

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5888

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

PART 1

2

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 state police for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 1.0

Full-time equated classified positions..... 2,764.0

GROSS APPROPRIATION..... \$ 529,231,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 24,143,800

ADJUSTED GROSS APPROPRIATION..... \$ 505,087,600

Federal revenues:

Total federal revenues..... 103,934,200

Special revenue funds:

Total local revenues..... 6,257,500

Total private revenues..... 269,800

Total state restricted revenues..... 134,242,900

State general fund/general purpose..... \$ 260,383,200

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions..... 1.0

Full-time equated classified positions..... 42.5

Unclassified positions..... \$ 150,000

Executive direction--21.0 FTE positions 2,411,800

Special operations and events--17.5 FTE positions 2,015,700

1	Auto theft prevention program--4.0 FTE positions	<u>8,042,300</u>
2	GROSS APPROPRIATION.....	\$ 12,619,800
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG-MDTR, casino gaming fees	27,500
6	IDT, truck safety fund.....	10,100
7	Special revenue funds:	
8	Auto theft prevention fund.....	8,042,300
9	Motor carrier fees.....	38,000
10	Criminal justice information center fees	72,300
11	Forensic science reimbursement fees	11,400
12	Highway safety fund.....	47,300
13	Narcotics investigation revenues	5,400
14	Nuclear plant emergency planning and reimbursement ...	9,800
15	State forensic laboratory fund.....	11,800
16	Traffic law enforcement and safety fund.....	60,500
17	State general fund/general purpose	\$ 4,283,400
18	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS	
19	Special maintenance and utilities.....	\$ 447,600
20	Rent and building occupancy charges	9,843,000
21	Worker's compensation.....	3,309,600
22	Fleet leasing.....	12,980,700
23	In-service training - law enforcement distribution ...	450,000
24	In-service training - competitive.....	1,000,000
25	Narcotics investigation funds	<u>265,100</u>
26	GROSS APPROPRIATION.....	\$ 28,296,000
27	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDG, training academy charges	283,500
3	IDT, Michigan justice training fund	1,450,000
4	Federal revenues:	
5	Federal narcotics investigation revenues	95,000
6	DOT	25,200
7	DHS	177,500
8	Special revenue funds:	
9	Forensic science reimbursement fee	100,700
10	Narcotics investigation revenues	170,100
11	State forensic laboratory fund	100,700
12	Criminal justice information center service fees	199,500
13	Secondary road patrol and training fund	17,900
14	Hazardous materials training center fees	105,100
15	Michigan justice training fund	29,800
16	Motor carrier fees	7,500
17	Highway safety fund	7,800
18	Traffic law enforcement and safety fund	15,400
19	State general fund/general purpose	\$ 25,510,300
20	Sec. 104. SUPPORT SERVICES	
21	Full-time equated classified positions	196.5
22	Management services--136.0 FTE positions	\$ 13,641,900
23	Training administration--32.0 FTE positions	5,856,400
24	Budget and financial services--24.5 FTE positions	2,647,800
25	Office of justice program grants--4.0 FTE positions ..	<u>8,496,900</u>
26	GROSS APPROPRIATION	\$ 30,643,000
27	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDT, auto theft funds.....	2,500
3	IDG, training academy charges.....	3,338,500
4	IDT, truck safety fund.....	30,800
5	IDG-MDOT, state trunkline fund.....	3,000
6	IDG-MDTR, casino gaming fees.....	107,500
7	IDG-MDTR, emergency telephone fund coordinator.....	536,500
8	IDG-MDTR, emergency telephone fund operations.....	478,600
9	IDG-MDOS.....	2,000
10	IDG-MDOC, contract.....	50,000
11	Federal revenues:	
12	DOJ.....	372,700
13	DOJ interest bearing.....	8,124,200
14	DOT.....	487,800
15	Special revenues funds:	
16	Local - LEIN fees.....	3,800
17	Local - MPSCS subscriber fees.....	28,100
18	Local - school bus revenue.....	1,700
19	Highway safety fund.....	179,500
20	Nuclear plant emergency planning reimbursement.....	39,300
21	Precision driving track fees.....	287,200
22	Criminal justice information center service fees.....	817,900
23	Traffic law enforcement and safety fund.....	178,300
24	Reimbursed services.....	1,301,700
25	Forensic science reimbursement fees.....	36,000
26	Michigan justice training fund.....	3,700
27	Narcotics investigation revenues.....	27,400

1	State forensic laboratory fund.....	36,100
2	State services fee fund.....	13,500
3	Motor carrier fees.....	156,700
4	State general fund/general purpose.....	\$ 13,998,000
5	Sec. 105. HIGHWAY SAFETY PLANNING	
6	Full-time equated classified positions.....	30.0
7	State program planning and administration--8.0 FTE	
8	positions	\$ 1,030,300
9	Secondary road patrol program--2.0 FTE positions	14,037,000
10	Truck safety program--1.0 FTE positions	3,008,800
11	Federal highway traffic safety coordination--19.0	
12	FTE positions	<u>12,572,900</u>
13	GROSS APPROPRIATION.....	\$ 30,649,000
14	Appropriated from:	
15	Federal revenues:	
16	DOT.....	12,503,900
17	DOJ.....	579,000
18	Special revenue funds:	
19	Truck driver safety fund.....	3,008,800
20	Secondary road patrol and training fund.....	14,037,000
21	State general fund/general purpose.....	\$ 520,300
22	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER	
23	Full-time equated classified positions.....	128.0
24	Criminal justice information center division--108.0	
25	FTE positions	\$ 10,812,900
26	Criminal records improvement--1.0 FTE position	2,249,300
27	Traffic safety--19.0 FTE positions	<u>1,886,400</u>

1	GROSS APPROPRIATION.....	\$	14,948,600
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDG-MDOS.....		337,200
5	IDG-MDOT, state trunkline fund.....		874,600
6	Federal revenues:		
7	DOJ.....		2,249,300
8	DOT.....		482,100
9	Special revenue funds:		
10	Traffic crash revenue.....		80,000
11	Motor carrier fees.....		112,500
12	Sex offender registration fund.....		63,100
13	Criminal justice information center service fees.....		9,475,400
14	State general fund/general purpose.....	\$	1,274,400
15	Sec. 107. FORENSIC SCIENCES		
16	Full-time equated classified positions.....	269.5	
17	Laboratory operations--212.0 FTE positions.....	\$	28,488,600
18	DNA analysis program--57.5 FTE positions.....		8,167,000
19	Detroit laboratory.....		<u>100</u>
20	GROSS APPROPRIATION.....	\$	36,655,700
21	Appropriated from:		
22	Federal revenues:		
23	DOJ.....		4,169,000
24	DOT.....		655,900
25	Federal narcotics investigation revenues.....		510,200
26	Special revenue funds:		
27	Forensic science reimbursement fees.....		1,515,900

1	State forensic laboratory fund.....	1,795,500
2	Narcotic investigation revenues.....	1,705,000
3	Criminal justice information center service fees.....	60,200
4	State services fee fund.....	9,505,900
5	State general fund/general purpose.....	\$ 16,738,100
6	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT	
7	STANDARDS	
8	Full-time equated classified positions..... 22.0	
9	Standards and training/justice training grants--20.0	
10	FTE positions	\$ 9,004,000
11	Concealed weapons enforcement training.....	100,000
12	Training only to local units--2.0 FTE positions.....	622,700
13	Mental health awareness training.....	100,000
14	Public safety officers benefit program.....	<u>149,600</u>
15	GROSS APPROPRIATION.....	\$ 9,976,300
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG-MDOC, contract.....	100,000
19	Federal revenues:	
20	DOJ.....	175,000
21	Special revenue funds:	
22	Secondary road patrol and training fund.....	622,700
23	Michigan justice training fund.....	8,006,400
24	Licensing fees.....	9,100
25	Concealed weapons enforcement fee.....	100,000
26	State general fund/general purpose.....	\$ 963,100
27	Sec. 109. EMERGENCY MANAGEMENT	

1	Full-time equated classified positions.....	80.5	
2	Emergency management planning and		
3	administration--31.0 FTE positions.....		\$ 5,390,600
4	Grants to local government.....		2,482,100
5	FEMA program assistance--18.0 FTE positions.....		4,904,000
6	Nuclear power plant emergency planning--6.0 FTE		
7	positions		1,799,300
8	Hazardous materials programs--25.5 FTE positions		47,217,600
9	Interdepartmental grant to legislature.....		<u>200,000</u>
10	GROSS APPROPRIATION.....		\$ 61,993,600
11	Appropriated from:		
12	Federal revenues:		
13	DOT.....		584,800
14	DHS.....		55,547,400
15	Special revenue funds:		
16	Nuclear plant emergency planning reimbursement		1,799,300
17	Hazardous materials training center fees		1,508,200
18	State general fund/general purpose.....		\$ 2,553,900
19	Sec. 110. POST UNIFORM SERVICES		
20	Full-time equated classified positions.....	1,387.0	
21	Uniform services--372.0 FTE positions.....		\$ 43,919,500
22	Capitol security guards--7.0 FTE positions		642,900
23	At-post troopers--1,008.0 FTE positions		139,235,800
24	Reimbursed services.....		<u>1,879,500</u>
25	GROSS APPROPRIATION.....		\$ 185,677,700
26	Appropriated from:		
27	Special revenue funds:		

1	Criminal justice information center service fees	785,600
2	Narcotics investigation revenues	1,033,600
3	Highway safety fund	15,325,700
4	Traffic law enforcement and safety fund	28,918,700
5	Trooper school recruitment fund	1,000
6	State police service fees	1,879,500
7	State general fund/general purpose	\$ 137,733,600
8	Sec. 111. STATEWIDE FIELD OPERATIONS	
9	Full-time equated classified positions	61.0
10	Operational support--54.0 FTE positions	\$ 6,912,200
11	Aviation program--7.0 FTE positions	<u>1,495,000</u>
12	GROSS APPROPRIATION	\$ 8,407,200
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDOC, contract	105,300
16	Special revenue funds:	
17	Private donations	269,800
18	Rental of department aircraft	51,800
19	State general fund/general purpose	\$ 7,980,300
20	Sec. 112. SPECIAL INVESTIGATIONS	
21	Full-time equated classified positions	342.0
22	Criminal investigations--217.0 FTE positions	\$ 30,017,900
23	Federal antidrug initiatives--65.5 FTE positions	8,756,400
24	Reimbursed services, materials, and equipment--0.5	
25	FTE positions	2,688,000
26	Auto theft prevention--13.0 FTE positions	1,413,500
27	Casino gaming oversight--32.0 FTE positions	4,625,100

1	Fire investigation--14.0 FTE positions	1,679,700
2	Fire investigation training to locals	50,000
3	Parole absconder sweeps	<u>10,900</u>
4	GROSS APPROPRIATION	\$ 49,241,500
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDT, auto theft funds	1,027,000
8	IDG-MDTR, casino gaming fees	4,625,100
9	Federal revenues:	
10	Federal investigations - reimbursed services	764,100
11	DOJ	3,656,800
12	DOJ (ARRA)	2,000,000
13	Federal narcotics investigation revenues	463,800
14	Special revenue funds:	
15	Local - reimbursed services	1,923,900
16	Narcotics investigation revenues	719,100
17	Michigan merit award trust fund	629,900
18	Forfeiture funds	576,600
19	State general fund/general purpose	\$ 32,855,200
20	Sec. 113. TRAFFIC SAFETY	
21	Full-time equated classified positions	205.0
22	Motor carrier enforcement--101.0 FTE positions	\$ 11,185,900
23	Truck safety enforcement team operations--10.0 FTE	
24	positions	1,375,000
25	Safety inspections--63.0 FTE positions	6,943,400
26	School bus inspections--4.0 FTE positions	421,000
27	Safety projects--10.0 FTE positions	1,712,100

1	Traffic services--17.0 FTE positions	<u>5,144,600</u>
2	GROSS APPROPRIATION	\$ 26,782,000
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDT, truck safety fund	1,375,000
6	IDG-MDOT, state trunkline fund	8,939,400
7	Federal revenues:	
8	DOT	8,936,400
9	Special revenue funds:	
10	Local school bus revenue	421,000
11	Drunk driving prevention and training fund	1,180,700
12	Motor carrier fees	4,374,700
13	State general fund/general purpose	\$ 1,554,800
14	Sec. 114. INFORMATION TECHNOLOGY	
15	Information technology services and projects	\$ 20,203,000
16	Michigan public safety communications system	<u>13,138,000</u>
17	GROSS APPROPRIATION	\$ 33,341,000
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG-MDTR, casino gaming fees	91,100
21	IDG-MDOT, state trunkline fund	250,600
22	IDG, training academy charges	8,500
23	IDG-MDOS	4,500
24	IDG-MDTR, emergency telephone fund coordinator	4,700
25	IDG-MDTR, emergency telephone fund operations	64,500
26	IDG - auto theft funds	5,700
27	IDT - truck safety fund	10,100

1	Federal revenues:	
2	DOJ.....	539,700
3	DHS.....	619,500
4	DOT.....	214,900
5	Special revenue funds:	
6	Local - LEIN fees.....	2,159,800
7	Local - AFIS fees.....	77,400
8	Local - MPSCS subscriber and maintenance fees.....	1,639,900
9	Local - school bus revenue.....	1,900
10	Criminal justice information center service fees.....	4,515,500
11	Drunk driving prevention and training fund.....	1,900
12	Forensic science reimbursement fees.....	66,100
13	Hazardous materials center fees.....	1,900
14	Michigan justice training fund.....	44,600
15	Narcotics investigation revenue.....	13,100
16	Nuclear plant emergency planning reimbursement.....	4,900
17	Precision driving track fees.....	300
18	Secondary road patrol and training fund.....	397,400
19	Sex offender registration fund.....	216,300
20	State forensic laboratory fund.....	162,800
21	Reimbursed services.....	157,400
22	Motor carrier fees.....	257,400
23	Commercial mobile radio service fees.....	7,000,000
24	Traffic law enforcement and safety fund.....	79,000
25	Highway safety fund.....	49,200
26	Michigan merit award trust fund.....	1,000
27	State services fee fund.....	30,300

1	Traffic crash revenue.....		231,300
2	State general fund/general purpose.....	\$	14,417,800

3 PART 2

4 PROVISIONS CONCERNING APPROPRIATIONS

5 GENERAL SECTIONS

6 Sec. 201. Pursuant to section 30 of article IX of the state
 7 constitution of 1963, total state spending from state resources
 8 under part 1 for fiscal year 2010-2011 is \$394,626,100.00 and state
 9 spending from state resources to be paid to local units of
 10 government for fiscal year 2010-2011 is \$19,466,900.00. The
 11 itemized statement below identifies appropriations from which
 12 spending to units of local government will occur:

13 DEPARTMENT OF STATE POLICE

14 OFFICE OF HIGHWAY SAFETY PLANNING

15	Secondary road patrol program.....	\$	13,921,900
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16 MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

17	Training only to local units.....	\$	410,800
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18	Justice training grants.....	\$	4,605,600
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19 SPECIAL INVESTIGATIONS

20	Fire investigation training for locals.....	\$	50,000
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21 SUPPORT SERVICES

22	Management services.....	\$	<u>478,600</u>
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23	Total.....	\$	19,466,900
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24 Sec. 202. The appropriations authorized under this act are
 25 subject to the management and budget act, 1984 PA 431, MCL 18.1101

1 to 18.1594.

2 Sec. 203. As used in this act:

3 (a) "AFIS" means the automated fingerprint identification
4 system.

5 (b) "ARRA" means the American recovery and reinvestment act of
6 2009.

7 (c) "Department" means the department of state police.

8 (d) "DHS" means the United States department of homeland
9 security.

10 (e) "DNA" means deoxyribonucleic acid.

11 (f) "DOJ" means the United States department of justice.

12 (g) "DOT" means the United States department of
13 transportation.

14 (h) "FEMA" means the federal emergency management agency.

15 (i) "FTE" means full-time equated.

16 (j) "IDG" means interdepartmental grant.

17 (k) "IDT" means intradepartmental transfer.

18 (l) "LEIN" means law enforcement information network.

19 (m) "MCOLES" means the Michigan commission on law enforcement
20 standards.

21 (n) "MDCH" means the Michigan department of community health.

22 (o) "MDMB" means the Michigan department of technology,
23 management, and budget.

24 (p) "MDOC" means the Michigan department of corrections.

25 (q) "MDOS" means the Michigan department of state.

26 (r) "MDOT" means the Michigan department of transportation.

27 (s) "MDTR" means the Michigan department of treasury.

1 (t) "MPSCS" means the Michigan public safety communications
2 system.

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

8 Sec. 205. (1) A hiring freeze is imposed on the state
9 classified civil service. State departments and agencies are
10 prohibited from hiring any new full-time state classified civil
11 service employees and prohibited from filling any vacant state
12 classified civil service positions. This hiring freeze does not
13 apply to internal transfers of classified employees from 1 position
14 to another within a department.

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

26 Sec. 207. At least 60 days before beginning any effort to
27 privatize, the department shall submit a complete project plan to

1 the appropriate senate and house of representatives appropriations
2 subcommittees and the senate and house fiscal agencies. The plan
3 shall include the criteria under which the privatization initiative
4 will be evaluated. The evaluation shall be completed and submitted
5 to the appropriate senate and house of representatives
6 appropriations subcommittees and the senate and house fiscal
7 agencies within 30 months.

8 Sec. 208. Unless otherwise specified, the department shall use
9 the Internet to fulfill the reporting requirements of this act.
10 This requirement may include transmission of reports via electronic
11 mail to the recipients identified for each reporting requirement or
12 it may include placement of reports on an Internet or Intranet
13 site.

14 Sec. 209. Funds appropriated in part 1 shall not be used for
15 the purchase of foreign goods or services, or both, if
16 competitively priced and of comparable quality American goods or
17 services, or both, are available. Preference should be given to
18 goods or services, or both, manufactured or provided by Michigan
19 businesses, if they are competitively priced and of comparable
20 quality. In addition, preference should be given to goods or
21 services, or both, that are manufactured or provided by Michigan
22 businesses owned and operated by veterans, if they are
23 competitively priced and of comparable quality.

24 Sec. 210. The director of each department receiving
25 appropriations in part 1 shall take all reasonable steps to ensure
26 businesses in deprived and depressed communities compete for and
27 perform contracts to provide services or supplies, or both, for the

1 department. The director shall strongly encourage firms with which
2 the department contracts to subcontract with certified businesses
3 in depressed and deprived communities for services or supplies, or
4 both.

5 Sec. 211. It is the intent of the legislature that personnel
6 of the department who request and are eligible for reimbursement of
7 expenses related to the operation of the department be reimbursed
8 from the appropriations provided in this act within 30 days after
9 submitting a request, or the eligible personnel shall be paid an
10 additional amount equal to 0.75% of the payment due. The department
11 shall pay an additional amount equal to 0.75% of the payment due
12 for the first month and each succeeding month or portion of a month
13 the payment remains past due.

14 Sec. 213. (1) It is the intent of the legislature that the
15 department shall not provide any subsidy for contractual services
16 it provides.

17 (2) When the department provides contractual services to a
18 local unit of government, the department shall be reimbursed for
19 all costs incurred in providing the services, including, but not
20 limited to, retirement and overtime costs.

21 (3) Contractual services provided to an entity other than a
22 local unit of government may be provided by department personnel,
23 but only on an overtime basis outside the normal work schedule of
24 the personnel.

25 (4) This section does not apply to state agencies.

26 Sec. 214. The departments and agencies receiving
27 appropriations in part 1 shall receive and retain copies of all

1 reports funded from appropriations in part 1. The department shall
2 follow all federal guidelines and state laws regarding short-term
3 and long-term retention of records.

4 Sec. 215. Not later than January 1, 2011, the department shall
5 report to the state police appropriations subcommittees of the
6 house and senate and the house and senate fiscal agencies. The
7 report shall contain the following information regarding the
8 department's activities related to casino gaming oversight during
9 fiscal year 2009-2010:

10 (a) The amount of money received and expended.

11 (b) The nature and structure of the casino gaming oversight
12 unit.

13 (c) The positions and classifications of employees assigned.

14 (d) The number of full-time and part-time employees and the
15 aggregate number of FTEs.

16 (e) The number of enlisted and civilian positions.

17 (f) The duties and responsibilities of the assigned employees.

18 (g) The immediate past position of the enlisted employees
19 assigned.

20 Sec. 216. The department shall collect and computerize the
21 vehicle identification number (VIN) of all vehicles that are
22 entered into the state accident data collection system and make
23 this and other vehicle information available to the public at cost.
24 For bulk access to the accident records in which the VIN has been
25 collected and computerized, the department shall make those records
26 available to the public at cost, provided that the name and address
27 have been excluded.

1 Sec. 217. From the funds appropriated in part 1, the
2 department shall maintain a toll-free hotline in collaboration with
3 the department of education. The toll-free hotline shall be
4 operated 24 hours per day, 7 days per week, and shall provide
5 students, school officials, and other individuals an opportunity to
6 report specific threats of imminent school violence or other
7 suspicious or criminal conduct by juveniles to the appropriate
8 local law enforcement entities for investigation. The department
9 may expend funds for the promotion of the hotline.

10 Sec. 218. (1) Funds appropriated in part 1 for at-post
11 troopers shall only be expended for trooper salaries, wages,
12 benefits, retirement, equipment, supplies, and other expenses
13 directly related to state troopers assigned to general law
14 enforcement duties at a department post, detachment, satellite
15 office, or a resident trooper function.

16 (2) It is the intent of the legislature that every effort be
17 made to identify funding sufficient to conduct a trooper school for
18 the purpose of working toward the goal of establishing a minimum
19 at-post trooper strength of 1,075 in this state.

20 (3) The department shall submit quarterly written reports to
21 the senate and house appropriations subcommittees on state police
22 and military and veterans affairs no later than December 1, 2010,
23 March 1, 2011, June 1, 2011, and September 1, 2011 which shall
24 include a trooper strength report and the status of the
25 department's plan for accomplishing the goal of subsection (2). If
26 the department determines that insufficient appropriations exist
27 under part 1 to accomplish the goal of subsection (2), the

1 department shall submit a proposal outlining a plan to accomplish
2 the goal, including an accounting of any additional funding
3 necessary to that end.

4 Sec. 219. The department of state police shall notify the
5 house and senate appropriations subcommittees on state police and
6 military and veterans affairs and the house and senate fiscal
7 agencies not less than 180 days before recommending to close or
8 consolidate any state police posts. The notification shall include
9 a local and state impact study of the proposed post closure or
10 consolidation.

11 Sec. 220. The department of state police, in keeping with its
12 role as the general law enforcement agency of the state and as the
13 law enforcement agency of last resort for communities that are
14 either without local law enforcement resources or are seriously
15 underserved by local law enforcement resources, shall provide
16 general law enforcement assistance to those communities until
17 adequate law enforcement services can be provided to those
18 communities by other means.

19 Sec. 221. The department of state police may pursue entering
20 into an agreement with Calhoun County to build a new facility in
21 Marshall which would serve as a new state police post to replace
22 the current state police post in Battle Creek.

23 Sec. 223. (1) Due to the current budgetary problems in this
24 state, out-of-state travel for the fiscal year ending September 30,
25 2011 shall be limited to situations in which 1 or more of the
26 following conditions apply:

27 (a) The travel is required by legal mandate or court order or

1 for law enforcement purposes.

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

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

8 (d) The travel is necessary to comply with federal
9 requirements.

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

12 (f) The travel is financed entirely by federal or nonstate
13 funds.

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

20 (3) Not later than January 1, 2011, each department shall
21 prepare a travel report listing all travel by classified and
22 unclassified employees outside this state in the immediately
23 preceding fiscal year that was funded in whole or in part with
24 funds appropriated in the department's budget. The report shall be
25 submitted to the chairs and members of the senate and house of
26 representatives standing committees on appropriations, the fiscal
27 agencies, and the state budget director. The report shall include

1 the following information:

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

4 (b) The destination of each travel occurrence.

5 (c) The dates of each travel occurrence.

6 (d) A brief statement of the reason for each travel
7 occurrence.

8 (e) The transportation and related costs of each travel
9 occurrence, including the proportion funded with state general
10 fund/general purpose revenues, the proportion funded with state
11 restricted revenues, the proportion funded with federal revenues,
12 and the proportion funded with other revenues.

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

15 Sec. 224. The department shall not take disciplinary action
16 against an employee for communicating with a member of the
17 legislature or his or her staff.

18 Sec. 226. The department of state police, in cooperation with
19 the department of technology, management, and budget, shall take
20 steps to encourage the development of state, local, and regional
21 tactical interoperable communication plans with the ultimate goal
22 being to ensure that effective and efficient communication
23 interoperability between radio communication systems of local,
24 regional, state, and federal agencies is established in every area
25 of the state. The department shall provide a written report to the
26 senate and house appropriations subcommittees on state police and
27 military and veterans affairs no later than April 1, 2011 on the

1 current status of reaching this objective. The report shall include
2 an accounting of exactly where within the state desired
3 interoperability has been achieved and what cooperative measures
4 and use of technology were used to achieve this interoperability,
5 and which areas of the state have not yet achieved such status. The
6 report shall also include a description of what strategies need to
7 be employed to ensure that the remaining areas of the state, and
8 the state as a whole, will have a communication system with
9 efficient and effective interoperability, particularly on occasions
10 when a multijurisdictional response to an emergency is warranted.

11 Sec. 232. The department shall place emphasis on recruiting
12 MCOLES certified police officers for the trooper recruit school.
13 Emphasis shall be given in the hiring process to those officers who
14 are on layoff and possess valid MCOLES certification. Any emphasis
15 given in the recruiting and selection process shall be consistent
16 with the department's hiring standards and in accordance with civil
17 service rules. The department shall report to the chairpersons of
18 the senate and house of representatives standing committees on
19 appropriations the results of its recruitment and selection
20 process, including the actual number of certified officers selected
21 for any recruit school that is held by September 30, 2011.

22 Sec. 234. Funds appropriated in part 1 shall not be used by a
23 principal executive department, state agency, or authority to hire
24 a person to provide legal services that are the responsibility of
25 the attorney general. This prohibition does not apply to legal
26 services for bonding activities and for those activities that the
27 attorney general authorizes.

1 Sec. 235. (1) If a spending plan for the funds appropriated in
2 part 1 for special operations and events, or sources of financing
3 related to the spending plan, do not provide the level of program
4 service provided for in the current fiscal year, the funds
5 appropriated in part 1 for post uniform services or forensic
6 sciences shall not be used to fund the shortfall.

7 (2) If a spending plan for the funds appropriated in part 1
8 for special operations and events, or sources of financing related
9 to the spending plan, are in excess of that necessary to provide
10 the level of program service provided for in the current fiscal
11 year, the department shall take steps to transfer whatever excess
12 funding may exist to the funds appropriated in part 1 for post
13 uniform services and forensic sciences.

14 Sec. 238. The department of technology, management, and budget
15 shall work with the department of state police to reduce building
16 operations and leasing costs for all Michigan state police
17 facilities and to identify efficiencies and savings.

18 Sec. 239. It is the intent of the legislature that, should
19 funding become available, funds may be appropriated to the
20 department for traffic control purposes at the Michigan
21 international speedway.

22 Sec. 240. (1) In addition to the funds appropriated in part 1,
23 there is appropriated an amount not to exceed \$10,000,000.00 for
24 federal contingency funds. These funds are not available for
25 expenditure until they have been transferred to another line item
26 in this act under section 393(2) of the management and budget act,
27 1984 PA 431, MCL 18.1393.

1 (2) In addition to the funds appropriated in part 1, there is
2 appropriated an amount not to exceed \$3,500,000.00 for state
3 restricted contingency funds. These funds are not available for
4 expenditure until they have been transferred to another line item
5 in this act under section 393(2) of the management and budget act,
6 1984 PA 431, MCL 18.1393.

7 (3) In addition to the funds appropriated in part 1, there is
8 appropriated an amount not to exceed \$1,000,000.00 for local
9 contingency funds. These funds are not available for expenditure
10 until they have been transferred to another line item in this act
11 under section 393(2) of the management and budget act, 1984 PA 431,
12 MCL 18.1393.

13 (4) In addition to the funds appropriated in part 1, there is
14 appropriated an amount not to exceed \$200,000.00 for private
15 contingency funds. These funds are not available for expenditure
16 until they have been transferred to another line item in this act
17 under section 393(2) of the management and budget act, 1984 PA 431,
18 MCL 18.1393.

19 Sec. 241. The department shall provide \$1,800,000.00 in Byrne
20 justice assistance grant program funding to the judiciary by
21 interdepartmental grant.

22 Sec. 242. Not later than September 30, 2011, the department
23 shall prepare and transmit a report that provides for estimates of
24 the total general fund/general purpose appropriation lapses at the
25 close of the fiscal year. This report shall summarize the projected
26 year-end general fund/general purpose appropriation lapses by major
27 departmental program or program areas. The report shall be

1 transmitted to the office of the state budget, the chairpersons of
2 the senate and house appropriations committees, and the senate and
3 house fiscal agencies.

4 Sec. 245. The department shall work cooperatively with the
5 department of human services to coordinate the functions of the
6 state police LEIN system and the department of human services
7 bridges case management system to provide obtainable data that will
8 allow authorized users of the bridges case management system to
9 identify those persons who may be ineligible to receive certain
10 assistance services due to their law enforcement status. The
11 department shall deliver a report on this effort to the senate and
12 house appropriations subcommittees on state police and military and
13 veterans affairs not later than May 1, 2011.

14 Sec. 253. From the funds appropriated in part 1, the
15 department, working with MDMB, shall use an amount not to exceed
16 \$10,000.00 to develop and maintain a publicly accessible Internet
17 site to post all expenditures made by the department for the fiscal
18 year. The posting of expenditures shall include the purpose for
19 which each expenditure was made. The department is not required to
20 hire additional employees to comply with this section.

21 Sec. 254. On a bimonthly basis, the department shall report on
22 the number of FTEs in pay status by civil service classification to
23 the house and senate appropriations subcommittees on state police
24 and military and veterans affairs and the house and senate fiscal
25 agencies.

26 **INFORMATION TECHNOLOGY**

1 Sec. 301. During fiscal year 2010-2011, an agency shall not be
2 billed a user fee to support the LEIN system except for those
3 agencies with an outstanding balance related to prior years' LEIN
4 user fees. Those agencies with an outstanding balance shall be
5 billed a LEIN user fee based upon the rate schedule established for
6 fiscal year 2009-2010.

7 Sec. 302. From the funds appropriated in part 1 for
8 information technology, departments and agencies shall pay user
9 fees to the department of technology, management, and budget for
10 technology-related services and projects. These user fees shall be
11 subject to provisions of an interagency agreement between the
12 department and the department of technology, management, and
13 budget.

14 Sec. 303. Amounts appropriated in part 1 for information
15 technology may be designated as work projects and carried forward
16 to support technology projects under the direction of the
17 department of technology, management, and budget. Funds designated
18 in this manner are not available for expenditure until approved as
19 work projects under section 451a of the management and budget act,
20 1984 PA 431, MCL 18.1451a.

21 Sec. 304. A portion of the funds appropriated in part 1 shall
22 be used by the department to produce a written report detailing
23 departmental policies regarding access to and use of information
24 from the LEIN system. The report shall include a description of
25 departmental measures to protect the security of information in the
26 LEIN system including safeguards that would prevent unauthorized
27 persons from obtaining information from the LEIN system. The

1 department shall submit a copy of this report to the senate and
2 house appropriations committees not later than April 1, 2011.

3 Sec. 305. The criminal justice information systems policy
4 council shall encourage members of the law enforcement agencies in
5 the state to be sensitive to, and note when necessary, activities
6 or circumstances that may suggest the unauthorized access or misuse
7 of information from the LEIN system. The criminal justice
8 information systems policy council shall advise LEIN auditors, as a
9 part of their audit of law enforcement agencies, to investigate in
10 depth all suspected incidents of improper access or improper use of
11 information from the LEIN system and determine whether or not those
12 incidents were illegal. In those incidents that may be determined
13 to be illegal, the executive secretary for the council shall
14 determine whether those incidents were of a negligent or criminal
15 nature. If an incident is determined to be an illegal act, the
16 council shall inform the chairs of both the senate and house
17 appropriations committees.

18 Sec. 306. (1) The department of state police, working with the
19 criminal justice information systems policy council, shall
20 implement procedures by which all probation information is placed
21 on the LEIN system. The LEIN system shall include information on
22 each probationer, including any probation conditions placed on a
23 probationer and the name of the probation officer assigned to a
24 probationer. The LEIN system shall also include any nonstandard
25 probation terms.

26 (2) If the department determines that amendments to the code
27 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are

1 required to include all probation information on the LEIN system,
2 the department shall deliver to members of the senate and house
3 appropriations subcommittees on state police and military affairs
4 amendments to the code of criminal procedure, 1927 PA 175, MCL
5 760.1 to 777.69, that, in the department's view, are necessary to
6 accomplish this goal. These proposed amendments shall be delivered
7 to subcommittee members not later than December 1, 2010.

8 Sec. 307. The department of state police shall serve as an
9 active liaison between the department of technology, management,
10 and budget and local public safety agencies to facilitate the use
11 of the Michigan public safety communications system towers by those
12 local public safety agencies that have an interest in using the
13 towers as a part of their own communications system. The department
14 of state police shall deliver a written report to the senate and
15 house appropriations subcommittees on state police and military and
16 veterans affairs by April 1, 2011, which shall include an
17 assessment of the progress toward establishing local public safety
18 agency use of the Michigan public safety communications system
19 towers, an accounting of problems that may be preventing local use
20 of the towers, and any recommendations the department has that may
21 foster this utilization.

22 Sec. 308. The department of state police shall report any LEIN
23 fee increase to the senate and house appropriations subcommittees
24 on state police and military and veterans affairs 60 days prior to
25 the effective date of that increase. The report shall contain the
26 following information: the current fee structure and the total
27 revenue earned each year; the new fee structure and the total

1 revenue it is expected to earn annually; the total annual cost of
2 the LEIN system; and the total amount of LEIN fees paid by the
3 department under both the old and the new structure.

4 Sec. 309. From the funds appropriated in part 1 for
5 information technology, the department may develop and issue a
6 request for proposal for the development, implementation, and
7 maintenance of an electronic system for real-time enforcement of
8 section 3101 of the insurance code of 1956, 1956 PA 218, MCL
9 500.3101.

10 Sec. 310. It is the intent of the legislature that the
11 Michigan public safety communications system (MPSCS) begin the
12 necessary expansion and upgrade of the system to allow for more
13 local users to utilize the system. The MPSCS shall use restricted
14 fund dollars, federal funds, and other non-general fund/general
15 purpose funds for this purpose.

16 **HIGHWAY SAFETY PLANNING**

17 Sec. 401. On a biannual basis, the department shall report to
18 the senate and house appropriations subcommittees on state police
19 and military and veterans affairs on the status of assessments
20 collected and authorized under section 629e of the Michigan vehicle
21 code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the
22 secondary road patrol grant program. Each biannual report shall
23 contain updated information on collection levels, revised projected
24 grant allotments to counties for the year, a comparison of
25 projected collections and grant distribution levels with the funds
26 appropriated in part 1 for the secondary road patrol program, and

1 the extent collection levels have exceeded or failed to meet
2 appropriated levels for the current fiscal year or expenditure
3 levels from the previous fiscal year.

4 **FORENSIC SCIENCES**

5 Sec. 501. When changes are made to the department's protocol
6 for retaining and purging DNA analysis samples and records, the
7 department shall post a copy of the protocol changes on the
8 department's website.

9 Sec. 502. The department shall work with the department of
10 community health, the Michigan health and hospital association, the
11 Michigan state medical society, and the Michigan nurses association
12 to ensure that the recommendations included in the "Standard
13 Recommended Procedures for the Emergency Treatment of Sexual
14 Assault Victims" are followed in the collection of evidence.

15 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

16 Sec. 601. The money appropriated to the MCOLES for maintenance
17 and delivery of training to locals is provided in accordance with a
18 state reimbursement policy in which 100% of the determined state
19 reimbursement rate shall be distributed upon certification by the
20 MCOLES.

21 Sec. 603. The appropriation in part 1 for mental health
22 awareness training and coordination shall be expended for training
23 law enforcement officers, mental health practitioners, and other
24 criminal justice personnel in effective and safe ways of assisting
25 people with mental illness and directing people with mental

1 disorders to treatment programs.

2 Sec. 604. From the funds appropriated in part 1 to the
3 Michigan commission on law enforcement standards funds may be used
4 to provide training for motor carrier officers and capitol security
5 officers for the purpose of qualifying them for MCOLES
6 certification.

7 **EMERGENCY MANAGEMENT**

8 Sec. 801. (1) The state director of emergency management may
9 expend money appropriated under this act to call upon any agency or
10 department of the state or any resource of the state to protect
11 life or property or to provide for the health or safety of the
12 population in any area of the state in which the governor proclaims
13 a state of emergency or state of disaster under 1945 PA 302, MCL
14 10.31 to 10.33, or under the emergency management act, 1976 PA 390,
15 MCL 30.401 to 30.421. The state director of emergency management
16 may expend the amounts the director considers necessary to
17 accomplish these purposes. The director shall submit to the state
18 budget director as soon as possible a complete report of all
19 actions taken under the authority of this section. The report shall
20 contain, as a separate item, a statement of all money expended that
21 is not reimbursable from federal money. The state budget director
22 shall review the expenditures and submit recommendations to the
23 legislature in regard to any possible need for a supplemental
24 appropriation.

25 (2) In addition to the money appropriated in this act, the
26 department may receive and expend money from local, private,

1 federal, or state sources for the purpose of providing emergency
2 management training to local or private interests and for the
3 purpose of supporting emergency preparedness, response, recovery,
4 and mitigation activity. If additional expenditure authorization in
5 the Michigan administrative information network is approved by the
6 state budget office under this section, the department and the
7 state budget office shall notify the house and senate
8 appropriations subcommittees on state police and military and
9 veterans affairs and the house and senate fiscal agencies within 10
10 days after the approval. The notification shall include the amount
11 and source of the additional authorization, the date of its
12 approval, and the projected use of funds to be expended under the
13 authorization.

14 Sec. 803. The department's emergency management division shall
15 make every effort to ensure both of the following:

16 (a) That homeland security grants offered by the federal
17 government and channeled through the department are allocated to
18 first responder entities in the highest percentage possible.

19 (b) That homeland security grants awarded to the city of
20 Detroit shall not be used to supplant city general funds designated
21 to support first responder operations.

22 **POST UNIFORM SERVICES**

23 Sec. 901. State police enlisted personnel who are employed to
24 enforce traffic laws as provided in section 629e of the Michigan
25 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited
26 from responding to crimes in progress or other emergency

1 situations, and are responsible for protecting every citizen of
2 this state from harm.

3 Sec. 902. From the funds appropriated in part 1 for capitol
4 security guards, the department shall use these funds for security
5 services at the state capitol building. However, this shall not
6 preclude the capitol security guards from responding to emergencies
7 at the house office building, Farnum building, capitol parking lot,
8 and Roosevelt parking ramp.

9 **STATEWIDE FIELD OPERATIONS**

10 Sec. 1002. Money privately donated to the department is
11 appropriated under part 1 to be used for the purposes designated by
12 the donor of the money. Money privately donated to the department's
13 canine unit shall be used to purchase equipment and other items to
14 enhance the operation of the canine unit. It is the intent of the
15 legislature that money from private donations not supplant general
16 fund appropriations.

17 **SPECIAL INVESTIGATIONS**

18 Sec. 1101. (1) There is sufficient money appropriated in part
19 1 to special investigations to ensure that the citizens in a
20 service area of any state police post in the vicinity of a state
21 prison do not experience a downgrading of state police services in
22 their area. Special investigations shall be available by temporary
23 or permanent assignment of a detective when either a temporary or
24 permanent prison facility is opened.

25 (2) If the department is unable to comply with subsection (1)

1 and there is a prison scheduled to open, the department shall
2 provide troopers to serve as investigators on an interim basis.

3 Sec. 1102. From the funds appropriated in part 1 for special
4 investigations, the department shall provide a report to the
5 chairpersons of the senate and house of representatives standing
6 committees on appropriations no later than April 1, 2011 concerning
7 methamphetamine-related criminal activities.

8 **MOTOR CARRIER ENFORCEMENT**

9 Sec. 1201. (1) The department shall report to the house and
10 senate appropriations subcommittees on state police and the house
11 and senate fiscal agencies by March 1, 2011 regarding the
12 inspection of school buses and other motor vehicles under section
13 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and
14 section 39 of the pupil transportation act, 1990 PA 187, MCL
15 257.1839. The report shall include the following information
16 regarding inspections conducted in calendar year 2010:

17 (a) The number of buses and vehicles inspected by the
18 department.

19 (b) The number of buses and vehicles passing and failing
20 inspection.

21 (c) The estimated number of buses and vehicles not inspected.

22 (2) If each school bus within a school system receives a 100%
23 successful state inspection on its first inspection in a given
24 year, the department shall award a certificate to that school
25 system.