

SUBSTITUTE FOR
SENATE BILL NO. 864

(as amended May 3, 2018)

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. There is appropriated for the department of state
4 police for the fiscal year ending September 30, 2019, from the
5 following funds:

6 DEPARTMENT OF STATE POLICE

7 APPROPRIATION SUMMARY

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

9 Full-time equated classified positions... <<3,491.0>>

10 GROSS APPROPRIATION..... \$<<717,384,600>>

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1	Interdepartmental grant revenues:	
2	IDG from department of corrections.....	344,200
3	IDG from department of state.....	378,500
4	IDG from department of technology, management, and	
5	budget	655,400
6	IDG from department of transportation.....	11,798,000
7	IDG from department of treasury.....	5,440,300
8	IDG from other restricted funding.....	2,601,500
9	Intradepartmental transfers.....	3,530,400
10	Total interdepartmental grants and intradepartmental	
11	transfers	24,748,300
12	ADJUSTED GROSS APPROPRIATION.....	\$ <<692,636,300>>
13	Federal revenues:	
14	Other federal revenues.....	78,297,900
15	Total federal revenues.....	78,297,900
16	Special revenue funds:	
17	Local revenues.....	5,146,800
18	Total local revenues.....	5,146,800
19	Private revenues.....	115,000
20	Total private revenues.....	115,000
21	Michigan merit award trust fund.....	846,800
22	Other state restricted revenue.....	148,256,900
23	Total state restricted revenues.....	149,103,700
24	State general fund/general purpose.....	\$ <<459,972,900>>
25	State general fund/general purpose schedule:	
26	Ongoing state general fund/general	
27	purpose	<<449,215,200>>

1	One-time state general fund/general	
2	purpose	10,757,700
3	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT	
4	Full-time equated unclassified positions.....	3.0
5	Full-time equated classified positions.....	83.0
6	Unclassified salaries.....	\$ 598,000
7	Accounting service center.....	1,081,200
8	Department services--58.0 FTE positions.....	8,937,500
9	Departmentwide.....	46,073,500
10	Executive direction--25.0 FTE positions.....	<u>4,241,400</u>
11	GROSS APPROPRIATION.....	\$ 60,931,600
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG from department of corrections.....	26,000
15	IDG from department of state.....	1,400
16	IDG from department of transportation.....	3,900
17	IDG from department of treasury.....	116,200
18	IDG from other restricted funding.....	176,900
19	Intradepartmental transfers.....	38,200
20	Federal revenues:	
21	Other federal revenues.....	547,700
22	Special revenue funds:	
23	Local revenues.....	6,200
24	Michigan merit award trust fund.....	18,000
25	Other state restricted revenues.....	6,085,500
26	State general fund/general purpose.....	\$ 53,911,600
27	Sec. 103. LAW ENFORCEMENT	

1	Full-time equated classified positions.....	532.0	
2	Biometrics and identification--57.0 FTE positions		\$ 9,955,500
3	Criminal justice information center--132.0 FTE		
4	positions		19,876,100
5	Forensic science--269.0 FTE positions		44,534,600
6	Grants and community services--19.0 FTE positions		16,602,600
7	Training--55.0 FTE positions		<u>10,576,000</u>
8	GROSS APPROPRIATION.....		\$ 101,544,800
9	Appropriated from:		
10	Interdepartmental grant revenues:		
11	IDG from department of corrections		318,200
12	IDG from department of state		373,300
13	IDG from department of transportation		1,213,200
14	IDG from other restricted funding		2,412,400
15	Intradepartmental transfers		750,000
16	Federal revenues:		
17	Other federal funds		12,709,100
18	Special revenue funds:		
19	Local revenue funds		918,300
20	Private revenues		100,000
21	Other state restricted revenues		38,952,900
22	State general fund/general purpose		\$ 43,797,400
23	Sec. 104. MICHIGAN COMMISSION ON LAW ENFORCEMENT		
24	STANDARDS		
25	Full-time equated classified positions.....	18.0	
26	Public safety officers benefit program--1.0 FTE		
27	position		\$ 301,600

1	Standards and training/justice training grants--17.0	
2	FTE positions	11,780,100
3	Training only to local units.....	<u>654,500</u>
4	GROSS APPROPRIATION.....	\$ 12,736,200
5	Appropriated from:	
6	Federal revenues:	
7	Other federal revenues.....	250,000
8	Special revenue funds:	
9	Other state restricted revenues.....	10,997,000
10	State general fund/general purpose.....	\$ 1,489,200
11	Sec. 105. FIELD SERVICES	
12	Full-time equated classified positions.....	2,250.0
13	Investigative services--180.5 FTE positions.....	\$ 35,625,500
14	Post operations--2,039.5 FTE positions.....	316,587,600
15	Secure cities partnership--30.0 FTE positions.....	<u>7,861,300</u>
16	GROSS APPROPRIATION.....	\$ 360,074,400
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	IDG from department of treasury.....	5,127,300
20	Intradepartmental transfers.....	787,500
21	Federal revenues:	
22	Other federal revenues.....	6,696,000
23	Special revenue funds:	
24	Local revenues.....	1,579,400
25	Michigan merit award trust fund.....	822,700
26	Other state restricted revenues.....	51,334,800
27	State general fund/general purpose.....	\$ 293,726,700

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1	Sec. 106. SPECIALIZED SERVICES	
2	Full-time equated classified positions.....	<<608.0>>
3	Commercial vehicle enforcement--223.0 FTE positions ..	\$ 30,593,300
4	Emergency management and homeland security--64.0 FTE	
5	positions	15,808,700
6	Hazardous materials programs--25.0 FTE positions	28,031,500
7	Highway safety planning--26.0 FTE positions	18,048,700
8	Intelligence operations--<<202.0>> FTE positions	<<27,921,600
9	OK2SAY software upgrade.....	100>>
9	Secondary road patrol program--1.0 FTE position	11,072,200
10	Civil Air Patrol.....	20,000
11	Special operations--67.0 FTE positions	<u>13,261,300</u>
12	GROSS APPROPRIATION.....	\$ <<144,757,400>>
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG from department of technology, management, and	
16	budget	655,400
17	IDG from department of transportation.....	10,324,000
18	IDG from department of treasury.....	100,000
19	Intradepartmental transfers.....	1,933,900
20	Federal revenues:	
21	Other federal revenues.....	57,138,000
22	Special revenue funds:	
23	Local revenues.....	1,724,700
24	Private revenues.....	15,000
25	Other state restricted revenues.....	29,693,800
26	State general fund/general purpose.....	\$ <<43,172,600>>
27	Sec. 107. INFORMATION TECHNOLOGY	

1	Information technology services and projects	\$	<u>26,582,500</u>
2	GROSS APPROPRIATION.....	\$	26,582,500
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	IDG from department of state.....		3,800
6	IDG from department of transportation.....		256,900
7	IDG from department of treasury.....		96,800
8	IDG from other restricted funding.....		12,200
9	Intradepartmental transfers.....		20,800
10	Federal revenues:		
11	Other federal revenues.....		957,100
12	Special revenue funds:		
13	Local revenues.....		918,200
14	Michigan merit award trust fund.....		6,100
15	Other state restricted revenues.....		11,192,900
16	State general fund/general purpose.....	\$	13,117,700
17	Sec. 108. ONE-TIME ONLY APPROPRIATIONS		
18	Sexual assault prevention and education initiative ...	\$	600,000
19	Trooper school.....		9,432,700
20	Michigan International Speedway traffic control		<u>725,000</u>
21	GROSS APPROPRIATION.....	\$	10,757,700
22	Appropriated from:		
23	State general fund/general purpose.....	\$	10,757,700

24 PART 2

25 PROVISIONS CONCERNING APPROPRIATIONS

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FOR FISCAL YEAR 2018-2019

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2018-2019 is \$<<609,076,600.00>> and state spending from state sources to be paid to local units of government for fiscal year 2018-2019 is \$14,231,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE POLICE

Standards and training/justice training grants.....	\$	2,615,300
Training only to local units		654,500
Secondary road patrol program.....		<u>10,961,500</u>
TOTAL.....	\$	14,231,300

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "CJIS" means Criminal Justice Information Systems.

(b) "Core service" means that term as defined in section 373 of the management and budget act, 1984 PA 431, MCL 18.1373.

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

(d) "Director" means the director of the department.

(e) "DNA" means deoxyribonucleic acid.

(f) "DTMB" means the department of technology, management, and budget.

(g) "FTE" means full-time equated.

1 (h) "IDG" means interdepartmental grant.

2 (i) "MCOLES" means the Michigan commission on law enforcement
3 standards.

4 (j) "Subcommittees" means the subcommittees of the senate and
5 house standing committees on appropriations with jurisdiction over
6 the budget for the department.

7 (k) "Support service" means an activity required to support
8 the ongoing delivery of core services.

9 Sec. 204. The departments and agencies receiving
10 appropriations in part 1 shall use the internet to fulfill the
11 reporting requirements of this part. This requirement may include
12 transmission of reports via electronic mail to the recipients
13 identified for each reporting requirement, or it may include
14 placement of reports on an internet or intranet site.

15 Sec. 205. Funds appropriated in part 1 shall not be used for
16 the purchase of foreign goods or services, or both, if
17 competitively priced and of comparable quality American goods or
18 services, or both, are available. Preference shall be given to
19 goods or services, or both, manufactured or provided by Michigan
20 businesses, if they are competitively priced and of comparable
21 quality. In addition, preference shall be given to goods or
22 services, or both, that are manufactured or provided by Michigan
23 businesses owned and operated by veterans, if they are
24 competitively priced and of comparable quality.

25 Sec. 206. The director shall take all reasonable steps to
26 ensure businesses in deprived and depressed communities compete for
27 and perform contracts to provide services or supplies, or both. The

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

4 Sec. 207. The departments and agencies receiving
5 appropriations in part 1 shall prepare a report on out-of-state
6 travel expenses not later than January 1 of each year. The travel
7 report shall be a listing of all travel by classified and
8 unclassified employees outside this state in the immediately
9 preceding fiscal year that was funded in whole or in part with
10 funds appropriated in the department's budget. The report shall be
11 submitted to the senate and house appropriations committees, the
12 senate and house fiscal agencies, and the state budget director.
13 The report shall include the following information:

14 (a) The dates of each travel occurrence.

15 (b) The transportation and related costs of each travel
16 occurrence, including the proportion funded with state general
17 fund/general purpose revenues, the proportion funded with state
18 restricted revenues, the proportion funded with federal revenues,
19 and the proportion funded with other revenues.

20 Sec. 208. Funds appropriated in part 1 shall not be used by a
21 principal executive department, state agency, or authority to hire
22 a person to provide legal services that are the responsibility of
23 the attorney general. This prohibition does not apply to legal
24 services for bonding activities and for those outside services that
25 the attorney general authorizes.

26 Sec. 209. Not later than November 30, the state budget office
27 shall prepare and transmit a report that provides for estimates of

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

8 Sec. 210. (1) In addition to the funds appropriated in part 1,
9 there is appropriated an amount not to exceed \$10,000,000.00 for
10 federal contingency funds. These funds are not available for
11 expenditure until they have been transferred to another line item
12 in part 1 under section 393(2) of the management and budget act,
13 1984 PA 431, MCL 18.1393.

14 (2) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$3,500,000.00 for state
16 restricted contingency funds. These funds are not available for
17 expenditure until they have been transferred to another line item
18 in part 1 under section 393(2) of the management and budget act,
19 1984 PA 431, MCL 18.1393.

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

26 (4) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$200,000.00 for private

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

5 Sec. 211. The department shall cooperate with the DTMB to
6 maintain a searchable website accessible by the public at no cost
7 that includes, but is not limited to, all of the following:

8 (a) Fiscal year-to-date expenditures by category.

9 (b) Fiscal year-to-date expenditures by appropriation unit.

10 (c) Fiscal year-to-date payments to a selected vendor,
11 including the vendor name, payment date, payment amount, and
12 payment description.

13 (d) The number of active department employees by job
14 classification.

15 (e) Job specifications and wage rates.

16 Sec. 212. Within 14 days after the release of the executive
17 budget recommendation, the department shall cooperate with the
18 state budget office to provide the senate and house appropriations
19 chairs, the senate and house appropriations subcommittees chairs,
20 and the senate and house fiscal agencies with an annual report on
21 estimated state restricted fund balances, state restricted fund
22 projected revenues, and state restricted fund expenditures for the
23 fiscal years ending September 30, 2018 and September 30, 2019.

24 Sec. 213. The department shall maintain, on a publicly
25 accessible website, a department scorecard that identifies, tracks,
26 and regularly updates key metrics that are used to monitor and
27 improve the department's performance.

1 Sec. 214. Total authorized appropriations from all sources
2 under part 1 for legacy costs for the fiscal year ending September
3 30, 2019 are estimated at \$148,305,500.00. From this amount, total
4 agency appropriations for pension-related legacy costs are
5 estimated at \$77,070,000.00. Total agency appropriations for
6 retiree health care legacy costs are estimated at \$71,235,500.00.

7 Sec. 215. Based on the availability of federal funding and the
8 demonstrated need as indicated by applications submitted to the
9 state court administrative office, the department shall provide
10 \$1,500,000.00 in Byrne justice assistance grant program funding to
11 the judiciary by interdepartmental grant.

12 Sec. 216. A department or state agency shall not take
13 disciplinary action against an employee for communicating with a
14 member of the legislature or his or her staff.

15 Sec. 217. The department shall provide quarterly reports to
16 the subcommittees, the senate and house fiscal agencies, and the
17 state budget office that provide the following data:

18 (a) A list of major work projects, including the status of
19 each project.

20 (b) The department's financial status, featuring a report of
21 budgeted versus actual expenditures by part 1 line item including a
22 year-end projection of budget requirements. If projected department
23 budget requirements exceed the allocated budget, the report shall
24 include a plan to reduce overall expenses while still satisfying
25 specified service level requirements.

26 (c) A report on the performance metrics cited or information
27 required to be reported in this part, reasons for nonachievement of

1 metric targets, and proposed corrective actions.

2 Sec. 218. The appropriations in part 1 are for the core
3 services, support services, and work projects of the department,
4 including, but not limited to, the following core services:

5 (a) State security operations.

6 (b) Training.

7 (c) MCOLES.

8 (d) CJIS.

9 (e) Forensic analysis and biometric identification.

10 (f) Post operations and investigative services.

11 (g) Special operations.

12 (h) Intelligence operations.

13 (i) Commercial vehicle regulation and enforcement.

14 (j) Emergency management and homeland security.

15 (k) Highway safety planning.

16 (l) Secondary road patrol program.

17 Sec. 219. The department shall notify the subcommittees, the
18 chairpersons of the senate and house standing committees on
19 appropriations, and the senate and house fiscal agencies not less
20 than 90 days before recommending to close or consolidate any state
21 police posts. The notification shall include a local and state
22 impact study of the proposed post closure or consolidation.

23 Sec. 220. At least 90 days before beginning any effort to
24 privatize, the department shall submit a complete project plan to
25 the subcommittees and the senate and house fiscal agencies. The
26 plan shall include the criteria under which the privatization
27 initiative will be evaluated. The evaluation shall be completed and

1 submitted to the subcommittees and the senate and house fiscal
2 agencies within 30 months.

3 Sec. 221. (1) When the department provides contractual
4 services to a local unit of government, the department shall be
5 reimbursed for all costs incurred in providing the services,
6 including, but not limited to, retirement and overtime costs.

7 (2) The department shall define service cost models for those
8 services requiring reimbursement.

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

13 (4) This section does not apply to services provided to state
14 agencies.

15 (5) Revenues received for contractual or reimbursed services
16 in excess of the appropriation in part 1 are appropriated and may
17 be received and expended by the department for the purposes for
18 which funds are received.

19 (6) If additional authorization is approved in the statewide
20 integrated governmental management application (SIGMA) by the state
21 budget office under this section, the department shall notify the
22 subcommittees and the senate and house fiscal agencies within 10
23 days after the approval. The notification shall include the amount
24 and funding source of the additional authorization, the date of its
25 approval, and the projected use of funds to be expended.

26 Sec. 222. The department shall serve as an active liaison
27 between the DTMB and state, local, regional, and federal public

1 safety agencies on matters pertaining to the Michigan public safety
2 communications system and shall report user issues to the DTMB.

3 Sec. 223. 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, if specified.

6 Sec. 224. (1) Federal revenues authorized by and available
7 from the federal government in excess of the appropriation in part
8 1 are appropriated and may be received and expended by the
9 department for purposes authorized under state law and subject to
10 federal requirements.

11 (2) The department shall notify the subcommittees and the
12 senate and house fiscal agencies before expending federal revenues
13 received and appropriated under subsection (1).

14 (3) If additional authorization is approved in the statewide
15 integrated governmental management application (SIGMA) by the state
16 budget office under this section, the department shall notify the
17 subcommittees and the senate and house fiscal agencies within 10
18 days after the approval. The notification shall include the amount
19 and funding source of the additional authorization, the date of its
20 approval, and the projected use of funds to be expended.

21 Sec. 225. The department may establish and collect fees for
22 publications, videos, conferences, workshops, and related
23 materials. Collected fees shall be used to offset expenditures for
24 the publications, videos, workshops, conferences, and related
25 materials. The department shall not collect fees under this section
26 that exceed the cost of the expenditures.

DEPARTMENTAL ADMINISTRATION AND SUPPORT

Sec. 301. (1) The department shall provide security services at the State Capitol Complex facilities and the State Secondary Complex as provided under section 6c of 1935 PA 59, MCL 28.6c.

(2) The department shall maintain the staff and resources necessary to respond to emergencies at the State Capitol Complex, State Secondary Complex, House Office Building, Binsfeld Office Building, Capitol parking lot, Townsend Parking Ramp, the Roosevelt Parking Ramp, and other areas as directed.

(3) The department may develop a phased approach for improving security at the Capitol Building.

(4) The department shall maintain a goal of annually conducting 35,000 property inspections of state owned and leased facilities.

LAW ENFORCEMENT SERVICES

Sec. 401. (1) The department shall develop and deliver professional, innovative, and quality training that supports the enforcement and public safety efforts of the criminal justice community.

(2) The department shall provide performance data as provided under section 217 of this part for average classroom occupancy rate, with an annual goal of at least 55%.

(3) The department shall submit a report to the subcommittees and the senate and house fiscal agencies within 60 days of the conclusion of any trooper, motor carrier, or state properties security recruit school. The report shall include the following:

1 (a) The number of veterans and the number of MCOLES-certified
2 police officers who were admitted to and the number who graduated
3 from the recruit school.

4 (b) The total number of recruits who were admitted to the
5 school, the number of recruits who graduated from the school, and
6 the location at which each of these recruits is assigned.

7 (4) The department shall distribute and review course
8 evaluations to ensure that quality training is provided.

9 Sec. 402. (1) In accordance with applicable state and federal
10 laws and regulations, the department shall maintain and ensure
11 compliance with CJIS databases and applications in the support of
12 public safety and law enforcement communities.

13 (2) The department shall improve the accuracy, timeliness, and
14 completeness of criminal history information by conducting a
15 minimum of 30 outreach activities targeted to criminal justice
16 agencies.

17 (3) The department shall provide for the compilation of crime
18 statistics consistent with the uniform crime reporting (UCR)
19 program and the national incident-based report system (NIBRS).

20 (4) The department shall provide for the compilation and
21 evaluation of traffic crash reports and the maintenance of the
22 state accident data collection system.

23 (5) The department shall make individual traffic crash reports
24 available for a fee of \$10.00 per incident. The department may also
25 sell an extract of electronic traffic crash data for a fee of \$0.25
26 per incident, provided that the name, address, and any other
27 personal identifying information have been excluded.

1 (6) In accordance with applicable state and federal laws and
2 regulations, the department shall provide for the maintenance and
3 dissemination of criminal history records and juvenile records,
4 including to the extent necessary to exchange criminal history
5 records information with the Federal Bureau of Investigation and
6 other states through the interstate identification index, the
7 National Crime Information Center, and other federal CJIS databases
8 and indices.

9 (7) In accordance with applicable state and federal laws, the
10 department shall provide for the maintenance of records, including
11 criminal history records regarding firearms licensure.

12 (8) The department shall provide to the legislature a report
13 on concealed pistol licensing not later than December 1, 2019 that
14 includes all of the following:

15 (a) The department's actual revenue received from fees paid
16 for concealed pistol license (CPL) applications for fiscal year
17 2018-2019 and the uses of that revenue.

18 (b) The department's fiscal year 2018-2019 costs for
19 administering its concealed pistol licensing responsibilities under
20 1927 PA 372, MCL 28.421 to 28.435, but not including costs related
21 to the administration of other state statutes, or requirements of
22 federal law.

23 (9) The department shall provide information on the number of
24 background checks processed through the internet criminal history
25 access tool (ICHAT) as provided in section 217 of this part.

26 (10) The following unexpended and unencumbered revenues
27 deposited into the criminal justice information center service fees

1 shall not lapse to the general fund, but shall be carried forward
2 into the subsequent fiscal year:

3 (a) Fees for fingerprinting and criminal record checks and
4 name-based criminal record checks under 1935 PA 120, MCL 28.271 to
5 28.274.

6 (b) Fees for application and licensing for initial and renewal
7 concealed pistol licenses under 1927 PA 372, MCL 28.421 to 28.435.

8 (c) Fees for searching, copying, and providing public records
9 under the freedom of information act, 1976 PA 442, MCL 15.231 to
10 15.246.

11 (d) Revenue from other sources, including, but not limited to,
12 investment and interest earnings.

13 (11) Unexpended and unencumbered revenue generated by state
14 records management system fees shall not lapse to the general fund,
15 but shall be carried forward into the subsequent fiscal year.

16 Sec. 403. (1) The department shall provide forensic testing
17 services to aid in criminal investigations.

18 (2) The department shall ensure its ability to maintain
19 accreditation by a federally designated accrediting agency, as
20 provided under 34 USC 12592.

21 (3) The department shall provide forensic science services
22 with an average turnaround time of 55 days, assuming an annual
23 caseload volume commensurate with that received in fiscal year
24 2012-2013, and shall achieve a goal of a 30-day average turnaround
25 time across all forensic science disciplines.

26 (4) The department shall provide the following data as
27 provided in section 217 of this part:

1 (a) The average turnaround time for processing forensic
2 evidence across all disciplines.

3 (b) Forensic laboratory staffing levels, including scientists
4 in training, and vacancies.

5 (c) The number of backlogged cases in each discipline.

6 (5) The department shall provide for the forensic testing and
7 analysis/profiling of DNA evidence to aid criminal investigations
8 by law enforcement agencies in this state.

9 Sec. 404. (1) The biometrics and identification division shall
10 house and manage the automated fingerprint identification system,
11 the statewide network of agency photographs, and combined offender
12 DNA index system biometric databases.

13 (2) The department shall provide data on the number of 10-
14 print and palm-print submissions to the database, with a goal of at
15 least 97% of submissions provided electronically as provided in
16 section 217 of this part.

17 (3) The department shall maintain the staffing and resources
18 necessary to have a 28-day average wait time for scheduling a
19 polygraph examination, assuming an annual caseload received
20 commensurate with fiscal year 2012-2013, with a goal of achieving a
21 15-day average wait time.

22 (4) If changes are made to the department's protocol for
23 retaining and purging DNA analysis samples and records, the
24 department shall post a copy of the protocol changes on the
25 department's website.

26 Sec. 405. Not later than December 1, the department shall
27 submit a report to the subcommittees and senate and house fiscal

1 agencies that includes, but is not limited to, all of the following
2 information:

3 (a) Sexual assault kit analysis backlog at the beginning of
4 the prior fiscal year.

5 (b) The number of sexual assault kits collected or submitted
6 for analysis during the prior fiscal year.

7 (c) The number of sexual assault kits analyzed and the number
8 of associated DNA profiles created and uploaded during the prior
9 fiscal year.

10 (d) Sexual assault kit analysis backlog at the ending of the
11 prior fiscal year.

12 (e) The average turnaround time to analyze sexual assault kits
13 and to create and upload associated DNA profiles for the prior
14 fiscal year.

15 Sec. 406. The department shall provide administrative support
16 for the following grant and community service programs:

17 (a) The operations of the automobile theft prevention
18 authority.

19 (b) Administration of the Edward Byrne memorial justice
20 assistance program and other grant programs as well as the
21 department's community policing efforts.

22 (c) Oversight and administration of 9-1-1 operations
23 statewide.

24 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

25 Sec. 501. (1) MCOLES shall establish standards for the
26 selection, employment, training, education, licensing, and

1 revocation of all law enforcement officers and provide the basic
2 law enforcement training curriculum for law enforcement training
3 academy programs statewide.

4 (2) MCOLES shall maintain staffing and resources necessary to
5 update law enforcement standards within 120 days of the enactment
6 date of any new legislation.

7 **FIELD SERVICES**

8 Sec. 601. (1) Department enlisted personnel who are employed
9 to enforce traffic laws as provided in section 629e of the Michigan
10 vehicle code, 1949 PA 300, MCL 257.629e, are not prohibited from
11 responding to crimes in progress or other emergency situations and
12 are responsible for making every effort to protect all residents of
13 this state.

14 (2) The department shall maintain the staffing and resources
15 necessary to continually work to enhance traffic safety throughout
16 this state and shall dedicate a minimum of 455,200 hours to
17 statewide patrol, of which a minimum of 40,000 shall be committed
18 to distressed cities in this state, and a minimum of 2,000 shall be
19 committed to Belle Isle. The department shall work to improve
20 public safety efforts within distressed cities by enhancing data
21 analysis capabilities and identifying crime trends and areas with
22 high occurrence of crime.

23 (3) The department shall maintain the staffing and resources
24 necessary to perform activities to maintain a 93% compliance rate
25 for reporting by registered sex offenders.

26 (4) The department shall submit a report on or before April 15

1 to the subcommittees and senate and house fiscal agencies regarding
2 the secure cities partnership during the prior fiscal year.

3 Sec. 602. (1) The department shall identify and apprehend
4 criminals through criminal investigations in this state.

5 (2) The department shall maintain the staffing and resources
6 necessary to provide a comparable number of hours investigating
7 crimes as those performed in fiscal year 2012-2013.

8 (3) The department shall maintain the staffing and resources
9 necessary to annually meet or exceed a case clearance rate of 62%.

10 (4) The department shall annually provide 4 training
11 opportunities to local law enforcement partners with the goal of
12 increasing their knowledge of gambling laws, trends, legal issues,
13 and opioid-related investigations.

14 (5) The department shall maintain the staffing and resources
15 necessary to increase the number of opioid-related investigations
16 by 20% above the number of those investigations conducted in the
17 2014-2015 fiscal year conducted by multijurisdictional task forces
18 and hometown security teams. The department shall work to enhance
19 investigative and drug interdiction efforts by enhancing data
20 analysis capabilities and linking investigations among
21 multijurisdictional task forces and hometown security teams.

22 Sec. 603. (1) The department shall provide protection to this
23 state, its economy, welfare, and vital state-sponsored programs
24 through the prevention and suppression of organized smuggling of
25 untaxed tobacco products in the state, through enforcement of the
26 tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, and
27 other laws pertaining to combating criminal activity in this state,

1 by maintaining a tobacco tax enforcement unit.

2 (2) The department shall submit an annual report on December 1
3 to the subcommittees, the senate and house appropriations
4 subcommittees on general government, the senate and house fiscal
5 agencies, and the state budget office that details expenditures and
6 activities related to tobacco tax enforcement for the prior fiscal
7 year.

8 (3) The tobacco tax enforcement unit shall dedicate a minimum
9 of 16,600 hours to tobacco tax enforcement.

10 Sec. 604. (1) The department shall provide fire investigation
11 services to citizens of this state through training and
12 investigative assistance to public safety agencies in this state.

13 (2) The department shall maintain the staffing and resources
14 necessary to maintain readiness to respond appropriately to at
15 least the number of requests for fire investigation services that
16 occurred in fiscal year 2010-2011 and shall be available for call
17 out statewide 100% of the time.

18 **SPECIALIZED SERVICES**

19 Sec. 701. (1) The department shall operate the Michigan
20 intelligence operation center for homeland security as the state's
21 primary federally designated fusion center to receive, analyze,
22 gather, and disseminate threat-related information among federal,
23 state, local, tribal, and private sector partners.

24 (2) The department shall ensure public safety by providing
25 public and private sector partners with timely and accurate
26 information regarding critical information key resource threats as

1 reported to or discovered by the Michigan intelligence operations
2 center for homeland security and shall increase public awareness on
3 how to report suspicious activity through website or telephone
4 communications.

5 (3) The department shall maintain the staffing and resources
6 necessary to support the cyber section, including the Michigan
7 cyber command center, the computer crimes unit, and the internet
8 crimes against children task force. The department shall maintain
9 the staffing and resources necessary to increase the number of
10 cases completed by the computer crimes unit by 40% above the number
11 of cases completed in the 2017-2018 fiscal year. The unit shall
12 pursue process improvement initiatives to effectively utilize staff
13 resources in providing investigatory assistance and evidentiary
14 analysis for law enforcement and criminal justice agencies
15 statewide.

16 (4) The department shall maintain the staffing and resources
17 necessary to provide digital forensic analysis services with a goal
18 of decreasing backlogs of digital forensic analysis cases annually
19 until the department maintains a 60-day turnaround time.

20 Sec. 702. (1) The department shall provide specialized
21 services in support of, and to enhance, local, state, and federal
22 law enforcement operations within this state in accordance with all
23 applicable state and federal laws and regulations.

24 (2) The department shall maintain the staffing and resources
25 necessary to provide training to maintain readiness to respond
26 appropriately to at least the number of requests for specialty
27 services which occurred in fiscal year 2010-2011.

1 (3) The canine unit shall be available for call out statewide
2 100% of the time.

3 (4) The bomb squad unit shall be available for call out
4 statewide 100% of the time.

5 (5) The emergency support teams shall be available for call
6 out statewide 100% of the time.

7 (6) The marine services team shall be available for call out
8 statewide 100% of the time.

9 (7) Aviation services shall be available for call out
10 statewide 100% of the time, unless prohibited by weather or
11 unexpected mechanical breakdowns.

12 (8) The department shall prepare a report to the legislature
13 that evaluates law enforcement issues related to the use of drones,
14 including existing local, state, and federal laws and regulations
15 regarding their use, any input that the department may have to
16 offer as to the efficacy of such laws, and department-recommended
17 drone law/regulation enforcement policies that could be established
18 as Michigan law enforcement best practices. This report shall be
19 transmitted to the chairpersons of the senate and house
20 appropriations subcommittees, and the senate and house fiscal
21 agencies no later than April 2, 2019.

22 Sec. 703. (1) The department shall maintain commercial vehicle
23 regulation, school bus inspections, and enforcement activities,
24 including enforcement of requirements concerning size, weight, and
25 load restrictions; operating authority; registration; fuel taxes;
26 transportation of hazardous materials; operations of new entrants;
27 and commercial driver's licenses.

1 (2) The department shall maintain the staffing and resources
2 necessary to meet inspection goals consistent with the department's
3 federal motor carrier assistance program activities.

4 (3) Revenue collected under the motor carrier act, 1933 PA
5 254, MCL 475.1 to 479.42, shall be expended in accordance with that
6 act. Unexpended and unencumbered revenues shall not lapse to the
7 general fund but shall be carried forward into the subsequent
8 fiscal year.

9 Sec. 704. (1) The department shall coordinate the mitigation,
10 preparation, response, and recovery activities of municipal,
11 county, state, and federal governments, and other governmental
12 entities, for all hazards, disasters, and emergencies.

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

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

3 (3) In addition to the money appropriated in part 1, the
4 department may receive and expend money from local, private,
5 federal, or state sources for the purpose of providing emergency
6 management training to local or private interests and for the
7 purpose of supporting emergency preparedness, response, recovery,
8 and mitigation activity. If additional expenditure authorization in
9 the statewide integrated governmental management application
10 (SIGMA) is approved by the state budget office under this section,
11 the department and the state budget office shall notify the
12 subcommittees and the senate and house fiscal agencies within 10
13 days after the approval. The notification shall include the amount
14 and source and the additional authorization, the date of its
15 approval, and the projected use of funds to be expended under the
16 authorization.

17 (4) The department shall foster, promote, and maintain
18 partnerships to protect this state and homeland from all hazards.

19 (5) The department shall maintain the staffing and resources
20 necessary to do all of the following:

21 (a) Serve approximately 105 local emergency management
22 preparedness programs and 88 local emergency planning committees in
23 this state.

24 (b) Operate and maintain the state's emergency operations
25 center and provide command and control in support of emergency
26 response services.

27 (c) Maintain readiness, including training and equipment to

1 respond to civil disorders and natural disasters commensurate with
2 the capabilities of fiscal year 2010-2011.

3 (d) Perform hazardous materials response training.

4 (6) The department shall conduct a minimum of 3 training
5 sessions to enhance safe response in the event of natural or
6 manmade incidents, emergencies, or disasters.

7 (7) In addition to the funds appropriated in part 1, there is
8 appropriated from the disaster and emergency contingency fund an
9 amount necessary to cover costs related to any disaster or
10 emergency as defined in the emergency management act, 1976 PA 390,
11 MCL 30.401 to 30.421. Funds shall be expended as provided under
12 sections 18 and 19 of the emergency management act, 1976 PA 390,
13 MCL 30.418 and 30.419, and R 30.51 to R 30.61 of the Michigan
14 Administrative Code.

15 (8) Funds in the disaster and emergency contingency fund shall
16 not be expended unless the state budget director approves the
17 expenditure and the department and the state budget office notify
18 the senate and house appropriations committees. If expenditures are
19 made from the disaster and emergency contingency fund during a
20 month, the department shall submit monthly reports to the senate
21 and house fiscal agencies detailing the purpose of the
22 expenditures. These monthly reports shall be submitted within 30
23 days after the end of the month during which funds from the
24 disaster and emergency contingency fund were expended.

25 (9) Upon the declaration of a state of emergency or disaster
26 by the governor under section 3 of the emergency management act,
27 1976 PA 390, MCL 30.403, approval of the state budget director, and

1 notification of the subcommittees and senate and house fiscal
2 agencies, the director may expend funds appropriated from any
3 source to any line item within part 1 for the purpose of paying the
4 necessary and reasonable expenses incurred by the department in
5 responding to or mitigating the effects of any emergency or
6 disaster as those terms are defined in section 2 of the emergency
7 management act, 1976 PA 390, MCL 30.402.

8 (10) The department shall track and report on a quarterly
9 basis, as provided in section 217 of this part, the status of the
10 department's assessment of critical infrastructure vulnerabilities,
11 including the protection status of critical infrastructure items
12 identified by the assessment.

13 Sec. 705. The department shall provide for the planning,
14 administration, and implementation of highway traffic safety
15 programs to save lives and reduce injuries on roads in this state
16 in partnership with other public and private organizations.

17 Sec. 706. (1) The department shall provide funding to county
18 sheriff departments to patrol secondary roads.

19 (2) The sheriffs' duties under the secondary road patrol
20 program, as outlined in section 76(2) of 1846 RS 14, MCL 51.76, are
21 to patrol and monitor traffic violations; to enforce the criminal
22 laws of this state, violations of which are observed by or brought
23 to the attention of the sheriff's department while patrolling and
24 monitoring secondary roads; to investigate accidents involving
25 motor vehicles; and to provide emergency assistance to persons on
26 or near a highway or road the sheriff is patrolling and monitoring.

27 (3) The department shall provide the following information on

1 secondary road patrol activities supported by appropriations in
2 part 1:

3 (a) The number of funded full-time equivalent county sheriff
4 secondary road patrol deputies.

5 (b) The number of hours dedicated to patrol under the
6 secondary road patrol program, with an annual goal of at least
7 178,000 hours.

8 (4) The information required to be reported under subsection
9 (3) shall be reported on an annual basis.

10 **ONE-TIME APPROPRIATIONS**

11 Sec. 901. (1) Funding provided in part 1 for the sexual
12 assault prevention and education initiative shall be used to
13 provide and administer grants to public or nonpublic community
14 colleges, colleges, and universities with a physical presence in
15 this state to address campus sexual assault issues to improve the
16 safety and security of students, faculty, and staff in campus
17 environments in this state.

18 (2) Grant funds awarded shall support sexual assault programs,
19 including education, awareness, prevention, reporting, and
20 bystander intervention programs.

21 (3) The department shall issue awards no later than December
22 1, 2018, with a grant period of 1 year.

23 (4) The department shall report on grant activities to the
24 subcommittees and the state budget office by February 28, 2020.

25 (5) Unexpended and unencumbered appropriations in part 1 for
26 the sexual assault prevention and education initiative are

1 designated as work project appropriations. Any unencumbered or
2 unallotted funds at the end of the fiscal year shall be carried
3 forward into the succeeding fiscal year. The following is in
4 compliance with section 451a(1) of the management and budget act,
5 1984 PA 431, MCL 18.1451a:

6 (a) The purpose of the project is to provide grants for sexual
7 assault education, awareness, prevention, reporting, and bystander
8 intervention programs.

9 (b) The project will be accomplished by grants to eligible
10 community colleges, colleges, and universities.

11 (c) The total estimated cost of the project is \$600,000.00.

12 (d) The estimated completion date is September 30, 2020.

13 PART 2A

14 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

15 FOR FISCAL YEAR 2019-2020

16 GENERAL SECTIONS

17 Sec. 1001. It is the intent of the legislature to provide
18 appropriations for the fiscal year ending on September 30, 2020 for
19 the line items listed in part 1. The fiscal year 2019-2020
20 appropriations are anticipated to be the same as those for fiscal
21 year 2018-2019, excluding appropriations designated as one-time
22 appropriations and adjusting for changes in caseload and related
23 costs, federal fund match rates, economic factors, and available
24 revenue. These adjustments will be determined after the January
25 2019 consensus revenue estimating conference.