements at Michigan state parks and  
9       for the acquisition of land or rights in land for Michigan state  
10      parks.

11      Money in the endowment fund shall be expended as follows:

12      (1) Until the endowment fund reaches an accumulated principal  
13      of \$800,000,000.00, each state fiscal ~~year~~**PERIOD** the legislature  
14      may appropriate not more than 50 percent of the money received  
15      under section 35 of this article plus interest and earnings and any  
16      private contributions or other revenue to the endowment fund.

17      (2) Once the accumulated principal in the endowment fund  
18      reaches \$800,000,000.00, only the interest and earnings of the  
19      endowment fund in excess of the amount necessary to maintain the  
20      endowment fund's accumulated principal limit may be made available  
21      for expenditure.

22      Unexpended appropriations of the endowment fund from any state  
23      fiscal ~~year~~**PERIOD** as authorized by this section may be carried  
24      forward or may be appropriated as determined by the legislature for  
25      purposes of this section.

26      The legislature shall provide by law for implementation of  
27      this section.

1       Sec. 40. The Michigan conservation and recreation legacy fund  
2 is established. The state treasurer shall direct the investment of  
3 the legacy fund. The state treasurer shall establish within the  
4 legacy fund restricted accounts as authorized by this section and  
5 may establish additional subaccounts as authorized by law. The  
6 state treasurer may receive gifts, grants, bequests, or assets from  
7 any source for deposit into a particular account or subaccount. The  
8 assets of the legacy fund shall be invested as provided by law.  
9 Interest and earnings accruing from each account or subaccount  
10 shall be credited to that account or subaccount.

11       The forest recreation account is established as an account  
12 within the legacy fund. The forest recreation account shall consist  
13 of revenue derived from concessions, leases, contracts, and fees  
14 from recreational activities on state forestlands and other  
15 revenues as authorized by law. Money in the forest recreation  
16 account shall be expended only for the following:

17       (a) The development, improvement, operation, promotion, and  
18 maintenance of forest recreation activities.

19       (b) Grants to state colleges and universities to implement  
20 programs funded by the forest recreation account.

21       (c) The administration of the forest recreation account.

22       The game and fish protection account is established as an  
23 account within the legacy fund. The game and fish protection  
24 account shall consist of revenue derived from hunting and fishing  
25 licenses, passbooks, permits, fees, concessions, leases, contracts,  
26 and activities; damages paid for the illegal taking of game and  
27 fish; revenue derived from fees, licenses, and permits related to

1 game, game areas, and game fish; and other revenues as authorized  
2 by law. Money in the game and fish protection account shall be  
3 expended only for the following:

4 (a) The development, improvement, operation, promotion, and  
5 maintenance of wildlife and fisheries programs and facilities.

6 (b) The acquisition of land and rights in land that support  
7 wildlife and fisheries programs.

8 (c) Research to support wildlife and fisheries programs.

9 (d) The enforcement and administration of the wildlife and  
10 fisheries laws of the state, including the necessary equipment and  
11 apparatus incident to the operation and enforcement of wildlife and  
12 fisheries laws.

13 (e) The protection, propagation, distribution, and control of  
14 wildlife and fish.

15 (f) Grants to state colleges and universities to implement  
16 programs funded by the game and fish protection account.

17 (g) The administration of the game and fish protection  
18 account, which may include payments in lieu of taxes on state owned  
19 land that has been or will be purchased through the game and fish  
20 protection fund or account.

21 The off-road vehicle account is established as an account  
22 within the legacy fund. The off-road vehicle account shall consist  
23 of revenue derived from fees imposed upon the use or registration  
24 of off-road vehicles and other revenues as authorized by law. Money  
25 in the off-road vehicle account shall be expended only for the  
26 following:

27 (a) Signage for and the improvement, maintenance, and

1 construction of off-road vehicle trails, routes, or areas.

2 (b) The administration and enforcement of state regulations  
3 related to off-road vehicles.

4 (c) The leasing of land for use by off-road vehicles.

5 (d) The acquisition of easements, permits, or other agreements  
6 for the use of land for off-road vehicle trails, routes, or areas.

7 (e) The restoration of any of the natural resources of the  
8 state on public land that are damaged due to off-road vehicle use.

9 (f) Safety education programs related to the operation of off-  
10 road vehicles.

11 (g) Other uses as provided by law as long as the uses are  
12 consistent with the development, improvement, operation, promotion,  
13 and maintenance of the state's off-road vehicle programs.

14 (h) Grants to state colleges and universities to implement  
15 programs funded by the off-road vehicle account.

16 (i) The administration of the off-road vehicle account.

17 The recreation improvement account is established as an  
18 account within the legacy fund. The recreation improvement account  
19 shall consist of all tax revenue derived from the sale of two  
20 percent of the gasoline sold in this state for consumption in  
21 internal combustion engines and other revenues as authorized by  
22 law. Money in the recreation improvement account shall be  
23 distributed as follows:

24 (a) Eighty percent of the money shall be annually transferred  
25 to the waterways account to be used for the purposes of that  
26 account.

27 (b) Fourteen percent of the money shall be annually

1 transferred to the snowmobile account to be used for the purposes  
2 of that account.

3 (c) The remainder of the money that is not transferred under  
4 this section shall be used, upon appropriation, for recreation  
5 projects, including grants to state colleges and universities to  
6 implement recreation projects, and for the administration of the  
7 recreation improvement account. Of the amount that is credited to  
8 recreational projects in a fiscal ~~year~~, **PERIOD**, not less than  
9 twenty-five percent of any funds designated for projects intended  
10 for off-road vehicles shall be expended on projects to repair  
11 damages as a result of pollution, impairment, or destruction of  
12 air, water, or other natural resources, or the public trust, in  
13 air, water, or other natural resources, as a result of the use of  
14 off-road vehicles.

15 The snowmobile account is established as an account within the  
16 legacy fund. The snowmobile account shall consist of revenue  
17 derived from fees imposed for the registration or use of  
18 snowmobiles; revenue derived from the use of snowmobile trails;  
19 transfers from the recreation improvement account; and other  
20 revenues as authorized by law. Money in the snowmobile account  
21 shall be expended only for the following:

22 (a) Planning, construction, maintenance, and acquisition of  
23 trails and areas for the use of snowmobiles.

24 (b) Providing access to trails and areas for the use of  
25 snowmobiles.

26 (c) Providing basic snowmobile facilities.

27 (d) The administration and enforcement of state regulations

1 related to snowmobiles.

2 (e) Safety education programs related to the operation of  
3 snowmobiles.

4 (f) Other uses as provided by law as long as the uses are  
5 consistent with the development, improvement, operation, promotion,  
6 and maintenance of the state's snowmobile programs.

7 (g) Grants to state colleges and universities to implement  
8 programs funded by the snowmobile account.

9 (h) The administration of the snowmobile account, which may  
10 include payments in lieu of taxes on state owned land that has been  
11 or will be purchased through the recreational snowmobile trail  
12 improvement fund or snowmobile account.

13 The state park improvement account is established as an  
14 account within the legacy fund. The state park improvement account  
15 shall consist of revenue derived from concessions, leases,  
16 contracts, fees, and permits for activities in state parks and  
17 recreation areas; damages paid to the state for illegal activities  
18 in state parks and recreation areas; and other revenues as  
19 authorized by law. Money in the state park improvement account  
20 shall be expended only for the following:

21 (a) The development, improvement, operation, promotion, and  
22 maintenance of state parks and recreation areas.

23 (b) Grants to state colleges and universities to implement  
24 programs funded by the state park improvement account.

25 (c) The administration of the state park improvement account.

26 The waterways account is established as an account within the  
27 legacy fund. The waterways account shall consist of revenue derived

1 from watercraft registration fees assessed on the ownership or  
2 operation of watercraft in the state; revenue derived from fees  
3 charged for the moorage of watercraft at state-operated mooring  
4 facilities; revenue derived from fees charged for the use of state-  
5 operated public access sites; transfers from the recreation  
6 improvement account; all tax revenue derived from the sale of  
7 diesel fuel in this state that is used to generate power for the  
8 operation or propulsion of vessels on the waterways of the state;  
9 and other revenues as authorized by law. Money in the waterways  
10 account shall be expended only for the following:

11 (a) The construction, operation, and maintenance of  
12 recreational boating facilities that provide public access to  
13 waterways or moorage of watercraft.

14 (b) The acquisition of property for the purpose of paragraph  
15 (a).

16 (c) Grants to local units of government and state colleges and  
17 universities for the provision of public access or moorage of  
18 watercraft and law enforcement or boating education to recreational  
19 watercraft operators.

20 (d) The acquisition and development of harbors and public  
21 access sites.

22 (e) The enforcement of laws related to the operation of  
23 watercraft and education related to the operation of watercraft.  
24 Not less than forty-nine percent of revenues from watercraft  
25 registration fees received by the waterways account shall be used  
26 for the purposes of this subdivision.

27 (f) The administration of programs funded by the waterways

1 account.

2 (g) Other uses as provided by law as long as the uses are  
3 consistent with the development, improvement, operation, promotion,  
4 and maintenance of the state's waterways programs.

5 (h) The administration of the waterways account, which may  
6 include payments in lieu of taxes on state owned land that has been  
7 or will be purchased through the Michigan state waterways fund or  
8 waterways account.

9 The legislature shall provide by law for the implementation of  
10 this section.

11 ARTICLE XI

12 Sec. 5. The classified state civil service shall consist of  
13 all positions in the state service except those filled by popular  
14 election, heads of principal departments, members of boards and  
15 commissions, the principal executive officer of boards and  
16 commissions heading principal departments, employees of courts of  
17 record, employees of the legislature, employees of the state  
18 institutions of higher education, all persons in the armed forces  
19 of the state, eight exempt positions in the office of the governor,  
20 and within each principal department, when requested by the  
21 department head, two other exempt positions, one of which shall be  
22 policy-making. The civil service commission may exempt three  
23 additional positions of a policy-making nature within each  
24 principal department.

25 The civil service commission shall be non-salaried and shall  
26 consist of four persons, not more than two of whom shall be members  
27 of the same political party, appointed by the governor for terms of



1 eight years, no two of which shall expire in the same year.

2 The administration of the commission's powers shall be vested  
3 in a state personnel director who shall be a member of the  
4 classified service and who shall be responsible to and selected by  
5 the commission after open competitive examination.

6 The commission shall classify all positions in the classified  
7 service according to their respective duties and responsibilities,  
8 fix rates of compensation for all classes of positions, approve or  
9 disapprove disbursements for all personal services, determine by  
10 competitive examination and performance exclusively on the basis of  
11 merit, efficiency and fitness the qualifications of all candidates  
12 for positions in the classified service, make rules and regulations  
13 covering all personnel transactions, and regulate all conditions of  
14 employment in the classified service.

15 State Police Troopers and Sergeants shall, through their  
16 elected representative designated by 50% of such troopers and  
17 sergeants, have the right to bargain collectively with their  
18 employer concerning conditions of their employment, compensation,  
19 hours, working conditions, retirement, pensions, and other aspects  
20 of employment except promotions which will be determined by  
21 competitive examination and performance on the basis of merit,  
22 efficiency and fitness; and they shall have the right 30 days after  
23 commencement of such bargaining to submit any unresolved disputes  
24 to binding arbitration for the resolution thereof the same as now  
25 provided by law for Public Police and Fire Departments.

26 No person shall be appointed to or promoted in the classified  
27 service who has not been certified by the commission as qualified

1 for such appointment or promotion. No appointments, promotions,  
2 demotions or removals in the classified service shall be made for  
3 religious, racial or partisan considerations.

4 Increases in rates of compensation authorized by the  
5 commission may be effective only at the start of a fiscal ~~year~~  
6 **PERIOD** and shall require prior notice to the governor, who shall  
7 transmit such increases to the legislature as part of his **OR HER**  
8 budget. The legislature may, by a majority vote of the members  
9 elected to and serving in each house, waive the notice and permit  
10 increases in rates of compensation to be effective at a time other  
11 than the start of a fiscal ~~year~~**PERIOD**. Within 60 calendar days  
12 following such transmission, the legislature may, by a two-thirds  
13 vote of the members elected to and serving in each house, reject or  
14 reduce increases in rates of compensation authorized by the  
15 commission. Any reduction ordered by the legislature shall apply  
16 uniformly to all classes of employees affected by the increases and  
17 shall not adjust pay differentials already established by the civil  
18 service commission. The legislature may not reduce rates of  
19 compensation below those in effect at the time of the transmission  
20 of increases authorized by the commission.

21 The appointing authorities may create or abolish positions for  
22 reasons of administrative efficiency without the approval of the  
23 commission. Positions shall not be created nor abolished except for  
24 reasons of administrative efficiency. Any employee considering  
25 himself aggrieved by the abolition or creation of a position shall  
26 have a right of appeal to the commission through established  
27 grievance procedures.

1       The civil service commission shall recommend to the governor  
2 and to the legislature rates of compensation for all appointed  
3 positions within the executive department not a part of the  
4 classified service.

5       To enable the commission to exercise its powers, the  
6 legislature shall appropriate to the commission for the ensuing  
7 fiscal ~~year~~**PERIOD** a sum not less than one percent of the aggregate  
8 payroll of the classified service for the preceding fiscal ~~year~~,  
9 **PERIOD**, as certified by the commission. Within six months after the  
10 conclusion of each fiscal ~~year~~**PERIOD** the commission shall return  
11 to the state treasury all moneys unexpended for that fiscal  
12 ~~year~~**PERIOD**.

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

16       No payment for personal services shall be made or authorized  
17 until the provisions of this constitution pertaining to civil  
18 service have been complied with in every particular. Violation of  
19 any of the provisions hereof may be restrained or observance  
20 compelled by injunctive or mandamus proceedings brought by any  
21 citizen of the state.

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