

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..... \$ 530,431,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 26,343,800

ADJUSTED GROSS APPROPRIATION..... \$ 504,087,600

Federal revenues:

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

Special revenue funds:

Total local revenues..... 7,647,300

Total private revenues..... 269,800

Total state restricted revenues..... 134,042,900

State general fund/general purpose..... \$ 258,193,400

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.....	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	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.....	\$ 25,710,300
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.....	\$	29,431,400
18	DNA analysis program--57.5 FTE positions.....		8,167,000
19	Marquette laboratory.....		100
20	Detroit laboratory.....		<u>100</u>
21	GROSS APPROPRIATION.....	\$	37,598,600
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG-MDOC.....		2,200,000
25	Federal revenues:		
26	DOJ.....		4,169,000
27	DOT.....		655,900

1	Federal narcotics investigation revenues	510,200
2	Special revenue funds:	
3	Forensic science reimbursement fees	1,515,900
4	State forensic laboratory fund	1,795,500
5	Narcotic investigation revenues	1,705,000
6	Criminal justice information center service fees	60,200
7	State services fee fund	9,305,900
8	State general fund/general purpose	\$ 15,681,000
9	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT	
10	STANDARDS	
11	Full-time equated classified positions	22.0
12	Standards and training/justice training grants--	20.0
13	FTE positions	\$ 9,004,000
14	Concealed weapons enforcement training	100,000
15	Training only to local units--2.0 FTE positions	622,700
16	Mental health awareness training	100,000
17	Public safety officers benefit program	<u>149,600</u>
18	GROSS APPROPRIATION	\$ 9,976,300
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG-MDOC, contract	100,000
22	Federal revenues:	
23	DOJ	175,000
24	Special revenue funds:	
25	Secondary road patrol and training fund	622,700
26	Michigan justice training fund	8,006,400
27	Licensing fees	9,100

1	Concealed weapons enforcement fee.....		100,000
2	State general fund/general purpose.....	\$	963,100
3	Sec. 109. EMERGENCY MANAGEMENT		
4	Full-time equated classified positions.....	80.5	
5	Emergency management planning and		
6	administration--31.0 FTE positions.....	\$	5,390,600
7	Grants to local government.....		2,482,100
8	FEMA program assistance--18.0 FTE positions.....		4,904,000
9	Nuclear power plant emergency planning--6.0 FTE		
10	positions		1,799,300
11	Hazardous materials programs--25.5 FTE positions		47,217,600
12	Capitol building security infrastructure.....		<u>200,000</u>
13	GROSS APPROPRIATION.....	\$	61,993,600
14	Appropriated from:		
15	Federal revenues:		
16	DOT.....		584,800
17	DHS.....		55,547,400
18	Special revenue funds:		
19	Nuclear plant emergency planning reimbursement		1,799,300
20	Hazardous materials training center fees		1,508,200
21	State general fund/general purpose.....	\$	2,553,900
22	Sec. 110. POST UNIFORM SERVICES		
23	Full-time equated classified positions.....	1,387.0	
24	Uniform services--372.0 FTE positions.....	\$	43,919,500
25	Capitol security guards--7.0 FTE positions		700,000
26	At-post troopers--1,008.0 FTE positions		139,235,800
27	Reimbursed services.....		<u>1,879,500</u>

1	GROSS APPROPRIATION.....	\$	185,734,800
2	Appropriated from:		
3	Special revenue funds:		
4	Criminal justice information center service fees		785,600
5	Narcotics investigation revenues		1,033,600
6	Highway safety fund.....		15,325,700
7	Traffic law enforcement and safety fund.....		28,918,700
8	Trooper school recruitment fund.....		1,000
9	State police service fees.....		1,879,500
10	State general fund/general purpose.....	\$	137,790,700
11	Sec. 111. STATEWIDE FIELD OPERATIONS		
12	Full-time equated classified positions.....	61.0	
13	Operational support--54.0 FTE positions.....	\$	6,912,200
14	Aviation program--7.0 FTE positions.....		<u>1,495,000</u>
15	GROSS APPROPRIATION.....	\$	8,407,200
16	Appropriated from:		
17	Interdepartmental grant revenues:		
18	IDG-MDOC, contract.....		105,300
19	Special revenue funds:		
20	Private donations.....		269,800
21	Rental of department aircraft.....		51,800
22	State general fund/general purpose.....	\$	7,980,300
23	Sec. 112. SPECIAL INVESTIGATIONS		
24	Full-time equated classified positions.....	342.0	
25	Criminal investigations--217.0 FTE positions.....	\$	30,017,900
26	Federal antidrug initiatives--65.5 FTE positions		8,756,400
27	Reimbursed services, materials, and equipment--0.5		

1	FTE positions	2,688,000
2	Auto theft prevention--13.0 FTE positions	1,413,500
3	Casino gaming oversight--32.0 FTE positions	4,625,100
4	Fire investigation--14.0 FTE positions	1,679,700
5	Fire investigation training to locals	50,000
6	Parole absconder sweeps	<u>10,900</u>
7	GROSS APPROPRIATION	\$ 49,241,500
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDT, auto theft funds	1,027,000
11	IDG-MDTR, casino gaming fees	4,625,100
12	Federal revenues:	
13	Federal investigations - reimbursed services	764,100
14	DOJ	3,656,800
15	DOJ (ARRA)	2,000,000
16	Federal narcotics investigation revenues	463,800
17	Special revenue funds:	
18	Local - reimbursed services	1,923,900
19	Narcotics investigation revenues	719,100
20	Michigan merit award trust fund	629,900
21	Forfeiture funds	576,600
22	State general fund/general purpose	\$ 32,855,200
23	Sec. 113. TRAFFIC SAFETY	
24	Full-time equated classified positions	205.0
25	Motor carrier enforcement--101.0 FTE positions	\$ 11,185,900
26	Truck safety enforcement team operations--10.0 FTE	
27	positions	1,375,000

1	Safety inspections--63.0 FTE positions	6,943,400
2	School bus inspections--4.0 FTE positions	421,000
3	Safety projects--10.0 FTE positions	1,712,100
4	Traffic services--17.0 FTE positions	<u>5,144,600</u>
5	GROSS APPROPRIATION.....	\$ 26,782,000
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDT, truck safety fund.....	1,375,000
9	IDG-MDOT, state trunkline fund.....	8,939,400
10	Federal revenues:	
11	DOT.....	8,936,400
12	Special revenue funds:	
13	Local school bus revenue.....	421,000
14	Drunk driving prevention and training fund.....	1,180,700
15	Motor carrier fees.....	4,374,700
16	State general fund/general purpose.....	\$ 1,554,800
17	Sec. 114. INFORMATION TECHNOLOGY	
18	Information technology services and projects.....	\$ 20,203,000
19	Michigan public safety communications system.....	<u>13,138,000</u>
20	GROSS APPROPRIATION.....	\$ 33,341,000
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG-MDTR, casino gaming fees.....	91,100
24	IDG-MDOT, state trunkline fund.....	250,600
25	IDG, training academy charges.....	8,500
26	IDG-MDOS.....	4,500
27	IDG-MDTR, emergency telephone fund coordinator.....	4,700

1	IDG-MDTR, emergency telephone fund operations	64,500
2	IDG-auto theft funds	5,700
3	IDT-truck safety fund	10,100
4	Federal revenues:	
5	DOJ	539,700
6	DHS	619,500
7	DOT	214,900
8	Special revenue funds:	
9	Local - LEIN fees	3,549,600
10	Local - AFIS fees	77,400
11	Local - MPSCS subscriber and maintenance fees	1,639,900
12	Local - school bus revenue	1,900
13	Criminal justice information center service fees	4,515,500
14	Drunk driving prevention and training fund	1,900
15	Forensic science reimbursement fees	66,100
16	Hazardous materials center fees	1,900
17	Michigan justice training fund	44,600
18	Narcotics investigation revenue	13,100
19	Nuclear plant emergency planning reimbursement	4,900
20	Precision driving track fees	300
21	Secondary road patrol and training fund	397,400
22	Sex offender registration fund	216,300
23	State forensic laboratory fund	162,800
24	Reimbursed services	157,400
25	Motor carrier fees	257,400
26	Commercial mobile radio service fees	7,000,000
27	Traffic law enforcement and safety fund	79,000

1	Highway safety fund.....	49,200
2	Michigan merit award trust fund.....	1,000
3	State services fee fund.....	30,300
4	Traffic crash revenue.....	231,300
5	State general fund/general purpose.....	\$ 13,028,000

6 PART 2

7 PROVISIONS CONCERNING APPROPRIATIONS

8 **GENERAL SECTIONS**

9 Sec. 201. Pursuant to section 30 of article IX of the state
 10 constitution of 1963, total state spending from state resources
 11 under part 1 for fiscal year 2010-2011 is \$392,236,300.00 and state
 12 spending from state resources to be paid to local units of
 13 government for fiscal year 2010-2011 is \$19,466,900.00. The
 14 itemized statement below identifies appropriations from which
 15 spending to units of local government will occur:

16 DEPARTMENT OF STATE POLICE

17 OFFICE OF HIGHWAY SAFETY PLANNING

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

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

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

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

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

5 Sec. 203. As used in this act:

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

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

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

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

13 (e) "DNA" means deoxyribonucleic acid.

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

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

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

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

19 (j) "IDG" means interdepartmental grant.

20 (k) "IDT" means intradepartmental transfer.

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

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

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

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

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

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

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

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

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

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

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

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

1 previous quarter and the reasons to justify the exception.

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

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

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

27 Sec. 210. The director of each department receiving

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 collected and computerized, the department shall make those records
2 available to the public at cost, provided that the name and address
3 have been excluded.

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

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

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

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

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

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

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

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

26 Sec. 223. (1) Due to the current budgetary problems in this
27 state, out-of-state travel for the fiscal year ending September 30,

1 2011 shall be limited to situations in which 1 or more of the
2 following conditions apply:

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

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

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

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

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

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

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

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

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

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

7 (b) The destination of each travel occurrence.

8 (c) The dates of each travel occurrence.

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

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

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

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

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

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

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

25 Sec. 234. Funds appropriated in part 1 shall not be used by a
26 principal executive department, state agency, or authority to hire
27 a person to provide legal services that are the responsibility of

1 the attorney general. This prohibition does not apply to legal
2 services for bonding activities and for those activities that the
3 attorney general authorizes.

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

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

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

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

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

1 expenditure until they have been transferred to another line item
2 in this act under section 393(2) of the management and budget act,
3 1984 PA 431, MCL 18.1393.

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

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

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

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

25 Sec. 242. Not later than September 30, 2011, the department
26 shall prepare and transmit a report that provides for estimates of
27 the total general fund/general purpose appropriation lapses at the

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

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

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

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

1 agencies.

2 **INFORMATION TECHNOLOGY**

3 Sec. 301. The money appropriated in part 1 for computer
4 services shall be funded by LEIN user fees sufficient to pay 1/3 of
5 the state's service and contract maintenance costs of the LEIN.

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

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

20 Sec. 304. A portion of the funds appropriated in part 1 shall
21 be used by the department to produce a written report detailing
22 departmental policies regarding access to and use of information
23 from the LEIN system. The report shall include a description of
24 departmental measures to protect the security of information in the
25 LEIN system including safeguards that would prevent unauthorized
26 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 Sec. 503. It is the intent of the legislature that the funds
16 appropriated in section 107 for forensic sciences be considered as
17 work projects and shall not lapse to the general fund at the end of
18 the fiscal year.

19 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

25 Sec. 603. The appropriation in part 1 for mental health

1 awareness training and coordination shall be expended for training
2 law enforcement officers, mental health practitioners, and other
3 criminal justice personnel in effective and safe ways of assisting
4 people with mental illness and directing people with mental
5 disorders to treatment programs.

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

11 **EMERGENCY MANAGEMENT**

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

1 legislature in regard to any possible need for a supplemental
2 appropriation.

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

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

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

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

26 **POST UNIFORM SERVICES**

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

7 Sec. 902. From the funds appropriated in part 1 for capitol
8 security guards, the department shall use these funds for security
9 services at the state capitol building to provide a minimum of 24-
10 hour security coverage for the state capitol building on Mondays
11 through Fridays.

12 STATEWIDE FIELD OPERATIONS

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

20 SPECIAL INVESTIGATIONS

21 Sec. 1101. (1) There is sufficient money appropriated in part
22 1 to special investigations to ensure that the citizens in a
23 service area of any state police post in the vicinity of a state
24 prison do not experience a downgrading of state police services in
25 their area. Special investigations shall be available by temporary

1 or permanent assignment of a detective when either a temporary or
2 permanent prison facility is opened.

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

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

11 MOTOR CARRIER ENFORCEMENT

12 Sec. 1201. (1) The department shall report to the house and
13 senate appropriations subcommittees on state police and the house
14 and senate fiscal agencies by March 1, 2011 regarding the
15 inspection of school buses and other motor vehicles under section
16 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and
17 section 39 of the pupil transportation act, 1990 PA 187, MCL
18 257.1839. The report shall include the following information
19 regarding inspections conducted in calendar year 2010:

20 (a) The number of buses and vehicles inspected by the
21 department.

22 (b) The number of buses and vehicles passing and failing
23 inspection.

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

25 (2) If each school bus within a school system receives a 100%
26 successful state inspection on its first inspection in a given

- 1 year, the department shall award a certificate to that school
- 2 system.