

**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:**

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the

## Senate Bill No. 253 as amended June 18, 2009

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..... 2,873.0

GROSS APPROPRIATION..... \$ <<540,461,200>>

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers ..... <<31,866,800>>

ADJUSTED GROSS APPROPRIATION..... \$ <<508,594,400>>

Federal revenues:

Total federal revenues..... <<101,839,000>>

Special revenue funds:

Total local revenues..... 8,545,600

Total private revenues..... 273,300

Total state restricted revenues..... 130,677,300

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

**Sec. 102. EXECUTIVE DIRECTION**

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

Full-time equated classified positions..... 43.5

Unclassified positions..... \$ 366,100

Executive direction--22.0 FTE positions..... 2,678,200

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

Auto theft prevention program--4.0 FTE positions..... 8,022,800

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1	GROSS APPROPRIATION.....	\$	13,173,300
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDT, truck safety fund.....		22,700
5	Special revenue funds:		
6	Auto theft prevention fund.....		8,022,800
7	Motor carrier fees.....		32,000
8	Criminal justice information center fees.....		47,600
9	Forensic science reimbursement fees.....		24,700
10	Highway safety fund.....		32,900
11	Traffic law enforcement and safety fund.....		128,100
12	State general fund/general purpose.....	\$	4,862,500
13	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>		
14	Special maintenance and utilities.....	\$	447,600
15	Rent and building occupancy charges.....		<<9,633,100>>
16	Worker's compensation.....		3,151,300
17	Fleet leasing.....		15,184,100
18	In-service training - law enforcement distribution...		450,000
19	In-service training - competitive.....		1,000,000
20	Narcotics investigation funds.....		<u>265,100</u>
21	GROSS APPROPRIATION.....	\$	<<30,130,400>>
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG, training academy charges.....		277,500
25	IDT, Michigan justice training fund.....		1,450,000
26	Federal revenues:		
27	Federal narcotics investigation revenues.....		95,000

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1	DOT.....	24,700
2	DHS.....	173,700
3	Special revenue funds:	
4	Forensic science reimbursement fee.....	98,500
5	Narcotics investigation revenues.....	170,100
6	State forensic laboratory fund.....	98,500
7	Criminal justice information center service fees.....	195,200
8	Secondary road patrol and training fund.....	17,500
9	Hazardous materials training center fees.....	102,900
10	Michigan justice training fund.....	29,200
11	Motor carrier fees.....	7,300
12	Highway safety fund.....	7,800
13	Traffic law enforcement and safety fund.....	15,400
14	State general fund/general purpose.....	\$ <<27,367,100>>
15	<b>Sec. 104. SUPPORT SERVICES</b>	
16	Full-time equated classified positions..... 192.5	
17	Management services--136.0 FTE positions.....	\$ 13,646,600
18	Training administration--33.0 FTE positions.....	6,808,000
19	Budget and financial services--23.5 FTE positions....	<u>2,419,000</u>
20	GROSS APPROPRIATION.....	\$ 22,873,600
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDT, auto theft funds.....	3,800
24	IDG, training academy charges.....	3,272,400
25	IDG-MDOT, state trunkline fund.....	4,200
26	IDG-MDTR, casino gaming fees.....	63,400
27	IDG-MDTR, emergency telephone fund coordinator.....	520,400

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1	IDG-MDTR, emergency telephone fund operations .....	477,800
2	IDG-MDOS .....	2,000
3	IDG-MDOC, contract .....	1,100,000
4	Federal revenues:	
5	DOT .....	473,200
6	Special revenues funds:	
7	Local - LEIN fees .....	2,800
8	Local - MPSCS subscriber fees .....	27,100
9	Local - school bus revenue .....	1,700
10	Highway safety fund .....	202,400
11	Nuclear plant emergency planning reimbursement .....	20,800
12	Precision driving track fees .....	287,200
13	Criminal justice information center service fees .....	681,600
14	Traffic law enforcement and safety fund .....	414,000
15	Reimbursed services .....	1,253,200
16	Forensic science reimbursement fees .....	7,800
17	Hazardous materials training center fees .....	5,100
18	Michigan justice training fund .....	1,600
19	Narcotics investigation revenues .....	33,800
20	Motor carrier fees .....	19,200
21	State general fund/general purpose .....	\$ 13,998,100
22	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
23	Full-time equated classified positions .....	30.0
24	State program planning and administration--8.0 FTE	
25	positions .....	\$ 1,236,200
26	Secondary road patrol program--2.0 FTE positions .....	<<15,034,500>>
27	Truck safety program--1.0 FTE positions .....	3,005,700

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1	Federal highway traffic safety coordination--19.0	
2	FTE positions .....	<u>10,568,000</u>
3	GROSS APPROPRIATION.....	\$ <<29,844,400>>
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	<<IDG-MDOC.....	1,000,000>>
7	Federal revenues:	
8	DOT.....	10,716,300
9	DOJ.....	576,900
10	Special revenue funds:	
11	Truck driver safety fund.....	3,005,700
12	Secondary road patrol and training fund.....	14,034,500
13	State general fund/general purpose.....	\$ 511,000
14	<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>	
15	Full-time equated classified positions..... 136.0	
16	Criminal justice information center division--116.0	
17	FTE positions .....	\$ 10,745,700
18	Criminal records improvement--1.0 FTE position.....	2,244,000
19	Traffic safety--19.0 FTE positions.....	<u>1,879,100</u>
20	GROSS APPROPRIATION.....	\$ 14,868,800
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG-MDOS.....	329,500
24	IDG-MDCH, crime victim's rights fund.....	483,600
25	IDG-MDOT, state trunkline fund.....	854,500
26	Federal revenues:	
27	DOJ.....	2,244,000
28	DOT.....	507,000

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1	Special revenue funds:	
2	Traffic crash revenue.....	78,200
3	Motor carrier fees.....	109,900
4	Sex offender registration fund.....	61,400
5	Criminal justice information center service fees.....	9,414,900
6	State general fund/general purpose.....	\$ 785,800
7	<b>Sec. 107. FORENSIC SCIENCES</b>	
8	Full-time equated classified positions.....	239.5
9	Laboratory operations--182.0 FTE positions.....	\$ <<32,745,100>>
10	DNA analysis program--57.5 FTE positions.....	7,970,600
11	Municipal reimbursement.....	100
12	Marquette laboratory.....	100
13	<<County prosecuting attorney.....	500,000>>
13	GROSS APPROPRIATION.....	\$ <<41,215,900>>
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG-MDCH, crime victims rights fund.....	443,300
17	<<IDG-MDOC.....	3,500,000>>
17	Federal revenues:	
18	DOJ.....	4,117,700
19	DOT.....	634,000
20	Federal narcotics investigation revenues.....	493,200
21	Special revenue funds:	
22	Local - municipal reimbursement.....	100
23	Forensic science reimbursement fees.....	1,455,000
24	State forensic laboratory fund.....	1,733,000
25	Narcotic investigation revenues.....	1,648,000
26	Criminal justice information center service fees.....	319,400
27	State services fee fund.....	9,283,100

1	State general fund/general purpose .....	\$	17,589,100
2	<b>Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT</b>		
3	<b>STANDARDS</b>		
4	Full-time equated classified positions.....	26.0	
5	Standards and training--20.0 FTE positions .....	\$	1,726,900
6	Justice training grants--4.0 FTE positions .....		7,948,600
7	Concealed weapons enforcement training .....		240,000
8	Training only to local units--2.0 FTE positions .....		618,900
9	Mental health awareness training .....		100,000
10	Officer's survivor tuition program .....		48,500
11	Public safety officers benefit program .....		<u>150,000</u>
12	GROSS APPROPRIATION .....	\$	10,832,900
13	Appropriated from:		
14	Interdepartmental grant revenues:		
15	IDG-MDOC .....		100,000
16	Federal revenues:		
17	DOJ .....		175,000
18	Special revenue funds:		
19	Secondary road patrol and training fund .....		618,900
20	Michigan justice training fund .....		7,948,600
21	Licensing fees .....		9,100
22	Concealed weapons enforcement fee .....		240,000
23	State general fund/general purpose .....	\$	1,741,300
24	<b>Sec. 109. EMERGENCY MANAGEMENT</b>		
25	Full-time equated classified positions.....	87.5	
26	Emergency management planning and		
27	administration--56.0 FTE positions .....	\$	5,276,900



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1	Grants to local government .....	2,482,100
2	FEMA program assistance--6.0 FTE positions .....	1,936,100
3	Nuclear power plant emergency planning--6.0 FTE	
4	positions .....	1,529,300
5	Hazardous materials programs--19.5 FTE positions .....	<u>51,079,100</u>
6	GROSS APPROPRIATION .....	\$ 62,303,500
7	Appropriated from:	
8	Federal revenues:	
9	DOT .....	583,800
10	DHS .....	56,161,600
11	Special revenue funds:	
12	Nuclear plant emergency planning reimbursement .....	1,529,300
13	Hazardous materials training center fees .....	1,507,600
14	State general fund/general purpose .....	\$ 2,521,200
15	<b>Sec. 110. POST UNIFORM SERVICES</b>	
16	Full-time equated classified positions..... 1,499.0	
17	Uniform services--385.0 FTE positions .....	\$ 46,361,300
18	Security guards--14.0 FTE positions .....	1,124,800
19	Reimbursed services--11.0 FTE positions .....	1,812,700
20	At-post troopers--1,089.0 FTE positions .....	138,078,900
21	<<At-post troopers restoration.....	8,000,000>>
22	GROSS APPROPRIATION .....	\$ <<195,377,700>>
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG-MDMB, building occupancy charges .....	648,400
26	<<Federal revenues:	
27	Federal ARRA COPS funding .....	8,000,000>>
28	Special revenue funds:	
29	Criminal justice information center service fees .....	760,300
30	Narcotics investigation revenues .....	1,000,000

1	Highway safety fund.....	15,421,800
2	Traffic law enforcement and safety fund.....	29,097,100
3	Trooper school recruitment fund.....	1,000
4	State police service fees.....	1,812,700
5	State general fund/general purpose.....	\$ 138,636,400
6	<b>Sec. 111. STATEWIDE FIELD OPERATIONS</b>	
7	Full-time equated classified positions.....	61.0
8	Operational support--54.0 FTE positions.....	\$ 6,858,100
9	Aviation program--7.0 FTE positions.....	<u>1,478,100</u>
10	GROSS APPROPRIATION.....	\$ 8,336,200
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-MDCH, crime victim's rights fund.....	126,400
14	IDG-MDOC, contract.....	101,600
15	Federal revenues:	
16	Special revenue funds:	
17	Private donations.....	273,300
18	Rental of department aircraft.....	51,800
19	State general fund/general purpose.....	\$ 7,783,100
20	<b>Sec. 112. SPECIAL INVESTIGATIONS</b>	
21	Full-time equated classified positions.....	329.0
22	Criminal investigations--217.0 FTE positions.....	\$ 31,688,400
23	Federal antidrug initiatives--49.5 FTE positions.....	6,650,100
24	Reimbursed services, materials, and equipment--3.5	
25	FTE positions .....	2,669,200
26	Auto theft prevention--13.0 FTE positions.....	1,794,800
27	Casino gaming oversight--32.0 FTE positions.....	4,564,900

1	Fire investigation--14.0 FTE positions .....	1,662,900
2	Fire investigation training to locals .....	50,000
3	Parole absconder sweeps .....	<u>10,500</u>
4	GROSS APPROPRIATION .....	\$ 49,090,800
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	IDG-MDCH, tobacco tax .....	610,000
10	Federal revenues:	
11	Federal investigations - reimbursed services .....	758,400
12	DOJ .....	3,611,700
13	Federal narcotics investigation revenues .....	483,000
14	Special revenue funds:	
15	Local - reimbursed services .....	1,910,800
16	Narcotics investigation revenues .....	694,500
17	Forfeiture funds .....	557,600
18	State general fund/general purpose .....	\$ 34,490,900
19	<b>Sec. 113. TRAFFIC SAFETY</b>	
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	<b>Sec. 114. INFORMATION TECHNOLOGY</b>		
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	IDG-MDTR, casino gaming fees.....		88,800
20	IDG-MDOT, state trunkline fund.....		242,400
21	IDG, training academy charges.....		31,300
22	IDG-MDOS.....		4,500
23	IDG-MDTR, emergency telephone fund coordinator.....		1,800
24	IDG-MDTR, emergency telephone fund operations.....		64,100
25	IDG-auto theft funds.....		8,300
26	IDT-truck safety fund.....		7,400
27	Federal revenues:		

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

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PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2009-2010 is \$401,203,200.00 and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$19,894,100.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

Secondary road patrol program.....	\$	13,894,200
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units.....	\$	410,800
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Justice training grants.....	\$	5,061,300
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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.....	\$	19,894,100
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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. 208. Unless otherwise specified, the department shall use  
20      the Internet to fulfill the reporting requirements of this act.  
21      This requirement may include transmission of reports via electronic  
22      mail to the recipients identified for each reporting requirement or  
23      it may include placement of reports on an Internet or Intranet  
24      site.

25      Sec. 209. Funds appropriated in part 1 shall not be used for  
26      the purchase of foreign goods or services, or both, if  
27      competitively priced and of comparable quality American goods or



1 services, or both, are available. Preference should be given to  
2 goods or services, or both, manufactured or provided by Michigan  
3 businesses, if they are competitively priced and of comparable  
4 quality. In addition, preference should be given to goods or  
5 services, or both, that are manufactured or provided by Michigan  
6 businesses owned and operated by veterans, if they are  
7 competitively priced and of comparable quality.

8       Sec. 210. The director of each department receiving  
9 appropriations in part 1 shall take all reasonable steps to ensure  
10 businesses in deprived and depressed communities compete for and  
11 perform contracts to provide services or supplies, or both, for the  
12 department. The director shall strongly encourage firms with which  
13 the department contracts to subcontract with certified businesses  
14 in depressed and deprived communities for services or supplies, or  
15 both.

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

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

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

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

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

10          Sec. 214. The departments and agencies receiving  
11 appropriations in part 1 shall receive and retain copies of all  
12 reports funded from appropriations in part 1. The department shall  
13 follow all federal guidelines and state laws regarding short-term  
14 and long-term retention of records.

15          Sec. 215. Not later than January 1, 2010, the department shall  
16 report to the state police appropriations subcommittees of the  
17 house and senate and the house and senate fiscal agencies. The  
18 report shall contain the following information regarding the  
19 department's activities related to casino gaming oversight during  
20 fiscal year 2008-2009:

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

22           (b) The nature and structure of the casino gaming oversight  
23 unit.

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

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

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

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

2 (g) The immediate past position of the enlisted employees  
3 assigned.

4 Sec. 216. The department shall collect and computerize the  
5 vehicle identification number (VIN) of all vehicles that are  
6 entered into the state accident data collection system and make  
7 this and other vehicle information available to the public at cost.  
8 For bulk access to the accident records in which the VIN has been  
9 collected and computerized, the department shall make those records  
10 available to the public at cost, provided that the name and address  
11 have been excluded.

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

21 Sec. 218. (1) Funds appropriated in part 1 for at-post  
22 troopers shall only be expended for trooper salaries, wages,  
23 benefits, retirement, equipment, supplies, and other expenses  
24 directly related to state troopers assigned to general law  
25 enforcement duties at a department post, detachment, satellite  
26 office, or a resident trooper function.

27 (2) It is the intent of the legislature that every effort be

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1 made to identify funding sufficient to conduct a trooper school for  
2 the purpose of working toward the goal of establishing a minimum  
3 at-post trooper strength of 1,075 in this state.

4 (3) The department shall submit quarterly written reports to  
5 the senate and house appropriations subcommittees on state police  
6 and military and veterans affairs no later than December 1, 2009,  
7 March 1, 2010, June 1, 2010, and September 1, 2010 which shall  
8 include a trooper strength report and the status of the  
9 department's plan for accomplishing the goal of subsection (2). If  
10 the department determines that insufficient appropriations exist  
11 under part 1 to accomplish the goal of subsection (2), the  
12 department shall submit a proposal outlining a plan to accomplish  
13 the goal, including an accounting of any additional funding  
14 necessary to that end.

15 Sec. 219. The department of state police shall notify the  
16 house and senate appropriations subcommittees on state police and  
17 military and veterans affairs and the house and senate fiscal  
18 agencies not less than 180 days before recommending to close or  
19 consolidate any state police posts. The notification shall include  
20 a local and state impact study of the proposed post closure or  
21 consolidation.

<<Sec. 220. The department of state police, in keeping with its  
role as the general law enforcement agency of the state and as the law  
enforcement agency of last resort for communities that are either without  
local law enforcement resources or are seriously underserved by local law  
enforcement resources, shall provide general law enforcement assistance  
to those communities until adequate law enforcement services can be  
provided to those 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,  
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1 2010 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, 2010, 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 information technology and others, 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, 2010 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. 227. (1) From the funds appropriated in part 1, the  
15 department of state police is prohibited from transporting  
16 employees of institutions of higher education on state-owned  
17 aircraft.

18       (2) From the funds appropriated in part 1, the department is  
19 prohibited from transporting legislators or legislative staff on  
20 state-owned aircraft without prior approval from the senate  
21 majority leader or the speaker of the house of representatives, or  
22 both.

23       (3) From the funds appropriated in part 1, the department is  
24 prohibited from transporting local government employees on state-  
25 owned aircraft.

26       (4) It is the intent of the legislature that state elected  
27 officials use commercial or other private air service, unless air

1 travel on state-owned aircraft is part of official state business.

2 (5) This section shall not apply to transportation that is  
3 related to law enforcement or homeland security activities.

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

15 Sec. 234. Funds appropriated in part 1 shall not be used by a  
16 principal executive department, state agency, or authority to hire  
17 a person to provide legal services that are the responsibility of  
18 the attorney general. This prohibition does not apply to legal  
19 services for bonding activities and for those activities that the  
20 attorney general authorizes.

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

27 (2) If a spending plan for the funds appropriated in part 1



1 for special operations and events, or sources of financing related  
2 to the spending plan, are in excess of that necessary to provide  
3 the level of program service provided for in the current fiscal  
4 year, the department shall take steps to transfer whatever excess  
5 funding may exist to the funds appropriated in part 1 for post  
6 uniform services and forensic sciences.

7 Sec. 238. The department of management and budget shall work  
8 with the department of state police to reduce building operations  
9 and leasing costs for all Michigan state police facilities and to  
10 identify efficiencies and savings.

11 Sec. 239. It is the intent of the legislature that, should  
12 funding become available, funds may be appropriated to the  
13 department for traffic control purposes at the Michigan  
14 international speedway.

15 Sec. 240. (1) In addition to the funds appropriated in part 1,  
16 there is appropriated an amount not to exceed \$10,000,000.00 for  
17 federal contingency funds. These funds are not available for  
18 expenditure until they have been transferred to another line item  
19 in this act under section 393(2) of the management and budget act,  
20 1984 PA 431, MCL 18.1393.

21 (2) In addition to the funds appropriated in part 1, there is  
22 appropriated an amount not to exceed \$3,500,000.00 for state  
23 restricted contingency funds. These funds are not available for  
24 expenditure until they have been transferred to another line item  
25 in this act under section 393(2) of the management and budget act,  
26 1984 PA 431, MCL 18.1393.

27 (3) In addition to the funds appropriated in part 1, there is

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

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

12 Sec. 241. From the funds appropriated in part 1, the  
13 department shall continue the creation of a plan to operate a  
14 trooper recruit school composed of 50 or fewer recruits on an  
15 annual or biannual basis. These trooper recruit schools shall be  
16 operated on a shorter time frame than typical trooper recruit  
17 schools and shall consist of recruits who possess current  
18 certification as a law enforcement officer. This plan will result  
19 in a trooper recruit school that assists in restoring overall  
20 trooper strength to an optimum level while being more efficient in  
21 terms of time and financial expenditure.

22 Sec. 242. Not later than September 30, 2010, the department  
23 shall prepare and transmit a report that provides for estimates of  
24 the total general fund/general purpose appropriation lapses at the  
25 close of the fiscal year. This report shall summarize the projected  
26 year-end general fund/general purpose appropriation lapses by major  
27 departmental program or program areas. The report shall be

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

4 Sec. 243. The department shall identify no fewer than 5 state  
5 police posts which can be consolidated with state or local dispatch  
6 centers for the purpose of saving location costs. The department  
7 shall deliver a report on this effort, with the calculated savings,  
8 to the senate and house appropriations subcommittees on state  
9 police and military and veterans affairs not later than March 1,  
10 2010.

11 Sec. 245. The department shall work cooperatively with the  
12 department of human services to coordinate the functions of the  
13 state police LEIN system and the department of human services  
14 bridges case management system to provide obtainable data that will  
15 allow authorized users of the bridges case management system to  
16 identify those persons who may be ineligible to receive certain  
17 assistance services due to their law enforcement status. The  
18 department shall deliver a report on this effort to the senate and  
19 house appropriations subcommittees on state police and military and  
20 veterans affairs not later than May 1, 2010.

21 Sec. 246. From the funds appropriated in part 1, the  
22 department shall not install any bubble top flashers on new or  
23 newly leased department vehicles.

<<Sec. 247. From the amount appropriated in part 1 for rent and  
building occupancy charges, no more than the amount necessary for 30 days  
of occupancy for the new state police headquarters shall be expended.

Sec. 248. No funds appropriated in part 1 shall be expended for the  
purchase of any equipment, supplies, or any costs associated with moving  
into a new state police headquarters building.

Sec. 250. The amount appropriated in part 1 for county prosecuting  
attorney shall be distributed to a county prosecuting attorney in a  
county which had the full closure of a municipal crime lab occur during  
2008.

Sec. 251. The funding in part 1 for at-post trooper restoration  
from federal ARRA COPS funding shall be contingent upon the receipt of

Senate Bill No. 253 as amended June 18, 2009

federal funds associated with the American recovery and reinvestment act of 2009 COPS program.

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

24     INFORMATION TECHNOLOGY

25             Sec. 301. The money appropriated in part 1 for computer

26     services shall be funded by LEIN user fees sufficient to pay 1/3 of

1 the state's service and contract maintenance costs of the LEIN.

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

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

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

24       Sec. 305. The criminal justice information systems policy  
25 council shall encourage members of the law enforcement agencies in  
26 the state to be sensitive to, and note when necessary, activities  
27 or circumstances that may suggest the unauthorized access or misuse

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

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

20       (2) If the department determines that amendments to the code  
21 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are  
22 required to include all probation information on the LEIN system,  
23 the department shall deliver to members of the senate and house  
24 appropriations subcommittees on state police and military affairs  
25 amendments to the code of criminal procedure, 1927 PA 175, MCL  
26 760.1 to 777.69, that, in the department's view, are necessary to  
27 accomplish this goal. These proposed amendments shall be delivered

1 to subcommittee members not later than December 1, 2009.

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

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

25       Sec. 309. From the funds appropriated in part 1 for  
26 information technology, the department may develop and issue a  
27 request for proposal for the development, implementation, and

1 maintenance of an electronic system for real-time enforcement of  
2 section 3101 of the insurance code of 1956, 1956 PA 218, MCL  
3 500.3101.

#### 4 **HIGHWAY SAFETY PLANNING**

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

#### 18 **FORENSIC SCIENCES**

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

22       (2) The department shall report to the house and senate  
23 appropriations subcommittees on state police and military and  
24 veterans affairs and the house and senate fiscal agencies when any  
25 changes to the department's DNA protocol are made.



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

7       **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

13       Sec. 603. The appropriation in part 1 for mental health  
14 awareness training shall be made available as grants to local law  
15 enforcement agencies for training law enforcement officers in  
16 effective and safe ways of assisting people with mental illness and  
17 directing people with mental illness to treatment programs.

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

23       **EMERGENCY MANAGEMENT**

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

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

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

1 and source of the additional authorization, the date of its  
2 approval, and the projected use of funds to be expended under the  
3 authorization.

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

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

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

#### 12 **POST UNIFORM SERVICES**

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

#### 19 **STATEWIDE FIELD OPERATIONS**

20 Sec. 1002. Money privately donated to the department is  
21 appropriated under part 1 to be used for the purposes designated by  
22 the donor of the money. Money privately donated to the department's  
23 canine unit shall be used to purchase equipment and other items to  
24 enhance the operation of the canine unit. It is the intent of the  
25 legislature that money from private donations not supplant general

1 fund appropriations.

2 **SPECIAL INVESTIGATIONS**

3       Sec. 1101. (1) There is sufficient money appropriated in part  
4 1 to special investigations to ensure that the citizens in a  
5 service area of any state police post in the vicinity of a state  
6 prison do not experience a downgrading of state police services in  
7 their area. Special investigations shall be available by temporary  
8 or permanent assignment of a detective when either a temporary or  
9 permanent prison facility is opened.

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

13       Sec. 1102. From the funds appropriated in part 1 for special  
14 investigations, the department shall provide a report to the  
15 chairpersons of the senate and house of representatives standing  
16 committees on appropriations no later than April 1, 2010 concerning  
17 methamphetamine-related criminal activities.

18 **MOTOR CARRIER ENFORCEMENT**

19       Sec. 1201. (1) The department shall report to the house and  
20 senate appropriations subcommittees on state police and the house  
21 and senate fiscal agencies by March 1, 2010 regarding the  
22 inspection of school buses and other motor vehicles under section  
23 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and  
24 section 39 of the pupil transportation act, 1990 PA 187, MCL  
25 257.1839. The report shall include the following information

1 regarding inspections conducted in calendar year 2009:

2 (a) The number of buses and vehicles inspected by the  
3 department.

4 (b) The number of buses and vehicles passing and failing  
5 inspection.

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

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