SENATE SUBSTITUTE FOR

HOUSE BILL NO. 5888

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of state police for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 1.0		
Full-time equated classified positions..... 2,764.0		
GROSS APPROPRIATION.....	$	529,231,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		24,143,800
ADJUSTED GROSS APPROPRIATION.....	$	505,087,600
Federal revenues:		
Total federal revenues.....		103,934,200
Special revenue funds:		
Total local revenues.....		6,257,500
Total private revenues.....		269,800
Total state restricted revenues.....		134,242,900
State general fund/general purpose.....	$	260,383,200

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions..... 1.0		
Full-time equated classified positions..... 42.5		
Unclassified positions.....	$	150,000
Executive direction--21.0 FTE positions.....		2,411,800
Special operations and events--17.5 FTE positions....		2,015,700

1	Auto theft prevention program--4.0 FTE positions	8,042,300
2	GROSS APPROPRIATION	$ 12,619,800
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG-MDTR, casino gaming fees	27,500
6	IDT, truck safety fund	10,100
7	Special revenue funds:	
8	Auto theft prevention fund	8,042,300
9	Motor carrier fees	38,000
10	Criminal justice information center fees	72,300
11	Forensic science reimbursement fees	11,400
12	Highway safety fund	47,300
13	Narcotics investigation revenues	5,400
14	Nuclear plant emergency planning and reimbursement ...	9,800
15	State forensic laboratory fund	11,800
16	Traffic law enforcement and safety fund	60,500
17	State general fund/general purpose	$ 4,283,400
18	**Sec. 103. DEPARTMENTWIDE APPROPRIATIONS**	
19	Special maintenance and utilities	$ 447,600
20	Rent and building occupancy charges	9,843,000
21	Worker's compensation	3,309,600
22	Fleet leasing	12,980,700
23	In-service training - law enforcement distribution ...	450,000
24	In-service training - competitive	1,000,000
25	Narcotics investigation funds	265,100
26	GROSS APPROPRIATION	$ 28,296,000
27	Appropriated from:	

1 Interdepartmental grant revenues:

2 IDG, training academy charges 283,500

3 IDT, Michigan justice training fund 1,450,000

4 Federal revenues:

5 Federal narcotics investigation revenues 95,000

6 DOT 25,200

7 DHS 177,500

8 Special revenue funds:

9 Forensic science reimbursement fee 100,700

10 Narcotics investigation revenues 170,100

11 State forensic laboratory fund 100,700

12 Criminal justice information center service fees 199,500

13 Secondary road patrol and training fund 17,900

14 Hazardous materials training center fees 105,100

15 Michigan justice training fund 29,800

16 Motor carrier fees 7,500

17 Highway safety fund 7,800

18 Traffic law enforcement and safety fund 15,400

19 State general fund/general purpose ..... $ 25,510,300

20 **Sec. 104. SUPPORT SERVICES**

21 Full-time equated classified positions 196.5

22 Management services--136.0 FTE positions ..... $ 13,641,900

23 Training administration--32.0 FTE positions 5,856,400

24 Budget and financial services--24.5 FTE positions 2,647,800

25 Office of justice program grants--4.0 FTE positions .. 8,496,900

26 GROSS APPROPRIATION ..... $ 30,643,000

27 Appropriated from:

1 Interdepartmental grant revenues:

2 IDT, auto theft funds	2,500
3 IDG, training academy charges	3,338,500
4 IDT, truck safety fund	30,800
5 IDG-MDOT, state trunkline fund	3,000
6 IDG-MDTR, casino gaming fees	107,500
7 IDG-MDTR, emergency telephone fund coordinator	536,500
8 IDG-MDTR, emergency telephone fund operations	478,600
9 IDG-MDOS	2,000
10 IDG-MDOC, contract	50,000
11 Federal revenues:	
12 DOJ	372,700
13 DOJ interest bearing	8,124,200
14 DOT	487,800
15 Special revenues funds:	
16 Local - LEIN fees	3,800
17 Local - MPSCS subscriber fees	28,100
18 Local - school bus revenue	1,700
19 Highway safety fund	179,500
20 Nuclear plant emergency planning reimbursement	39,300
21 Precision driving track fees	287,200
22 Criminal justice information center service fees	817,900
23 Traffic law enforcement and safety fund	178,300
24 Reimbursed services	1,301,700
25 Forensic science reimbursement fees	36,000
26 Michigan justice training fund	3,700
27 Narcotics investigation revenues	27,400

State forensic laboratory fund.....		36,100
State services fee fund.....		13,500
Motor carrier fees.....		156,700
State general fund/general purpose.....	$	13,998,000
Sec. 105. HIGHWAY SAFETY PLANNING		
Full-time equated classified positions..... 30.0		
State program planning and administration--8.0 FTE positions	$	1,030,300
Secondary road patrol program--2.0 FTE positions		14,037,000
Truck safety program--1.0 FTE positions		3,008,800
Federal highway traffic safety coordination--19.0 FTE positions		12,572,900
GROSS APPROPRIATION.....	$	30,649,000
Appropriated from:		
Federal revenues:		
DOT.....		12,503,900
DOJ.....		579,000
Special revenue funds:		
Truck driver safety fund.....		3,008,800
Secondary road patrol and training fund.....		14,037,000
State general fund/general purpose.....	$	520,300
Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER		
Full-time equated classified positions..... 128.0		
Criminal justice information center division--108.0 FTE positions	$	10,812,900
Criminal records improvement--1.0 FTE position		2,249,300
Traffic safety--19.0 FTE positions.....		1,886,400

1 GROSS APPROPRIATION	$	14,948,600
2 Appropriated from:		
3 Interdepartmental grant revenues:		
4 IDG-MDOS		337,200
5 IDG-MDOT, state trunkline fund		874,600
6 Federal revenues:		
7 DOJ		2,249,300
8 DOT		482,100
9 Special revenue funds:		
10 Traffic crash revenue		80,000
11 Motor carrier fees		112,500
12 Sex offender registration fund		63,100
13 Criminal justice information center service fees		9,475,400
14 State general fund/general purpose	$	1,274,400

15 **Sec. 107. FORENSIC SCIENCES**

16 Full-time equated classified positions..... 269.5

17 Laboratory operations--212.0 FTE positions	$	28,488,600
18 DNA analysis program--57.5 FTE positions		8,167,000
19 Detroit laboratory		100
20 GROSS APPROPRIATION	$	36,655,700
21 Appropriated from:		
22 Federal revenues:		
23 DOJ		4,169,000
24 DOT		655,900
25 Federal narcotics investigation revenues		510,200
26 Special revenue funds:		
27 Forensic science reimbursement fees		1,515,900

1 State forensic laboratory fund..... 1,795,500
2 Narcotic investigation revenues..... 1,705,000
3 Criminal justice information center service fees..... 60,200
4 State services fee fund..... 9,505,900
5 State general fund/general purpose..... $ 16,738,100
6 **Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT**
7 **STANDARDS**
8 Full-time equated classified positions..... 22.0
9 Standards and training/justice training grants--20.0
10 FTE positions ..... $ 9,004,000
11 Concealed weapons enforcement training..... 100,000
12 Training only to local units--2.0 FTE positions..... 622,700
13 Mental health awareness training..... 100,000
14 Public safety officers benefit program..... 149,600
15 GROSS APPROPRIATION..... $ 9,976,300
16 Appropriated from:
17 Interdepartmental grant revenues:
18 IDG-MDOC, contract..... 100,000
19 Federal revenues:
20 DOJ..... 175,000
21 Special revenue funds:
22 Secondary road patrol and training fund..... 622,700
23 Michigan justice training fund..... 8,006,400
24 Licensing fees..... 9,100
25 Concealed weapons enforcement fee..... 100,000
26 State general fund/general purpose..... $ 963,100
27 **Sec. 109. EMERGENCY MANAGEMENT**

1 Full-time equated classified positions..... 80.5
2 Emergency management planning and
3 administration--31.0 FTE positions..... $ 5,390,600
4 Grants to local government..... 2,482,100
5 FEMA program assistance--18.0 FTE positions..... 4,904,000
6 Nuclear power plant emergency planning--6.0 FTE
7 positions 1,799,300
8 Hazardous materials programs--25.5 FTE positions..... 47,217,600
9 Interdepartmental grant to legislature..... 200,000
10 GROSS APPROPRIATION..... $ 61,993,600
11 Appropriated from:
12 Federal revenues:
13 DOT..... 584,800
14 DHS..... 55,547,400
15 Special revenue funds:
16 Nuclear plant emergency planning reimbursement..... 1,799,300
17 Hazardous materials training center fees..... 1,508,200
18 State general fund/general purpose..... $ 2,553,900
19 **Sec. 110. POST UNIFORM SERVICES**
20 Full-time equated classified positions..... 1,387.0
21 Uniform services--372.0 FTE positions..... $ 43,919,500
22 Capitol security guards--7.0 FTE positions..... 642,900
23 At-post troopers--1,008.0 FTE positions..... 139,235,800
24 Reimbursed services..... 1,879,500
25 GROSS APPROPRIATION..... $ 185,677,700
26 Appropriated from:
27 Special revenue funds:

1	Criminal justice information center service fees	785,600
2	Narcotics investigation revenues	1,033,600
3	Highway safety fund	15,325,700
4	Traffic law enforcement and safety fund	28,918,700
5	Trooper school recruitment fund	1,000
6	State police service fees	1,879,500
7	State general fund/general purpose ..... $	137,733,600
8	**Sec. 111. STATEWIDE FIELD OPERATIONS**	
9	Full-time equated classified positions..... 61.0	
10	Operational support--54.0 FTE positions ..... $	6,912,200
11	Aviation program--7.0 FTE positions	1,495,000
12	GROSS APPROPRIATION ..... $	8,407,200
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDOC, contract	105,300
16	Special revenue funds:	
17	Private donations	269,800
18	Rental of department aircraft	51,800
19	State general fund/general purpose ..... $	7,980,300
20	**Sec. 112. SPECIAL INVESTIGATIONS**	
21	Full-time equated classified positions..... 342.0	
22	Criminal investigations--217.0 FTE positions ..... $	30,017,900
23	Federal antidrug initiatives--65.5 FTE positions	8,756,400
24	Reimbursed services, materials, and equipment--0.5	
25	FTE positions	2,688,000
26	Auto theft prevention--13.0 FTE positions	1,413,500
27	Casino gaming oversight--32.0 FTE positions	4,625,100

1 Fire investigation--14.0 FTE positions 1,679,700
2 Fire investigation training to locals 50,000
3 Parole absconder sweeps 10,900
4 GROSS APPROPRIATION ..... $ 49,241,500
5 Appropriated from:
6 Interdepartmental grant revenues:
7 IDT, auto theft funds 1,027,000
8 IDG-MDTR, casino gaming fees 4,625,100
9 Federal revenues:
10 Federal investigations - reimbursed services 764,100
11 DOJ 3,656,800
12 DOJ (ARRA) 2,000,000
13 Federal narcotics investigation revenues 463,800
14 Special revenue funds:
15 Local - reimbursed services 1,923,900
16 Narcotics investigation revenues 719,100
17 Michigan merit award trust fund 629,900
18 Forfeiture funds 576,600
19 State general fund/general purpose ..... $ 32,855,200
20 **Sec. 113. TRAFFIC SAFETY**
21 Full-time equated classified positions 205.0
22 Motor carrier enforcement--101.0 FTE positions ..... $ 11,185,900
23 Truck safety enforcement team operations--10.0 FTE
24 positions 1,375,000
25 Safety inspections--63.0 FTE positions 6,943,400
26 School bus inspections--4.0 FTE positions 421,000
27 Safety projects--10.0 FTE positions 1,712,100

1	Traffic services--17.0 FTE positions	5,144,600
2	GROSS APPROPRIATION	$ 26,782,000
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDT, truck safety fund	1,375,000
6	IDG-MDOT, state trunkline fund	8,939,400
7	Federal revenues:	
8	DOT	8,936,400
9	Special revenue funds:	
10	Local school bus revenue	421,000
11	Drunk driving prevention and training fund	1,180,700
12	Motor carrier fees	4,374,700
13	State general fund/general purpose	$ 1,554,800
14	**Sec. 114. INFORMATION TECHNOLOGY**	
15	Information technology services and projects	$ 20,203,000
16	Michigan public safety communications system	13,138,000
17	GROSS APPROPRIATION	$ 33,341,000
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG-MDTR, casino gaming fees	91,100
21	IDG-MDOT, state trunkline fund	250,600
22	IDG, training academy charges	8,500
23	IDG-MDOS	4,500
24	IDG-MDTR, emergency telephone fund coordinator	4,700
25	IDG-MDTR, emergency telephone fund operations	64,500
26	IDG - auto theft funds	5,700
27	IDT - truck safety fund	10,100

1 Federal revenues:

2 DOJ	539,700
3 DHS	619,500
4 DOT	214,900
5 Special revenue funds:	
6 Local - LEIN fees	2,159,800
7 Local - AFIS fees	77,400
8 Local - MPSCS subscriber and maintenance fees	1,639,900
9 Local - school bus revenue	1,900
10 Criminal justice information center service fees	4,515,500
11 Drunk driving prevention and training fund	1,900
12 Forensic science reimbursement fees	66,100
13 Hazardous materials center fees	1,900
14 Michigan justice training fund	44,600
15 Narcotics investigation revenue	13,100
16 Nuclear plant emergency planning reimbursement	4,900
17 Precision driving track fees	300
18 Secondary road patrol and training fund	397,400
19 Sex offender registration fund	216,300
20 State forensic laboratory fund	162,800
21 Reimbursed services	157,400
22 Motor carrier fees	257,400
23 Commercial mobile radio service fees	7,000,000
24 Traffic law enforcement and safety fund	79,000
25 Highway safety fund	49,200
26 Michigan merit award trust fund	1,000
27 State services fee fund	30,300

Traffic crash revenue		231,300
State general fund/general purpose	$	14,417,800

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is $394,626,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is $19,466,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE		
OFFICE OF HIGHWAY SAFETY PLANNING		
Secondary road patrol program	$	13,921,900
MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS		
Training only to local units	$	410,800
Justice training grants	$	4,605,600
SPECIAL INVESTIGATIONS		
Fire investigation training for locals	$	50,000
SUPPORT SERVICES		
Management services	$	478,600
Total	$	19,466,900

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

1 to 18.1594.
2 Sec. 203. As used in this act:
3 (a) "AFIS" means the automated fingerprint identification
4 system.
5 (b) "ARRA" means the American recovery and reinvestment act of
6 2009.
7 (c) "Department" means the department of state police.
8 (d) "DHS" means the United States department of homeland
9 security.
10 (e) "DNA" means deoxyribonucleic acid.
11 (f) "DOJ" means the United States department of justice.
12 (g) "DOT" means the United States department of
13 transportation.
14 (h) "FEMA" means the federal emergency management agency.
15 (i) "FTE" means full-time equated.
16 (j) "IDG" means interdepartmental grant.
17 (k) "IDT" means intradepartmental transfer.
18 (*l*) "LEIN" means law enforcement information network.
19 (m) "MCOLES" means the Michigan commission on law enforcement
20 standards.
21 (n) "MDCH" means the Michigan department of community health.
22 (o) "MDMB" means the Michigan department of technology,
23 management, and budget.
24 (p) "MDOC" means the Michigan department of corrections.
25 (q) "MDOS" means the Michigan department of state.
26 (r) "MDOT" means the Michigan department of transportation.
27 (s) "MDTR" means the Michigan department of treasury.

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

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

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

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

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to

the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

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

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

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the

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

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

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

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

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

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

Sec. 214. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all

reports funded from appropriations in part 1. The department shall follow all federal guidelines and state laws regarding short-term and long-term retention of records.

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

(a) The amount of money received and expended.

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

(c) The positions and classifications of employees assigned.

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

(e) The number of enlisted and civilian positions.

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

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

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

1 Sec. 217. From the funds appropriated in part 1, the
2 department shall maintain a toll-free hotline in collaboration with
3 the department of education. The toll-free hotline shall be
4 operated 24 hours per day, 7 days per week, and shall provide
5 students, school officials, and other individuals an opportunity to
6 report specific threats of imminent school violence or other
7 suspicious or criminal conduct by juveniles to the appropriate
8 local law enforcement entities for investigation. The department
9 may expend funds for the promotion of the hotline.
10 Sec. 218. (1) Funds appropriated in part 1 for at-post
11 troopers shall only be expended for trooper salaries, wages,
12 benefits, retirement, equipment, supplies, and other expenses
13 directly related to state troopers assigned to general law
14 enforcement duties at a department post, detachment, satellite
15 office, or a resident trooper function.
16 (2) It is the intent of the legislature that every effort be
17 made to identify funding sufficient to conduct a trooper school for
18 the purpose of working toward the goal of establishing a minimum
19 at-post trooper strength of 1,075 in this state.
20 (3) The department shall submit quarterly written reports to
21 the senate and house appropriations subcommittees on state police
22 and military and veterans affairs no later than December 1, 2010,
23 March 1, 2011, June 1, 2011, and September 1, 2011 which shall
24 include a trooper strength report and the status of the
25 department's plan for accomplishing the goal of subsection (2). If
26 the department determines that insufficient appropriations exist
27 under part 1 to accomplish the goal of subsection (2), the

department shall submit a proposal outlining a plan to accomplish the goal, including an accounting of any additional funding necessary to that end.

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

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

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2011 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or

for law enforcement purposes.

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

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

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

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

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

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

(3) Not later than January 1, 2011, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the senate and house of representatives standing committees on appropriations, the fiscal agencies, and the state budget director. The report shall include

1 the following information:
2 (a) The name of each person receiving reimbursement for travel
3 outside this state or whose travel costs were paid by this state.
4 (b) The destination of each travel occurrence.
5 (c) The dates of each travel occurrence.
6 (d) A brief statement of the reason for each travel
7 occurrence.
8 (e) The transportation and related costs of each travel
9 occurrence, including the proportion funded with state general
10 fund/general purpose revenues, the proportion funded with state
11 restricted revenues, the proportion funded with federal revenues,
12 and the proportion funded with other revenues.
13 (f) A total of all out-of-state travel funded for the
14 immediately preceding fiscal year.
15 Sec. 224. The department shall not take disciplinary action
16 against an employee for communicating with a member of the
17 legislature or his or her staff.
18 Sec. 226. The department of state police, in cooperation with
19 the department of technology, management, and budget, shall take
20 steps to encourage the development of state, local, and regional
21 tactical interoperable communication plans with the ultimate goal
22 being to ensure that effective and efficient communication
23 interoperability between radio communication systems of local,
24 regional, state, and federal agencies is established in every area
25 of the state. The department shall provide a written report to the
26 senate and house appropriations subcommittees on state police and
27 military and veterans affairs no later than April 1, 2011 on the

current status of reaching this objective. The report shall include an accounting of exactly where within the state desired interoperability has been achieved and what cooperative measures and use of technology were used to achieve this interoperability, and which areas of the state have not yet achieved such status. The report shall also include a description of what strategies need to be employed to ensure that the remaining areas of the state, and the state as a whole, will have a communication system with efficient and effective interoperability, particularly on occasions when a multijurisdictional response to an emergency is warranted.

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

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

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

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

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

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

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

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

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

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

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

Sec. 242. Not later than September 30, 2011, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be

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

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

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

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

INFORMATION TECHNOLOGY

1 Sec. 301. During fiscal year 2010-2011, an agency shall not be
2 billed a user fee to support the LEIN system except for those
3 agencies with an outstanding balance related to prior years' LEIN
4 user fees. Those agencies with an outstanding balance shall be
5 billed a LEIN user fee based upon the rate schedule established for
6 fiscal year 2009-2010.
7 Sec. 302. From the funds appropriated in part 1 for
8 information technology, departments and agencies shall pay user
9 fees to the department of technology, management, and budget for
10 technology-related services and projects. These user fees shall be
11 subject to provisions of an interagency agreement between the
12 department and the department of technology, management, and
13 budget.
14 Sec. 303. Amounts appropriated in part 1 for information
15 technology may be designated as work projects and carried forward
16 to support technology projects under the direction of the
17 department of technology, management, and budget. Funds designated
18 in this manner are not available for expenditure until approved as
19 work projects under section 451a of the management and budget act,
20 1984 PA 431, MCL 18.1451a.
21 Sec. 304. A portion of the funds appropriated in part 1 shall
22 be used by the department to produce a written report detailing
23 departmental policies regarding access to and use of information
24 from the LEIN system. The report shall include a description of
25 departmental measures to protect the security of information in the
26 LEIN system including safeguards that would prevent unauthorized
27 persons from obtaining information from the LEIN system. The

department shall submit a copy of this report to the senate and house appropriations committees not later than April 1, 2011.

Sec. 305. The criminal justice information systems policy council shall encourage members of the law enforcement agencies in the state to be sensitive to, and note when necessary, activities or circumstances that may suggest the unauthorized access or misuse of information from the LEIN system. The criminal justice information systems policy council shall advise LEIN auditors, as a part of their audit of law enforcement agencies, to investigate in depth all suspected incidents of improper access or improper use of information from the LEIN system and determine whether or not those incidents were illegal. In those incidents that may be determined to be illegal, the executive secretary for the council shall determine whether those incidents were of a negligent or criminal nature. If an incident is determined to be an illegal act, the council shall inform the chairs of both the senate and house appropriations committees.

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

(2) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are

1 required to include all probation information on the LEIN system,
2 the department shall deliver to members of the senate and house
3 appropriations subcommittees on state police and military affairs
4 amendments to the code of criminal procedure, 1927 PA 175, MCL
5 760.1 to 777.69, that, in the department's view, are necessary to
6 accomplish this goal. These proposed amendments shall be delivered
7 to subcommittee members not later than December 1, 2010.
8 Sec. 307. The department of state police shall serve as an
9 active liaison between the department of technology, management,
10 and budget and local public safety agencies to facilitate the use
11 of the Michigan public safety communications system towers by those
12 local public safety agencies that have an interest in using the
13 towers as a part of their own communications system. The department
14 of state police shall deliver a written report to the senate and
15 house appropriations subcommittees on state police and military and
16 veterans affairs by April 1, 2011, which shall include an
17 assessment of the progress toward establishing local public safety
18 agency use of the Michigan public safety communications system
19 towers, an accounting of problems that may be preventing local use
20 of the towers, and any recommendations the department has that may
21 foster this utilization.
22 Sec. 308. The department of state police shall report any LEIN
23 fee increase to the senate and house appropriations subcommittees
24 on state police and military and veterans affairs 60 days prior to
25 the effective date of that increase. The report shall contain the
26 following information: the current fee structure and the total
27 revenue earned each year; the new fee structure and the total

revenue it is expected to earn annually; the total annual cost of the LEIN system; and the total amount of LEIN fees paid by the department under both the old and the new structure.

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

Sec. 310. It is the intent of the legislature that the Michigan public safety communications system (MPSCS) begin the necessary expansion and upgrade of the system to allow for more local users to utilize the system. The MPSCS shall use restricted fund dollars, federal funds, and other non-general fund/general purpose funds for this purpose.

HIGHWAY SAFETY PLANNING

Sec. 401. On a biannual basis, the department shall report to the senate and house appropriations subcommittees on state police and military and veterans affairs on the status of assessments collected and authorized under section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the secondary road patrol grant program. Each biannual report shall contain updated information on collection levels, revised projected grant allotments to counties for the year, a comparison of projected collections and grant distribution levels with the funds appropriated in part 1 for the secondary road patrol program, and

the extent collection levels have exceeded or failed to meet appropriated levels for the current fiscal year or expenditure levels from the previous fiscal year.

FORENSIC SCIENCES

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

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

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

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

Sec. 603. The appropriation in part 1 for mental health awareness training and coordination shall be expended for training law enforcement officers, mental health practitioners, and other criminal justice personnel in effective and safe ways of assisting people with mental illness and directing people with mental

disorders to treatment programs.

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

EMERGENCY MANAGEMENT

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

(2) In addition to the money appropriated in this act, the department may receive and expend money from local, private,

federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If additional expenditure authorization in the Michigan administrative information network is approved by the state budget office under this section, the department and the state budget office shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 10 days after the approval. The notification shall include the amount and source of the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization.

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

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

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

POST UNIFORM SERVICES

Sec. 901. State police enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding to crimes in progress or other emergency

1 situations, and are responsible for protecting every citizen of
2 this state from harm.
3 Sec. 902. From the funds appropriated in part 1 for capitol
4 security guards, the department shall use these funds for security
5 services at the state capitol building. However, this shall not
6 preclude the capitol security guards from responding to emergencies
7 at the house office building, Farnum building, capitol parking lot,
8 and Roosevelt parking ramp.

9 **STATEWIDE FIELD OPERATIONS**

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

17 **SPECIAL INVESTIGATIONS**

18 Sec. 1101. (1) There is sufficient money appropriated in part
19 1 to special investigations to ensure that the citizens in a
20 service area of any state police post in the vicinity of a state
21 prison do not experience a downgrading of state police services in
22 their area. Special investigations shall be available by temporary
23 or permanent assignment of a detective when either a temporary or
24 permanent prison facility is opened.
25 (2) If the department is unable to comply with subsection (1)

and there is a prison scheduled to open, the department shall provide troopers to serve as investigators on an interim basis.

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

MOTOR CARRIER ENFORCEMENT

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

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

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

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

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