

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 253

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2010; 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; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

Senate Bill No. 253 (H-7) as amended September 17, 2009

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, 2010, 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..... 3.0

Full-time equated classified positions..... 2,829.5

GROSS APPROPRIATION..... \$ [528,012,800]

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 26,108,400

ADJUSTED GROSS APPROPRIATION..... \$ [501,904,400]

Federal revenues:

Total federal revenues..... 96,539,000

Special revenue funds:

Total local revenues..... 8,545,700

Total private revenues..... 273,300

Total other state restricted revenues..... [129,287,200]

State general fund/general purpose..... \$ 267,259,200

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions..... 3.0

Full-time equated classified positions..... 40.5

Unclassified positions..... \$ 260,400

Executive direction--19.0 FTE positions..... 2,323,600

Special operations and events--17.5 FTE positions.... 2,106,200

1	Auto theft prevention program--4.0 FTE positions	<u>8,022,800</u>
2	GROSS APPROPRIATION.....	\$ 12,713,000
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDT, truck safety fund.....	22,700
6	Special revenue funds:	
7	Auto theft prevention fund.....	8,022,800
8	Criminal justice information center service fees	47,600
9	Forensic science reimbursement fees	24,700
10	Highway safety fund.....	32,900
11	Motor carrier fees.....	32,000
12	Traffic law enforcement and safety fund.....	128,100
13	State general fund/general purpose.....	\$ 4,402,200
14	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS	
15	Special maintenance and utilities.....	\$ 447,600
16	Rent and building occupancy charges.....	9,633,000
17	Worker's compensation.....	3,151,300
18	Fleet leasing.....	14,055,300
19	In-service training - law enforcement distribution...	450,000
20	In-service training - competitive.....	1,000,000
21	Narcotics investigation funds.....	<u>265,100</u>
22	GROSS APPROPRIATION.....	\$ 29,002,300
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDT, Michigan justice training fund.....	1,450,000
26	IDG, training academy charges.....	277,500
27	Federal revenues:	

1	DOT.....	24,700
2	DHS.....	173,700
3	Federal narcotics investigation revenues.....	95,000
4	Special revenue funds:	
5	Criminal justice information center service fees.....	195,200
6	Forensic science reimbursement fees.....	98,500
7	Hazardous materials training center fees.....	102,900
8	Highway safety fund.....	7,800
9	Michigan justice training fund.....	29,200
10	Motor carrier fees.....	7,300
11	Narcotics investigation revenues.....	170,100
12	Secondary road patrol and training fund.....	17,500
13	State forensic laboratory fund.....	98,500
14	Traffic law enforcement and safety fund.....	15,400
15	State general fund/general purpose.....	\$ 26,239,000
16	Sec. 104. SUPPORT SERVICES	
17	Full-time equated classified positions..... 182.0	
18	Management services--128.0 FTE positions.....	\$ 11,846,600
19	Training administration--32.0 FTE positions.....	6,708,000
20	Budget and financial services--22.0 FTE positions....	<u>2,269,000</u>
21	GROSS APPROPRIATION.....	\$ 20,823,600
22	Appropriated from:	
23	Interdepartmental grant revenues:	
24	IDT, auto theft funds.....	3,800
25	IDG-MDOS.....	2,000
26	IDG-MDOT, state trunkline fund.....	4,200
27	IDG, training academy charges.....	3,272,400

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1	IDG-MDTR, casino gaming fees.....	63,400
2	IDG-MDTR, emergency telephone fund coordinator.....	520,400
3	IDG-MDTR, emergency telephone fund operations.....	477,800
4	IDG-MDOC, contract.....	1,100,000
5	Federal revenues:	
6	DOT.....	473,200
7	Special revenue funds:	
8	Local - LEIN fees.....	2,800
9	Local - MPSCS subscriber and maintenance fees.....	27,100
10	Local - school bus revenue.....	1,700
11	Criminal justice information center service fees.....	681,600
12	Forensic science reimbursement fee.....	7,800
13	Hazardous materials training center fees.....	5,100
14	Highway safety fund.....	202,400
15	Michigan justice training fund.....	1,600
16	Motor carrier fees.....	19,200
17	Narcotics investigation revenues.....	33,800
18	Nuclear plant emergency planning reimbursement.....	20,800
19	Precision driving track fees.....	287,200
20	Reimbursed services.....	1,253,200
21	Traffic law enforcement and safety fund.....	414,000
22	State general fund/general purpose.....	\$ 11,948,100
23	Sec. 105. HIGHWAY SAFETY PLANNING	
24	Full-time equated classified positions..... 30.0	
25	State program planning and administration--8.0 FTE	
26	positions	\$ 1,236,200
27	Secondary road patrol program--2.0 FTE positions	[13,034,400]

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1	Truck safety program--1.0 FTE positions	3,005,700
2	Federal highway traffic safety coordination--19.0 FTE	
3	positions	<u>10,568,000</u>
4	GROSS APPROPRIATION.....	\$ [27,844,300]
5	Appropriated from:	
6	Federal revenues:	
7	DOJ.....	576,900
8	DOT.....	10,716,300
9	Special revenue funds:	
10	Secondary road patrol and training fund.....	[13,034,400]
11	Truck driver safety fund.....	3,005,700
12	State general fund/general purpose	\$ 511,000
13	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER	
14	Full-time equated classified positions..... 136.0	
15	Criminal justice information center division--116.0	
16	FTE positions	\$ 10,745,700
17	Criminal records improvement--1.0 FTE positions	2,244,000
18	Traffic safety--19.0 FTE positions	<u>1,879,100</u>
19	GROSS APPROPRIATION.....	\$ 14,868,800
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-MDCH, crime victims rights fund.....	483,600
23	IDG-MDOS.....	329,500
24	IDG-MDOT, state trunkline fund.....	854,500
25	Federal revenues:	
26	DOJ.....	2,244,000
27	DOT.....	507,000

1	Special revenue funds:	
2	Criminal justice information center service fees	9,414,900
3	Motor carrier fees.....	109,900
4	Sex offender registration fund.....	61,400
5	Traffic crash revenue.....	78,200
6	State general fund/general purpose.....	\$ 785,800
7	Sec. 107. FORENSIC SCIENCES	
8	Full-time equated classified positions.....	239.5
9	Laboratory operations--182.0 FTE positions.....	\$ 29,745,200
10	Detroit laboratory.....	100
11	Marquette laboratory.....	200
12	Municipal reimbursement.....	200
13	DNA analysis program--57.5 FTE positions.....	<u>7,970,600</u>
14	GROSS APPROPRIATION.....	\$ 37,716,300
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG-MDCH, crime victims rights fund.....	443,300
18	Federal revenues:	
19	DOJ.....	4,117,700
20	DOT.....	634,000
21	Federal narcotics investigation revenues.....	493,200
22	Special revenue funds:	
23	Local - municipal reimbursement.....	200
24	Criminal justice information center service fees	319,400
25	Forensic science reimbursement fees.....	1,455,000
26	Narcotics investigation revenues.....	1,648,000
27	State forensic laboratory fund.....	1,733,000

1	State services fee fund.....		9,283,100
2	State general fund/general purpose.....	\$	17,589,400
3	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT		
4	STANDARDS		
5	Full-time equated classified positions.....	26.0	
6	Standards and training--20.0 FTE positions.....	\$	1,726,900
7	Training only to local units--2.0 FTE positions.....		618,900
8	Concealed weapons enforcement training.....		240,000
9	Mental health awareness training.....		100,000
10	Officer's survivor tuition program.....		48,500
11	Public safety officers benefit program.....		150,000
12	Justice training grants--4.0 FTE positions.....		<u>6,948,600</u>
13	GROSS APPROPRIATION.....	\$	9,832,900
14	Appropriated from:		
15	Interdepartmental grant revenues:		
16	IDG-MDOC.....		100,000
17	Federal revenues:		
18	DOJ.....		175,000
19	Special revenue funds:		
20	Concealed weapons enforcement fee.....		240,000
21	Licensing fees.....		9,100
22	Michigan justice training fund.....		6,948,600
23	Secondary road patrol and training fund.....		618,900
24	State general fund/general purpose.....	\$	1,741,300
25	Sec. 109. EMERGENCY MANAGEMENT		
26	Full-time equated classified positions.....	87.5	
27	Emergency management planning and administration--	56.0	

1	FTE positions	\$	4,976,900
2	Grants to local government		2,482,100
3	FEMA program assistance--6.0 FTE positions		1,936,100
4	Nuclear power plant emergency planning--6.0 FTE		
5	positions		1,529,300
6	Hazardous materials programs--19.5 FTE positions		<u>51,079,100</u>
7	GROSS APPROPRIATION	\$	62,003,500
8	Appropriated from:		
9	Federal revenues:		
10	DHS		56,161,600
11	DOT		583,800
12	Special revenue funds:		
13	Hazardous materials training center fees		1,507,600
14	Nuclear plant emergency planning reimbursement		1,529,300
15	State general fund/general purpose	\$	2,221,200
16	Sec. 110. POST UNIFORM SERVICES		
17	Full-time equated classified positions..... 1,485.0		
18	Uniform services--385.0 FTE positions	\$	46,361,300
19	Security guards		300,000
20	Reimbursed services--11.0 FTE positions		1,812,700
21	At-post troopers--1,089.0 FTE positions		143,803,900
22	At-post troopers restoration		<u>2,700,000</u>
23	GROSS APPROPRIATION	\$	194,977,900
24	Appropriated from:		
25	Federal revenues:		
26	Federal ARRA assistance to rural law enforcement grant		
27	funding		2,700,000

1	Special revenue funds:	
2	Criminal justice information center service fees	760,300
3	Highway safety fund.....	15,421,800
4	Narcotics investigation revenues.....	1,000,000
5	State police service fees.....	1,812,700
6	Traffic law enforcement and safety fund.....	29,098,100
7	State general fund/general purpose.....	\$ 144,185,000
8	Sec. 111. STATEWIDE FIELD OPERATIONS	
9	Full-time equated classified positions.....	55.0
10	Operational support--48.0 FTE positions.....	\$ 6,258,100
11	Aviation program--7.0 FTE positions.....	<u>1,478,100</u>
12	GROSS APPROPRIATION.....	\$ 7,736,200
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDCH, crime victims rights fund.....	126,400
16	IDG-MDOC, contract.....	101,600
17	Special revenue funds:	
18	Private donations.....	273,300
19	Rental of department aircraft.....	51,800
20	State general fund/general purpose.....	\$ 7,183,100
21	Sec. 112. SPECIAL INVESTIGATIONS	
22	Full-time equated classified positions.....	319.0
23	Criminal investigations--207.0 FTE positions.....	\$ 30,688,400
24	Federal antidrug initiatives--49.5 FTE positions	6,650,100
25	Reimbursed services, materials, and equipment--3.5 FTE	
26	positions	2,669,200
27	Auto theft prevention--13.0 FTE positions.....	1,794,800

1	Casino gaming oversight--32.0 FTE positions	4,564,900
2	Fire investigation--14.0 FTE positions	1,662,900
3	Fire investigation training to locals	<u>50,000</u>
4	GROSS APPROPRIATION.....	\$ 48,080,300
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDT, auto theft funds	1,409,000
8	IDG-MDTR, casino gaming fees	4,564,900
9	Federal revenues:	
10	DOJ.....	3,611,700
11	Federal investigations - reimbursed services	758,400
12	Federal narcotics investigation revenues	483,000
13	Special revenue funds:	
14	Local - reimbursed services	1,910,800
15	Forfeiture funds	557,600
16	Michigan merit award trust fund	610,000
17	Narcotics investigation revenues	694,500
18	State general fund/general purpose	\$ 33,480,400
19	Sec. 113. TRAFFIC SAFETY	
20	Full-time equated classified positions..... 229.0	
21	Motor carrier enforcement--106.0 FTE positions	\$ 10,568,100
22	Truck safety enforcement team operations--10.0 FTE	
23	positions	1,345,900
24	Safety inspections--63.0 FTE positions	8,283,200
25	School bus inspections--15.0 FTE positions	1,432,900
26	Safety projects--18.0 FTE positions	2,165,000
27	Traffic services--17.0 FTE positions	<u>5,233,900</u>

1	GROSS APPROPRIATION.....	\$	29,029,000
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDT, truck safety fund.....		1,345,900
5	IDG-MDOT, state trunkline fund.....		8,706,900
6	Federal revenues:		
7	DOT.....		10,748,100
8	Special revenue funds:		
9	Local - school bus revenue.....		1,432,900
10	Drunk driving prevention and training fund.....		1,344,800
11	Motor carrier fees.....		3,911,100
12	State general fund/general purpose.....	\$	1,539,300
13	Sec. 114. INFORMATION TECHNOLOGY		
14	Information technology services and projects.....	\$	20,627,200
15	Michigan public safety communications system.....		<u>12,757,500</u>
16	GROSS APPROPRIATION.....	\$	33,384,700
17	Appropriated from:		
18	Interdepartmental grant revenues:		
19	IDT, auto theft funds.....		8,300
20	IDT, truck safety fund.....		7,400
21	IDG, training academy charges.....		31,300
22	IDG-MDOS.....		4,500
23	IDG-MDOT, state trunkline fund.....		242,400
24	IDG-MDTR, emergency telephone fund coordinator.....		1,800
25	IDG-MDTR, emergency telephone fund operations.....		64,100
26	IDG-MDTR, casino gaming fees.....		88,800
27	Federal revenues:		

1	DHS.....	570,100
2	DOJ.....	518,400
3	DOT.....	173,200
4	Special revenue funds:	
5	Local - AFIS fees.....	39,200
6	Local - LEIN fees.....	3,565,800
7	Local - MPSCS subscriber and maintenance fees.....	1,563,300
8	Local - school bus revenue.....	1,900
9	Commercial mobile radio service fees.....	5,000,000
10	Criminal justice information center service fees.....	4,095,300
11	Forensic science reimbursement fees.....	84,800
12	Highway safety fund.....	42,700
13	Michigan justice training fund.....	38,800
14	Motor carrier fees.....	583,600
15	Narcotics investigation revenues.....	900
16	Nuclear plant emergency planning reimbursement.....	4,900
17	Precision driving track fees.....	300
18	Reimbursed services.....	156,000
19	Secondary road patrol and training fund.....	387,400
20	Sex offender registration fund.....	210,900
21	State forensic laboratory fund.....	162,700
22	Traffic crash revenue.....	225,500
23	Traffic law enforcement and safety fund.....	77,000
24	State general fund/general purpose.....	\$ 15,433,400

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PART 2

Senate Bill No. 253 (H-7) as amended September 17, 2009
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 2009-2010 is [\$396,546,400.00] and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is [\$18,366,400.00]. 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.....	\$	[12,894,100]
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units.....	\$	410,800
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Justice training grants.....	\$	4,533,700
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SPECIAL INVESTIGATIONS

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

Management services.....	\$	<u>477,800</u>
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Total.....	\$	[18,366,400]
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Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

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

(b) "Department" means the department of state police.

1 (c) "DHS" means the United States department of homeland
2 security.

3 (d) "DNA" means deoxyribonucleic acid.

4 (e) "DOJ" means the United States department of justice.

5 (f) "DOT" means the United States department of
6 transportation.

7 (g) "FEMA" means the federal emergency management agency.

8 (h) "FTE" means full-time equated.

9 (i) "IDG" means interdepartmental grant.

10 (j) "IDT" means intradepartmental transfer.

11 (k) "LEIN" means law enforcement information network.

12 (l) "MCOLES" means the Michigan commission on law enforcement
13 standards.

14 (m) "MDCH" means the Michigan department of community health.

15 (n) "MDMB" means the Michigan department of management and
16 budget.

17 (o) "MDOC" means the Michigan department of corrections.

18 (p) "MDOS" means the Michigan department of state.

19 (q) "MDOT" means the Michigan department of transportation.

20 (r) "MDTR" means the Michigan department of treasury.

21 (s) "MPSCS" means the Michigan public safety communications
22 system.

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

1 Sec. 205. (1) A hiring freeze is imposed on the state
2 classified civil service. State departments and agencies are
3 prohibited from hiring any new full-time state classified civil
4 service employees and prohibited from filling any vacant state
5 classified civil service positions. This hiring freeze does not
6 apply to internal transfers of classified employees from 1 position
7 to another within a department.

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

19 Sec. 207. At least 60 days before beginning any effort to
20 privatize, the department shall submit a complete project plan to
21 the appropriate senate and house of representatives appropriations
22 subcommittees and the senate and house fiscal agencies. The plan
23 shall include the criteria under which the privatization initiative
24 will be evaluated. The evaluation shall be completed and submitted
25 to the appropriate senate and house of representatives
26 appropriations subcommittees and the senate and house fiscal
27 agencies within 30 months.

1 Sec. 208. Unless otherwise specified, the department shall use
2 the Internet to fulfill the reporting requirements of this act.
3 This requirement may include transmission of reports via electronic
4 mail to the recipients identified for each reporting requirement or
5 it may include placement of reports on an Internet or Intranet
6 site.

7 Sec. 209. Funds appropriated in part 1 shall not be used for
8 the purchase of foreign goods or services, or both, if
9 competitively priced and of comparable quality American goods or
10 services, or both, are available. Preference shall be given to
11 goods or services, or both, manufactured or provided by Michigan
12 businesses, if they are competitively priced and of comparable
13 quality. In addition, preference should be given to goods or
14 services, or both, that are manufactured or provided by Michigan
15 businesses owned and operated by veterans, if they are
16 competitively priced and of comparable quality.

17 Sec. 210. The director of each department receiving
18 appropriations in part 1 shall take all reasonable steps to ensure
19 businesses in deprived and depressed communities compete for and
20 perform contracts to provide services or supplies, or both, for the
21 department. The director shall strongly encourage firms with which
22 the department contracts to subcontract with certified businesses
23 in depressed and deprived communities for services or supplies, or
24 both.

25 Sec. 211. It is the intent of the legislature that personnel
26 of the department who request and are eligible for reimbursement of
27 expenses related to the operation of the department be reimbursed

1 from the appropriations provided in this act within 30 days after
2 submitting a request, or the eligible personnel shall be paid an
3 additional amount equal to 0.75% of the payment due. The department
4 shall pay an additional amount equal to 0.75% of the payment due
5 for the first month and each succeeding month or portion of a month
6 the payment remains past due.

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

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

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

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

19 Sec. 214. The departments and agencies receiving
20 appropriations in part 1 shall receive and retain copies of all
21 reports funded from appropriations in part 1. The department shall
22 follow all federal guidelines and state laws regarding short-term
23 and long-term retention of records.

24 Sec. 215. Not later than January 1, 2010, the department shall
25 report to the state police appropriations subcommittees of the
26 house and senate and the house and senate fiscal agencies. The
27 report shall contain the following information regarding the

1 department's activities related to casino gaming oversight during
2 fiscal year 2008-2009:

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

4 (b) The nature and structure of the casino gaming oversight
5 unit.

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

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

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

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

11 (g) The immediate past position of the enlisted employees
12 assigned.

13 Sec. 216. The department shall collect and computerize the
14 vehicle identification number (VIN) of all vehicles that are
15 entered into the state accident data collection system and make
16 this and other vehicle information available to the public at cost.
17 For bulk access to the accident records in which the VIN has been
18 collected and computerized, the department shall make those records
19 available to the public at cost, provided that the name and address
20 have been excluded.

21 Sec. 217. From the funds appropriated in part 1, the
22 department shall maintain a toll-free hotline in collaboration with
23 the department of education. The toll-free hotline shall be
24 operated 24 hours per day, 7 days per week, and shall provide
25 students, school officials, and other individuals an opportunity to
26 report specific threats of imminent school violence or other
27 suspicious or criminal conduct by juveniles to the appropriate

1 local law enforcement entities for investigation. The department
2 may expend funds for the promotion of the hotline.

3 Sec. 218. (1) Funds appropriated in part 1 for at-post
4 troopers shall only be expended for trooper salaries, wages,
5 benefits, retirement, equipment, supplies, and other expenses
6 directly related to state troopers assigned to general law
7 enforcement duties at a department post, detachment, satellite
8 office, or a resident trooper function.

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

13 (3) The department shall submit quarterly written reports to
14 the senate and house appropriations subcommittees on state police
15 and military and veterans affairs no later than December 1, 2009,
16 March 1, 2010, June 1, 2010, and September 1, 2010 which shall
17 include a trooper strength report and the status of the
18 department's plan for accomplishing the goal of subsection (2). If
19 the department determines that insufficient appropriations exist
20 under part 1 to accomplish the goal of subsection (2), the
21 department shall submit a proposal outlining a plan to accomplish
22 the goal, including an accounting of any additional funding
23 necessary to that end.

24 Sec. 219. The department of state police shall notify the
25 house and senate appropriations subcommittees on state police and
26 military and veterans affairs and the house and senate fiscal
27 agencies not less than 180 days before recommending to close or

1 consolidate any state police posts. The notification shall include
2 a local and state impact study of the proposed post closure or
3 consolidation.

4 Sec. 220. The department of state police, in keeping with its
5 role as the general law enforcement agency of the state and as the
6 law enforcement agency of last resort for communities that are
7 either without local law enforcement resources or are seriously
8 underserved by local law enforcement resources, shall provide
9 general law enforcement assistance to those communities until
10 adequate law enforcement services can be provided to those
11 communities by other means.

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

16 Sec. 223. (1) Due to the current budgetary problems in this
17 state, out-of-state travel for the fiscal year ending September 30,
18 2010 shall be limited to situations in which 1 or more of the
19 following conditions apply:

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

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

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

1 (d) The travel is necessary to comply with federal
2 requirements.

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

5 (f) The travel is financed entirely by federal or nonstate
6 funds.

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

13 (3) Not later than January 1, 2010, each department shall
14 prepare a travel report listing all travel by classified and
15 unclassified employees outside this state in the immediately
16 preceding fiscal year that was funded in whole or in part with
17 funds appropriated in the department's budget. The report shall be
18 submitted to the chairs and members of the senate and house of
19 representatives standing committees on appropriations, the fiscal
20 agencies, and the state budget director. The report shall include
21 the following information:

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

24 (b) The destination of each travel occurrence.

25 (c) The dates of each travel occurrence.

26 (d) A brief statement of the reason for each travel
27 occurrence.

1 (e) The transportation and related costs of each travel
2 occurrence, including the proportion funded with state general
3 fund/general purpose revenues, the proportion funded with state
4 restricted revenues, the proportion funded with federal revenues,
5 and the proportion funded with other revenues.

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

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

11 Sec. 225. It is the intent of the legislature that the
12 administration, working with the MCOLES, continue the long-held
13 practice that all revenue made available to the department from the
14 Michigan justice training fund be used solely for costs directly
15 related to the delivery of Michigan justice training fund grants,
16 so that in the future, eligible entities as provided under 1982 PA
17 302, MCL 18.421 to 18.429, will have a stable and accurate source
18 of training funds.

19 Sec. 226. The department of state police, in cooperation with
20 the department of information technology and others, shall take
21 steps to encourage the development of state, local, and regional
22 tactical interoperable communication plans with the ultimate goal
23 being to ensure that effective and efficient communication
24 interoperability between radio communication systems of local,
25 regional, state, and federal agencies is established in every area
26 of the state. The department shall provide a written report to the
27 senate and house appropriations subcommittees on state police and

1 military and veterans affairs no later than April 1, 2010 on the
2 current status of reaching this objective. The report shall include
3 an accounting of exactly where within the state desired
4 interoperability has been achieved and what cooperative measures
5 and use of technology were used to achieve this interoperability,
6 and which areas of the state have not yet achieved such status. The
7 report shall also include a description of what strategies need to
8 be employed to ensure that the remaining areas of the state, and
9 the state as a whole, will have a communication system with
10 efficient and effective interoperability, particularly on occasions
11 when a multijurisdictional response to an emergency is warranted.

12 Sec. 232. The department shall place emphasis on recruiting
13 MCOLES certified police officers for the trooper recruit school.
14 Emphasis shall be given in the hiring process to those officers who
15 are on layoff and possess valid MCOLES certification. Any emphasis
16 given in the recruiting and selection process shall be consistent
17 with the department's hiring standards and in accordance with civil
18 service rules. The department shall report to the chairpersons of
19 the senate and house of representatives standing committees on
20 appropriations the results of its recruitment and selection
21 process, including the actual number of certified officers selected
22 for any recruit school that is held by September 30, 2010.

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

1 attorney general authorizes.

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

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

15 Sec. 237. From the funds appropriated in part 1, the
16 department shall maintain, for the full 2009-2010 fiscal year,
17 either the operation of each Michigan state police post which was
18 in operation as of April 2, 2007, or an alternative work station in
19 the vicinity of a current Michigan state police post.

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

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

1 Sec. 240. (1) In addition to the funds appropriated in part 1,
2 there is appropriated an amount not to exceed \$10,000,000.00 for
3 federal contingency funds. These funds are not available for
4 expenditure until they have been transferred to another line item
5 in this act under section 393(2) of the management and budget act,
6 1984 PA 431, MCL 18.1393.

7 (2) In addition to the funds appropriated in part 1, there is
8 appropriated an amount not to exceed \$3,500,000.00 for state
9 restricted contingency funds. These funds are not available for
10 expenditure until they have been transferred to another line item
11 in this act under section 393(2) of the management and budget act,
12 1984 PA 431, MCL 18.1393.

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

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

25 Sec. 251. The funding in part 1 for at-post trooper
26 restoration from federal ARRA assistance to rural law enforcement
27 grant funding shall be contingent upon the receipt of federal funds

1 associated with the American recovery and reinvestment act of 2009
2 assistance to rural law enforcement grant program.

3 Sec. 252. The line-item appropriations in part 1 financed by
4 federal funds designated as ARRA funding represent federal funds
5 associated with the American recovery and reinvestment act of 2009,
6 Public Law 111-5. These federal funds are temporary in nature. It
7 is the intent of the legislature that when these temporary federal
8 funds are fully expended, the program funding levels supported by
9 these temporary federal funds will not be continued.

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

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

22 Sec. 255. It is the intent of the legislature that the state
23 honor its lease contracts to avoid the depreciation of the state's
24 credit ratings and to uphold credibility with the state's current
25 and future business relationships.

26 INFORMATION TECHNOLOGY

1 Sec. 301. The money appropriated in part 1 for computer
2 services shall be funded by LEIN user fees sufficient to pay 33% of
3 the state's service and contract maintenance costs of the LEIN.

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

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

17 Sec. 304. A portion of the funds appropriated in part 1 shall
18 be used by the department to produce a written report detailing
19 departmental policies regarding access to and use of information
20 from the LEIN system. The report shall include a description of
21 departmental measures to protect the security of information in the
22 LEIN system including safeguards that would prevent unauthorized
23 persons from obtaining information from the LEIN system. The
24 department shall submit a copy of this report to the senate and
25 house appropriations committees not later than April 1, 2010.

26 Sec. 305. The criminal justice information systems policy
27 council shall encourage members of the law enforcement agencies in

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

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

22 (2) If the department determines that amendments to the code
23 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are
24 required to include all probation information on the LEIN system,
25 the department shall deliver to members of the senate and house
26 appropriations subcommittees on state police and military affairs
27 amendments to the code of criminal procedure, 1927 PA 175, MCL

1 760.1 to 777.69, that, in the department's view, are necessary to
2 accomplish this goal. These proposed amendments shall be delivered
3 to subcommittee members not later than December 1, 2009.

4 Sec. 307. The department of state police shall serve as an
5 active liaison between the department of information technology and
6 local public safety agencies to facilitate the use of the Michigan
7 public safety communications system towers by those local public
8 safety agencies that have an interest in using the towers as a part
9 of their own communications system. The department of state police
10 shall deliver a written report to the senate and house
11 appropriations subcommittees on state police and military and
12 veterans affairs by April 1, 2010, which shall include an
13 assessment of the progress toward establishing local public safety
14 agency use of the Michigan public safety communications system
15 towers, an accounting of problems that may be preventing local use
16 of the towers, and any recommendations the department has that may
17 foster this utilization.

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

27 Sec. 309. From the funds appropriated in part 1 for

1 information technology, the department may develop and issue a
2 request for proposal for the development, implementation, and
3 maintenance of an electronic system for real-time enforcement of
4 section 3101 of the insurance code of 1956, 1956 PA 218, MCL
5 500.3101.

6 **HIGHWAY SAFETY PLANNING**

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

20 **FORENSIC SCIENCES**

21 Sec. 501. (1) The department shall distribute a copy of the
22 department's protocol for retaining and purging DNA analysis
23 samples and records to each police agency in this state.

24 (2) The department shall report to the house and senate
25 appropriations subcommittees on state police and military and

1 veterans affairs and the house and senate fiscal agencies when any
2 changes to the department's DNA protocol are made.

3 Sec. 502. The department shall work with the department of
4 community health, the Michigan health and hospital association, the
5 Michigan state medical society, and the Michigan nurses association
6 to ensure that the recommendations included in the "Standard
7 Recommended Procedures for the Emergency Treatment of Sexual
8 Assault Victims" are followed in the collection of evidence.

9 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

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

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

26 Sec. 605. Beginning October 1, 2009, the administrative

1 functions and duties of the executive director of MCOLES shall be
2 transferred to the department's training division.

3 **EMERGENCY MANAGEMENT**

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

21 (2) In addition to the money appropriated in this act, the
22 department may receive and expend money from local, private,
23 federal, or state sources for the purpose of providing emergency
24 management training to local or private interests and for the
25 purpose of supporting emergency preparedness, response, recovery,
26 and mitigation activity. If additional expenditure authorization in

1 the Michigan administrative information network is approved by the
2 state budget office under this section, the department and the
3 state budget office shall notify the house and senate
4 appropriations subcommittees on state police and military and
5 veterans affairs and the house and senate fiscal agencies within 10
6 days after the approval. The notification shall include the amount
7 and source of the additional authorization, the date of its
8 approval, and the projected use of funds to be expended under the
9 authorization.

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

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

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

18 **POST UNIFORM SERVICES**

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

25 Sec. 902. From the funds appropriated in part 1 for security
26 guards, the department shall only use these funds for security

1 services at the state capitol building.

2 **STATEWIDE FIELD OPERATIONS**

3 Sec. 1002. Money privately donated to the department is
4 appropriated under part 1 to be used for the purposes designated by
5 the donor of the money. Money privately donated to the department's
6 canine unit shall be used to purchase equipment and other items to
7 enhance the operation of the canine unit.

8 **SPECIAL INVESTIGATIONS**

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

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

19 **MOTOR CARRIER ENFORCEMENT**

20 Sec. 1201. (1) The department shall report to the house and
21 senate appropriations subcommittees on state police and the house
22 and senate fiscal agencies by March 1, 2010 regarding the
23 inspection of school buses and other motor vehicles under section
24 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and

1 section 39 of the pupil transportation act, 1990 PA 187, MCL
2 257.1839. The report shall include the following information
3 regarding inspections conducted in calendar year 2009:

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

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

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

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