

**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

House Bill No. 5888 (H-3) as amended March 25, 2010

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..... 2,757.0

GROSS APPROPRIATION..... \$ [533,432,800]

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 24,443,500

ADJUSTED GROSS APPROPRIATION..... \$ [508,989,300]

Federal revenues:

Total federal revenues..... 104,487,200

Special revenue funds:

Total local revenues..... 6,287,800

Total private revenues..... 273,300

Total other state restricted revenues..... 145,580,900

State general fund/general purpose..... \$ [252,360,100]

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..... 2,481,400

Special operations and events--17.5 FTE positions.... 2,055,000

1	Auto theft prevention program--4.0 FTE positions	<u>8,052,800</u>
2	GROSS APPROPRIATION.....	\$ 12,739,200
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.....	8,052,800
9	Criminal justice information center service fees	72,300
10	Forensic science reimbursement fees.....	11,400
11	Highway safety fund.....	47,300
12	Motor carrier fees.....	38,000
13	Narcotics investigation revenues.....	5,400
14	Nuclear plant emergency planning 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.....	\$ 4,392,300
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.....	13,180,700
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.....	\$ 28,496,000
27	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDT, Michigan justice training fund.....	1,450,000
3	IDG, training academy charges.....	283,500
4	Federal revenues:	
5	DOT.....	25,200
6	DHS.....	177,500
7	Federal narcotics investigation revenues.....	95,000
8	Special revenue funds:	
9	Criminal justice information center service fees.....	199,500
10	Forensic science reimbursement fees.....	100,700
11	Hazardous materials training center fees.....	105,100
12	Highway safety fund.....	7,800
13	Michigan justice training fund.....	29,800
14	Motor carrier fees.....	7,500
15	Narcotics investigation revenues.....	170,100
16	Secondary road patrol and training fund.....	17,900
17	State forensic laboratory fund.....	100,700
18	Traffic law enforcement and safety fund.....	15,400
19	State general fund/general purpose.....	\$ 25,710,300
20	Sec. 104. SUPPORT SERVICES	
21	Full-time equated classified positions.....	196.5
22	Management services--136.0 FTE positions.....	\$ 13,893,500
23	Training administration--32.0 FTE positions.....	5,946,800
24	Budget and financial services--23.5 FTE positions....	2,635,900
25	Office of justice program grants--4.0 FTE positions..	<u>8,504,300</u>
26	GROSS APPROPRIATION.....	\$ 30,980,500
27	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDT, auto theft funds.....	2,500
3	IDT, truck safety fund.....	30,800
4	IDG-MDOS.....	2,000
5	IDG-MDOT, state trunkline fund.....	3,000
6	IDG, training academy charges.....	3,382,300
7	IDG-MDTR, casino gaming fees.....	107,500
8	IDG-MDTR, emergency telephone fund coordinator.....	536,500
9	IDG-MDTR, emergency telephone fund operations.....	478,600
10	IDG-MDOC, contract.....	50,000
11	Federal revenues:	
12	DOJ.....	380,100
13	DOJ interest bearing.....	8,124,200
14	DOT.....	487,800
15	Special revenue funds:	
16	Local - LEIN fees.....	3,800
17	Local - MPSCS subscriber and maintenance fees.....	28,100
18	Local - school bus revenue.....	1,700
19	Criminal justice information center service fees.....	817,900
20	Forensic science reimbursement fee.....	36,000
21	Highway safety fund.....	179,500
22	Michigan justice training fund.....	3,700
23	Motor carrier fees.....	156,700
24	Narcotics investigation revenues.....	27,400
25	Nuclear plant emergency planning reimbursement.....	39,300
26	Precision driving track fees.....	287,200
27	Reimbursed services.....	1,301,700

1	State forensic laboratory fund.....	36,100
2	State services fee fund.....	13,500
3	Traffic law enforcement and safety fund.....	234,300
4	State general fund/general purpose.....	\$ 14,228,300
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	\$ 1,060,400
9	Secondary road patrol program--2.0 FTE positions	14,040,300
10	Truck safety program--1.0 FTE positions	3,009,500
11	Federal highway traffic safety coordination--19.0 FTE	
12	positions	<u>12,612,900</u>
13	GROSS APPROPRIATION.....	\$ 30,723,100
14	Appropriated from:	
15	Federal revenues:	
16	DOJ.....	579,000
17	DOT.....	12,564,000
18	Special revenue funds:	
19	Secondary road patrol and training fund.....	14,040,300
20	Truck driver safety fund.....	3,009,500
21	State general fund/general purpose.....	\$ 530,300
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	\$ 11,039,500
26	Criminal records improvement--1.0 FTE positions	2,251,700
27	Traffic safety--19.0 FTE positions	<u>1,923,300</u>

1	GROSS APPROPRIATION.....	\$	15,214,500
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.....		2,251,700
8	DOT.....		519,000
9	Special revenue funds:		
10	Criminal justice information center service fees		9,679,500
11	Motor carrier fees.....		112,500
12	Sex offender registration fund.....		63,100
13	Traffic crash revenue.....		80,000
14	Traffic citation assessment fund.....		798,800
15	State general fund/general purpose.....	\$	498,100
16	Sec. 107. FORENSIC SCIENCES		
17	Full-time equated classified positions.....	269.5	
18	Laboratory operations--212.0 FTE positions.....	\$	30,418,000
19	DNA analysis program--57.5 FTE positions.....		8,280,500
20	Marquette laboratory.....		100
21	Detroit laboratory.....		100
22	GROSS APPROPRIATION.....	\$	38,698,700
23	Appropriated from:		
24	Federal revenues:		
25	DOJ.....		4,217,500
26	DOT.....		655,900
27	Federal narcotics investigation revenues.....		510,200

1	Special revenue funds:	
2	Criminal justice information center service fees	3,210,200
3	Forensic science reimbursement fees	1,515,900
4	Narcotics investigation revenues	1,705,000
5	State forensic laboratory fund	1,795,500
6	State services fee fund	12,537,500
7	State general fund/general purpose	\$ 12,551,000
8	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT	
9	STANDARDS	
10	Full-time equated classified positions	22.0
11	Standards and training/justice training grants--	20.0
12	FTE positions	\$ 9,032,700
13	Training only to local units--2.0 FTE positions	627,900
14	Concealed weapons enforcement training	100,000
15	Mental health awareness training	100,000
16	Public safety officers benefit program	<u>150,000</u>
17	GROSS APPROPRIATION	\$ 10,010,600
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG-MDOC	100,000
21	Federal revenues:	
22	DOJ	175,000
23	Special revenue funds:	
24	Concealed weapons enforcement fee	100,000
25	Licensing fees	9,100
26	Michigan justice training fund	8,028,600
27	Secondary road patrol and training fund	627,900

1	State general fund/general purpose	\$	970,000
2	Sec. 109. EMERGENCY MANAGEMENT		
3	Full-time equated classified positions		80.5
4	Emergency management planning and administration--		31.0
5	FTE positions	\$	5,468,800
6	Grants to local government		2,482,100
7	FEMA program assistance--18.0 FTE positions		4,948,300
8	Nuclear power plant emergency planning--6.0 FTE		
9	positions		1,816,000
10	Hazardous materials programs--25.5 FTE positions		<u>47,481,700</u>
11	GROSS APPROPRIATION	\$	62,196,900
12	Appropriated from:		
13	Federal revenues:		
14	DHS		55,681,100
15	DOT		584,800
16	Special revenue funds:		
17	Hazardous materials training center fees		1,508,200
18	Nuclear plant emergency planning reimbursement		1,816,000
19	State general fund/general purpose	\$	2,606,800
20	Sec. 110. POST UNIFORM SERVICES		
21	Full-time equated classified positions		1,380.0
22	Uniform services--372.0 FTE positions	\$	44,907,800
23	Capitol security guards		100
24	Reimbursed services		1,879,500
25	At-post troopers--1,008.0 FTE positions		<u>141,557,000</u>
26	GROSS APPROPRIATION	\$	188,344,400
27	Appropriated from:		

1	Special revenue funds:	
2	Criminal justice information center service fees	785,600
3	Highway safety fund.....	15,421,800
4	Narcotics investigation revenues.....	1,033,600
5	State police service fees.....	1,879,500
6	Traffic law enforcement and safety fund.....	29,097,100
7	Traffic citation assessment fund.....	2,200,000
8	Trooper school recruitment fund.....	1,000
9	State general fund/general purpose.....	\$ 137,925,800
10	Sec. 111. STATEWIDE FIELD OPERATIONS	
11	Full-time equated classified positions.....	61.0
12	Operational support--54.0 FTE positions.....	\$ 7,054,500
13	Aviation program--7.0 FTE positions.....	<u>1,507,800</u>
14	GROSS APPROPRIATION.....	\$ 8,562,300
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG-MDOC, contract.....	105,300
18	Special revenue funds:	
19	Private donations.....	273,300
20	Rental of department aircraft.....	51,800
21	State general fund/general purpose.....	\$ 8,131,900
22	Sec. 112. SPECIAL INVESTIGATIONS	
23	Full-time equated classified positions.....	342.0
24	Criminal investigations--217.0 FTE positions.....	\$ 31,255,100
25	Federal antidrug initiatives--65.5 FTE positions	8,874,100
26	Reimbursed services, materials, and equipment--0.5 FTE	
27	positions	2,689,300

1	Auto theft prevention--13.0 FTE positions	1,439,600
2	Casino gaming oversight--32.0 FTE positions	4,715,100
3	Fire investigation--14.0 FTE positions	1,719,900
4	Fire investigation training to locals	50,000
5	Parole absconder sweeps	<u>10,900</u>
6	GROSS APPROPRIATION	\$ 50,754,000
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDT, auto theft funds	1,040,000
10	IDG-MDTR, casino gaming fees	4,715,100
11	Federal revenues:	
12	DOJ	3,732,800
13	DOJ (ARRA)	2,000,000
14	Federal investigations - reimbursed services	764,100
15	Federal narcotics investigation revenues	499,300
16	Special revenue funds:	
17	Local - reimbursed services	1,925,200
18	Forfeiture funds	576,600
19	Michigan merit award trust fund	1,145,400
20	Narcotics investigation revenues	719,100
21	State general fund/general purpose	\$ 33,636,400
22	Sec. 113. TRAFFIC SAFETY	
23	Full-time equated classified positions	205.0
24	Motor carrier enforcement--101.0 FTE positions	\$ 11,369,200
25	Truck safety enforcement team operations--10.0 FTE	
26	positions	1,392,300
27	Safety inspections--63.0 FTE positions	7,052,400

1	School bus inspections--4.0 FTE positions	450,000
2	Safety projects--10.0 FTE positions	1,737,500
3	Traffic services--17.0 FTE positions	<u>5,198,400</u>
4	GROSS APPROPRIATION.....	\$ 27,199,800
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDT, truck safety fund.....	1,392,300
8	IDG-MDOT, state trunkline fund.....	9,075,000
9	Federal revenues:	
10	DOT.....	9,088,900
11	Special revenue funds:	
12	Local - school bus revenue.....	450,000
13	Drunk driving prevention and training fund.....	1,180,700
14	Motor carrier fees.....	4,422,400
15	State general fund/general purpose.....	\$ 1,590,500
16	Sec. 114. INFORMATION TECHNOLOGY	
17	Information technology services and projects	\$ 20,646,200
18	Michigan public safety communications system.....	13,138,000
19	Mobile data terminals.....	<u>147,200</u>
20	GROSS APPROPRIATION.....	\$ 33,931,400
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDT, auto theft funds.....	5,700
24	IDT, truck safety fund.....	10,100
25	IDG, training academy charges.....	8,500
26	IDG-MDOS.....	4,500
27	IDG-MDOT, state trunkline fund.....	250,600

1	IDG-MDTR, casino gaming fees.....	91,100
2	IDG-MDTR, emergency telephone fund coordinator.....	4,700
3	IDG-MDTR, emergency telephone fund operations.....	64,500
4	Federal revenues:	
5	DHS.....	619,500
6	DOJ.....	539,700
7	DOT.....	214,900
8	Special revenue funds:	
9	Local - AFIS fees.....	77,400
10	Local - LEIN fees.....	2,159,800
11	Local - MPSCS subscriber and maintenance fees.....	1,639,900
12	Local - school bus revenue.....	1,900
13	Commercial mobile radio service fees.....	5,000,000
14	Criminal justice information center service fees.....	4,515,500
15	Drunk driving prevention and training fund.....	1,900
16	Forensic science reimbursement fees.....	66,100
17	Hazardous materials training center fees.....	1,900
18	Highway safety fund.....	49,200
19	Michigan justice training fund.....	44,600
20	Michigan merit award trust fund.....	1,000
21	Motor carrier fees.....	257,400
22	Narcotics investigation revenues.....	13,100
23	Nuclear plant emergency planning reimbursement.....	4,900
24	Precision driving track fees.....	300
25	Reimbursed services.....	157,400
26	Secondary road patrol and training fund.....	397,400
27	Sex offender registration fund.....	216,300

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1	State forensic laboratory fund.....	162,800
2	State services fee fund.....	30,300
3	Traffic citation assessment fund.....	3,001,200
4	Traffic crash revenue.....	231,300
5	Traffic law enforcement and safety fund.....	79,000
6	State general fund/general purpose.....	\$ 14,007,000
	[Sec. 115. BUDGETARY SAVINGS	
	Budgetary savings.....	\$ (4,418,600)
	GROSS APPROPRIATION.....	\$ (4,418,600)
	Appropriated from:	
	State general fund/general purpose	\$ (4,418,600)]

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is [\$397,941,000.00] and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$19,466,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

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

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

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

1	Management services.....	\$	<u>478,600</u>
2	Total.....	\$	19,466,900

3 Sec. 202. The appropriations authorized under this act are
 4 subject to the management and budget act, 1984 PA 431, MCL 18.1101
 5 to 18.1594.

6 Sec. 203. As used in this act:

7 (a) "AFIS" means the automated fingerprint identification
 8 system.

9 (b) "ARRA" means the American recovery and reinvestment act of
 10 2009.

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

12 (d) "DHS" means the United States department of homeland
 13 security.

14 (e) "DNA" means deoxyribonucleic acid.

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

16 (g) "DOT" means the United States department of
 17 transportation.

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

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

20 (j) "IDG" means interdepartmental grant.

21 (k) "IDT" means intradepartmental transfer.

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

23 (m) "MCOLES" means the Michigan commission on law enforcement
 24 standards.

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

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

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

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

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

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

5 (t) "MPSCS" means the Michigan public safety communications
6 system.

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

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

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

1 the number of exceptions to the hiring freeze approved during the
2 previous quarter and the reasons to justify the exception.

3 Sec. 207. At least 60 days before beginning any effort to
4 privatize, the department shall submit a complete project plan to
5 the appropriate senate and house of representatives appropriations
6 subcommittees and the senate and house fiscal agencies. The plan
7 shall include the criteria under which the privatization initiative
8 will be evaluated. The evaluation shall be completed and submitted
9 to the appropriate senate and house of representatives
10 appropriations subcommittees and the senate and house fiscal
11 agencies within 30 months.

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

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

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

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

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

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

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

1 the personnel.

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

3 Sec. 214. The departments and agencies receiving
4 appropriations in part 1 shall receive and retain copies of all
5 reports funded from appropriations in part 1. The department shall
6 follow all federal guidelines and state laws regarding short-term
7 and long-term retention of records.

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

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

15 (b) The nature and structure of the casino gaming oversight
16 unit.

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

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

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

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

22 (g) The immediate past position of the enlisted employees
23 assigned.

24 Sec. 216. The department shall collect and computerize the
25 vehicle identification number (VIN) of all vehicles that are
26 entered into the state accident data collection system and make
27 this and other vehicle information available to the public at cost.

1 For bulk access to the accident records in which the VIN has been
2 collected and computerized, the department shall make those records
3 available to the public at cost, provided that the name and address
4 have been excluded.

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

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

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

24 (3) The department shall submit quarterly written reports to
25 the senate and house appropriations subcommittees on state police
26 and military and veterans affairs no later than December 1, 2010,
27 March 1, 2011, June 1, 2011, and September 1, 2011 which shall

1 include a trooper strength report and the status of the
2 department's plan for accomplishing the goal of subsection (2). If
3 the department determines that insufficient appropriations exist
4 under part 1 to accomplish the goal of subsection (2), the
5 department shall submit a proposal outlining a plan to accomplish
6 the goal, including an accounting of any additional funding
7 necessary to that end.

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

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

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

27 Sec. 223. (1) Due to the current budgetary problems in this

1 state, out-of-state travel for the fiscal year ending September 30,
2 2011 shall be limited to situations in which 1 or more of the
3 following conditions apply:

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

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

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

12 (d) The travel is necessary to comply with federal
13 requirements.

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

16 (f) The travel is financed entirely by federal or nonstate
17 funds.

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

24 (3) Not later than January 1, 2011, each department shall
25 prepare a travel report listing all travel by classified and
26 unclassified employees outside this state in the immediately
27 preceding fiscal year that was funded in whole or in part with

1 funds appropriated in the department's budget. The report shall be
2 submitted to the chairs and members of the senate and house of
3 representatives standing committees on appropriations, the fiscal
4 agencies, and the state budget director. The report shall include
5 the following information:

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

8 (b) The destination of each travel occurrence.

9 (c) The dates of each travel occurrence.

10 (d) A brief statement of the reason for each travel
11 occurrence.

12 (e) The transportation and related costs of each travel
13 occurrence, including the proportion funded with state general
14 fund/general purpose revenues, the proportion funded with state
15 restricted revenues, the proportion funded with federal revenues,
16 and the proportion funded with other revenues.

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

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

22 Sec. 226. The department of state police, in cooperation with
23 the department of technology, management, and budget, shall take
24 steps to encourage the development of state, local, and regional
25 tactical interoperable communication plans with the ultimate goal
26 being to ensure that effective and efficient communication
27 interoperability between radio communication systems of local,

1 regional, state, and federal agencies is established in every area
2 of the state. The department shall provide a written report to the
3 senate and house appropriations subcommittees on state police and
4 military and veterans affairs no later than April 1, 2011 on the
5 current status of reaching this objective. The report shall include
6 an accounting of exactly where within the state desired
7 interoperability has been achieved and what cooperative measures
8 and use of technology were used to achieve this interoperability,
9 and which areas of the state have not yet achieved such status. The
10 report shall also include a description of what strategies need to
11 be employed to ensure that the remaining areas of the state, and
12 the state as a whole, will have a communication system with
13 efficient and effective interoperability, particularly on occasions
14 when a multijurisdictional response to an emergency is warranted.

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

26 Sec. 234. Funds appropriated in part 1 shall not be used by a
27 principal executive department, state agency, or authority to hire

1 a person to provide legal services that are the responsibility of
2 the attorney general. This prohibition does not apply to legal
3 services for bonding activities and for those activities that the
4 attorney general authorizes.

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

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

18 Sec. 238. The department of technology, management, and budget
19 shall work with the department of state police to reduce building
20 operations and leasing costs for all Michigan state police
21 facilities and to identify efficiencies and savings.

22 Sec. 239. It is the intent of the legislature that, should
23 funding become available, funds may be appropriated to the
24 department for traffic control purposes at the Michigan
25 international speedway.

26 Sec. 240. (1) In addition to the funds appropriated in part 1,
27 there is appropriated an amount not to exceed \$10,000,000.00 for

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

5 (2) In addition to the funds appropriated in part 1, there is
6 appropriated an amount not to exceed \$3,500,000.00 for state
7 restricted contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in this act under section 393(2) of the management and budget act,
10 1984 PA 431, MCL 18.1393.

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

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

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

26 Sec. 242. Not later than September 30, 2011, the department
27 shall prepare and transmit a report that provides for estimates of

1 the total general fund/general purpose appropriation lapses at the
2 close of the fiscal year. This report shall summarize the projected
3 year-end general fund/general purpose appropriation lapses by major
4 departmental program or program areas. The report shall be
5 transmitted to the office of the state budget, the chairpersons of
6 the senate and house appropriations committees, and the senate and
7 house fiscal agencies.

8 Sec. 243. The funds appropriated in part 1 have been reduced
9 by \$575,000.00 to reduce the level of road patrol activity in Wayne
10 County.

11 Sec. 244. The funds appropriated in part 1 for the traffic
12 citation assessment fund shall be used as follows:

13 (a) \$2,200,000.00 for at-post troopers.

14 (b) \$147,200.00 for mobile data terminals.

15 (c) \$798,800.00 to the criminal justice information center for
16 Internet criminal history access tool (I-CHAT) related services.

17 (d) \$2,854,000.00 for information technology services and
18 projects, which shall be used as follows:

19 (i) \$1,389,800.00 shall be used to pay local LEIN fees.

20 (ii) \$500,000.00 shall be used for LEIN related technology
21 upgrades.

22 (iii) \$964,200.00 shall be used for Internet criminal history
23 access tool (I-CHAT) related costs.

24 Sec. 245. From the funds appropriated in part 1, the
25 department, working with the department of technology, management,
26 and budget and the department of human services, shall utilize no
27 more than \$60,000.00 to establish an automated connection between

House Bill No. 5888 (H-3) as amended March 25, 2010 (1 of 2)

the state police LEIN system and the department of human services bridges case management system to provide obtainable data that will allow authorized users of the bridges case management system to identify those persons who may be ineligible to receive certain assistance services due to their law enforcement status. The department shall deliver a report on this effort to the senate and house appropriations subcommittees on state police and military and veterans affairs not later than May 1, 2011.

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

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

[Sec. 256. The department shall not expend more than \$10,000.00 from the appropriations in part 1 to implement the requirements of section (2)].

Sec. 257. (1) The negative appropriation for budgetary savings in part 1 shall be satisfied through savings and reductions identified by the department director and approved by the state budget director.

(2) Adjustments to appropriation authorizations necessary to implement the requirements of subsection (1) shall be made only after the approval of transfers by the legislature pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) The state budget director is authorized to reduce federal, local, private, and state restricted appropriation amounts in part 1 to reflect savings from those fund sources associated with reductions made to state general fund/general purpose appropriations under subsection (2).

Sec. 258. (1) On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the

House Bill No. 5888 (H-3) as amended March 25, 2010 (2 fo 2)
house and senate appropriations subcommittees on the department of state
police and the house and senate fiscal agencies.

(2) From the funds appropriated in part 1, the department shall
develop, post, and maintain on a user-friendly and publicly accessible
Internet site, all expenditures made by the agency within a fiscal year.
The posting must include the purpose for which each expenditure is made.
Funds appropriated in part 1 from the federal American recovery and
reinvestment act shall also be included on a publicly accessible website
maintained by the Michigan economic recovery office. The department shall
not provide financial information on its website under this section if
doing so would violate a federal or state law, rule, regulation, or
guideline that establishes privacy or security standards applicable to
that section.]

21 **INFORMATION TECHNOLOGY**

22 Sec. 302. From the funds appropriated in part 1 for
23 information technology, departments and agencies shall pay user
24 fees to the department of technology, management, and budget for
25 technology-related services and projects. These user fees shall be
26 subject to provisions of an interagency agreement between the

1 department and the department of technology, management, and
2 budget.

3 Sec. 303. Amounts appropriated in part 1 for information
4 technology may be designated as work projects and carried forward
5 to support technology projects under the direction of the
6 department of technology, management, and budget. Funds designated
7 in this manner are not available for expenditure until approved as
8 work projects under section 451a of the management and budget act,
9 1984 PA 431, MCL 18.1451a.

10 Sec. 304. A portion of the funds appropriated in part 1 shall
11 be used by the department to produce a written report detailing
12 departmental policies regarding access to and use of information
13 from the LEIN system. The report shall include a description of
14 departmental measures to protect the security of information in the
15 LEIN system including safeguards that would prevent unauthorized
16 persons from obtaining information from the LEIN system. The
17 department shall submit a copy of this report to the senate and
18 house appropriations committees not later than April 1, 2011.

19 Sec. 305. The criminal justice information systems policy
20 council shall encourage members of the law enforcement agencies in
21 the state to be sensitive to, and note when necessary, activities
22 or circumstances that may suggest the unauthorized access or misuse
23 of information from the LEIN system. The criminal justice
24 information systems policy council shall advise LEIN auditors, as a
25 part of their audit of law enforcement agencies, to investigate in
26 depth all suspected incidents of improper access or improper use of
27 information from the LEIN system and determine whether or not those

1 incidents were illegal. In those incidents that may be determined
2 to be illegal, the executive secretary for the council shall
3 determine whether those incidents were of a negligent or criminal
4 nature. If an incident is determined to be an illegal act, the
5 council shall inform the chairs of both the senate and house
6 appropriations committees.

7 Sec. 306. (1) The department of state police, working with the
8 criminal justice information systems policy council, shall
9 implement procedures by which all probation information is placed
10 on the LEIN system. The LEIN system shall include information on
11 each probationer, including any probation conditions placed on a
12 probationer and the name of the probation officer assigned to a
13 probationer. The LEIN system shall also include any nonstandard
14 probation terms.

15 (2) If the department determines that amendments to the code
16 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are
17 required to include all probation information on the LEIN system,
18 the department shall deliver to members of the senate and house
19 appropriations subcommittees on state police and military affairs
20 amendments to the code of criminal procedure, 1927 PA 175, MCL
21 760.1 to 777.69, that, in the department's view, are necessary to
22 accomplish this goal. These proposed amendments shall be delivered
23 to subcommittee members not later than December 1, 2010.

24 Sec. 307. The department of state police shall serve as an
25 active liaison between the department of technology, management,
26 and budget and local public safety agencies to facilitate the use
27 of the Michigan public safety communications system towers by those

1 local public safety agencies that have an interest in using the
2 towers as a part of their own communications system. The department
3 of state police shall deliver a written report to the senate and
4 house appropriations subcommittees on state police and military and
5 veterans affairs by April 1, 2011, which shall include an
6 assessment of the progress toward establishing local public safety
7 agency use of the Michigan public safety communications system
8 towers, an accounting of problems that may be preventing local use
9 of the towers, and any recommendations the department has that may
10 foster this utilization.

11 Sec. 308. The department of state police shall report any LEIN
12 fee increase to the senate and house appropriations subcommittees
13 on state police and military and veterans affairs 60 days prior to
14 the effective date of that increase. The report shall contain the
15 following information: the current fee structure and the total
16 revenue earned each year; the new fee structure and the total
17 revenue it is expected to earn annually; the total annual cost of
18 the LEIN system; and the total amount of LEIN fees paid by the
19 department under both the old and the new structure.

20 Sec. 309. From the funds appropriated in part 1 for
21 information technology, the department may develop and issue a
22 request for proposal for the development, implementation, and
23 maintenance of an electronic system for real-time enforcement of
24 section 3101 of the insurance code of 1956, 1956 PA 218, MCL
25 500.3101.

26 Sec. 310. It is the intent of the legislature that the
27 Michigan public safety communications system (MPSCS) begin the

1 necessary expansion and upgrade of the system to allow for more
2 local users to utilize the system. The MPSCS shall use restricted
3 fund dollars, federal funds, and other non-general fund/general
4 purpose funds for this purpose.

5 **HIGHWAY SAFETY PLANNING**

6 Sec. 401. On a biannual basis, the department shall report to
7 the senate and house appropriations subcommittees on state police
8 and military and veterans affairs on the status of assessments
9 collected and authorized under section 629e of the Michigan vehicle
10 code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the
11 secondary road patrol grant program. Each biannual report shall
12 contain updated information on collection levels, revised projected
13 grant allotments to counties for the year, a comparison of
14 projected collections and grant distribution levels with the funds
15 appropriated in part 1 for the secondary road patrol program, and
16 the extent collection levels have exceeded or failed to meet
17 appropriated levels for the current fiscal year or expenditure
18 levels from the previous fiscal year.

19 **FORENSIC SCIENCES**

20 Sec. 501. When changes are made to the department's protocol
21 for retaining and purging DNA analysis samples and records, the
22 department shall post a copy of the protocol changes on the
23 department's website.

24 Sec. 502. The department shall work with the department of
25 community health, the Michigan health and hospital association, the

1 Michigan state medical society, and the Michigan nurses association
2 to ensure that the recommendations included in the "Standard
3 Recommended Procedures for the Emergency Treatment of Sexual
4 Assault Victims" are followed in the collection of evidence.

5 MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

6 Sec. 601. The money appropriated to the MCOLES for maintenance
7 and delivery of training to locals is provided in accordance with a
8 state reimbursement policy in which 100% of the determined state
9 reimbursement rate shall be distributed upon certification by the
10 MCOLES.

11 Sec. 603. The appropriation in part 1 for mental health
12 awareness training and coordination shall be expended for training
13 law enforcement officers, mental health practitioners, and other
14 criminal justice personnel in effective and safe ways of assisting
15 people with mental illness and directing people with mental
16 disorders to treatment programs.

17 Sec. 604. From the funds appropriated in part 1 to the
18 Michigan commission on law enforcement standards funds may be used
19 to provide training for motor carrier officers and capitol security
20 officers for the purpose of qualifying them for MCOLES
21 certification.

22 EMERGENCY MANAGEMENT

23 Sec. 801. (1) The state director of emergency management may
24 expend money appropriated under this act to call upon any agency or
25 department of the state or any resource of the state to protect

1 life or property or to provide for the health or safety of the
2 population in any area of the state in which the governor proclaims
3 a state of emergency or state of disaster under 1945 PA 302, MCL
4 10.31 to 10.33, or under the emergency management act, 1976 PA 390,
5 MCL 30.401 to 30.421. The state director of emergency management
6 may expend the amounts the director considers necessary to
7 accomplish these purposes. The director shall submit to the state
8 budget director as soon as possible a complete report of all
9 actions taken under the authority of this section. The report shall
10 contain, as a separate item, a statement of all money expended that
11 is not reimbursable from federal money. The state budget director
12 shall review the expenditures and submit recommendations to the
13 legislature in regard to any possible need for a supplemental
14 appropriation.

15 (2) In addition to the money appropriated in this act, the
16 department may receive and expend money from local, private,
17 federal, or state sources for the purpose of providing emergency
18 management training to local or private interests and for the
19 purpose of supporting emergency preparedness, response, recovery,
20 and mitigation activity. If additional expenditure authorization in
21 the Michigan administrative information network is approved by the
22 state budget office under this section, the department and the
23 state budget office shall notify the house and senate
24 appropriations subcommittees on state police and military and
25 veterans affairs and the house and senate fiscal agencies within 10
26 days after the approval. The notification shall include the amount
27 and source of the additional authorization, the date of its

1 approval, and the projected use of funds to be expended under the
2 authorization.

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

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

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

11 **POST UNIFORM SERVICES**

12 Sec. 901. State police enlisted personnel who are employed to
13 enforce traffic laws as provided in section 629e of the Michigan
14 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited
15 from responding to crimes in progress or other emergency
16 situations, and are responsible for protecting every citizen of
17 this state from harm.

18 Sec. 902. From the funds appropriated in part 1 for capitol
19 security guards, the department shall use these funds for security
20 services at the state capitol building, house office building,
21 Farnum building, capitol parking lot, and Roosevelt parking ramp.

22 **STATEWIDE FIELD OPERATIONS**

23 Sec. 1002. Money privately donated to the department is
24 appropriated under part 1 to be used for the purposes designated by
25 the donor of the money. Money privately donated to the department's

1 canine unit shall be used to purchase equipment and other items to
2 enhance the operation of the canine unit. It is the intent of the
3 legislature that money from private donations not supplant general
4 fund appropriations.

5 **SPECIAL INVESTIGATIONS**

6 Sec. 1101. (1) There is sufficient money appropriated in part
7 1 to special investigations to ensure that the citizens in a
8 service area of any state police post in the vicinity of a state
9 prison do not experience a downgrading of state police services in
10 their area. Special investigations shall be available by temporary
11 or permanent assignment of a detective when either a temporary or
12 permanent prison facility is opened.

13 (2) If the department is unable to comply with subsection (1)
14 and there is a prison scheduled to open, the department shall
15 provide troopers to serve as investigators on an interim basis.

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

21 **MOTOR CARRIER ENFORCEMENT**

22 Sec. 1201. (1) The department shall report to the house and
23 senate appropriations subcommittees on state police and the house
24 and senate fiscal agencies by March 1, 2011 regarding the
25 inspection of school buses and other motor vehicles under section

1 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and
2 section 39 of the pupil transportation act, 1990 PA 187, MCL
3 257.1839. The report shall include the following information
4 regarding inspections conducted in calendar year 2010:

5 (a) The number of buses and vehicles inspected by the
6 department.

7 (b) The number of buses and vehicles passing and failing
8 inspection.

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

10 (2) If each school bus within a school system receives a 100%
11 successful state inspection on its first inspection in a given
12 year, the department shall award a certificate to that school
13 system.