

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5811

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

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, 2009, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY:

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

Full-time equated classified positions..... 2,924.0

GROSS APPROPRIATION..... \$ 528,812,200

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 26,321,900

ADJUSTED GROSS APPROPRIATION..... \$ 502,490,300

Federal revenues:

Total federal revenues..... 94,733,400

Special revenue funds:

Total local revenues..... 7,822,200

Total private revenues..... 263,600

Total state restricted revenues..... 113,629,900

State general fund/general purpose..... \$ 286,041,200

Sec. 102. EXECUTIVE DIRECTION

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

Full-time equated classified positions..... 42.5

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

Executive direction--21.0 FTE positions..... 1,941,400

Special operations and events--17.5 FTE positions 2,513,000

1	Auto theft prevention program--4.0 FTE positions	<u>10,744,100</u>
2	GROSS APPROPRIATION.....	\$ 15,564,600
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDT, truck safety fund.....	17,100
6	Special revenue funds:	
7	Auto theft prevention fund.....	10,744,100
8	Motor carrier fees.....	9,100
9	Criminal justice information center fees.....	48,500
10	Forensic science reimbursement fees.....	25,400
11	Highway safety fund.....	37,300
12	Precision driving track fees.....	2,300
13	Sex offender registration fund.....	4,400
14	Traffic law enforcement and safety fund.....	80,500
15	State general fund/general purpose.....	\$ 4,595,900
16	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS	
17	Special maintenance and utilities.....	\$ 447,600
18	Rent and building occupancy charges.....	9,157,400
19	Worker's compensation.....	2,867,600
20	Fleet leasing.....	16,184,100
21	In-service training - law enforcement distribution...	450,000
22	In-service training - competitive.....	600,000
23	Narcotics investigation funds.....	<u>237,000</u>
24	GROSS APPROPRIATION.....	\$ 29,943,700
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG, training academy charges.....	258,700

1	IDT, Michigan justice training fund.....		1,050,000
2	Federal revenues:		
3	Federal narcotics investigation revenues.....		95,000
4	DOT.....		23,000
5	DHS.....		161,900
6	Special revenue funds:		
7	Forensic science reimbursement fee.....		91,800
8	Narcotics investigation revenues.....		142,000
9	State forensic laboratory fund.....		91,800
10	Criminal justice information center service fees.....		182,000
11	Secondary road patrol and training fund.....		4,500
12	Hazardous materials training center fees.....		95,900
13	Michigan justice training fund.....		7,700
14	Motor carrier fees.....		6,800
15	Highway safety fund.....		7,300
16	Traffic law enforcement and safety fund.....		14,400
17	State general fund/general purpose.....	\$	27,710,900
18	Sec. 104. SUPPORT SERVICES		
19	Full-time equated classified positions.....	197.5	
20	Management services--139.0 FTE positions.....	\$	13,718,900
21	Training administration--34.0 FTE positions.....		6,734,100
22	Budget and financial services--24.5 FTE positions....		2,438,900
23	Internal audit services.....		<u>68,900</u>
24	GROSS APPROPRIATION.....	\$	22,960,800
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDT, auto theft funds.....		15,900

1	IDG, training academy charges.....	3,199,100
2	IDG-MDOT, state trunkline fund.....	6,700
3	IDG-MDTR, casino gaming fees.....	55,700
4	IDG-MDTR, emergency telephone fund coordinator.....	514,900
5	IDG-MDTR, emergency telephone fund operations.....	453,600
6	IDG-MDOS.....	2,000
7	IDG-MDOC, contract.....	1,076,400
8	Federal revenues:	
9	DOT.....	463,800
10	DHS.....	4,100
11	Special revenues funds:	
12	Local - LEIN fees.....	17,200
13	Local - MPSCS subscriber fees.....	44,100
14	Local - school bus revenue.....	2,200
15	Highway safety fund.....	130,900
16	Auto theft prevention fund.....	14,400
17	Nuclear plant emergency planning reimbursement.....	25,000
18	Precision driving track fees.....	287,200
19	Criminal justice information center service fees.....	405,500
20	Traffic law enforcement and safety fund.....	348,500
21	Reimbursed services.....	1,240,300
22	Forensic science reimbursement fees.....	5,900
23	Drunk driving prevention and training fund.....	17,400
24	Hazardous materials training center fees.....	25,700
25	Michigan justice training fund.....	10,600
26	Narcotics investigation revenues.....	12,200
27	Secondary road patrol and training fund.....	300

1	State forensic laboratory fund.....	30,300
2	Traffic crash revenue.....	1,200
3	Truck driver safety fund.....	100
4	Motor carrier fees.....	171,400
5	State general fund/general purpose.....	\$ 14,378,200
6	Sec. 105. HIGHWAY SAFETY PLANNING	
7	Full-time equated classified positions.....	30.0
8	State program planning and administration--8.0 FTE	
9	positions	\$ 1,214,200
10	Secondary road patrol program--2.0 FTE positions	14,031,800
11	Truck safety program--1.0 FTE positions	3,003,900
12	Federal highway traffic safety coordination--19.0	
13	FTE positions	<u>10,594,400</u>
14	GROSS APPROPRIATION.....	\$ 28,844,300
15	Appropriated from:	
16	Federal revenues:	
17	DOT.....	10,730,700
18	DOJ.....	575,800
19	Special revenue funds:	
20	Truck driver safety fund.....	3,003,900
21	Secondary road patrol and training fund.....	14,031,800
22	State general fund/general purpose.....	\$ 502,100
23	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER	
24	Full-time equated classified positions.....	136.0
25	Criminal justice information center division--116.0	
26	FTE positions	\$ 13,236,100
27	Criminal records improvement--1.0 FTE position	2,241,500

1	Traffic safety--19.0 FTE positions	<u>1,803,900</u>
2	GROSS APPROPRIATION.....	\$ 17,281,500
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG-MDOS.....	325,500
6	IDG-MDCH, crime victim's rights fund.....	476,800
7	IDG-MDOT, state trunkline fund.....	900,100
8	Federal revenues:	
9	DOJ.....	2,241,500
10	DOT.....	501,000
11	Special revenue funds:	
12	Traffic crash revenue.....	77,300
13	Sex offender registration fund.....	60,600
14	Criminal justice information center service fees	10,923,200
15	State general fund/general purpose.....	\$ 1,775,500
16	Sec. 107. FORENSIC SCIENCES	
17	Full-time equated classified positions..... 213.5	
18	Laboratory operations--156.0 FTE positions	\$ 21,414,300
19	DNA analysis program--57.5 FTE positions	8,139,200
20	City of Detroit laboratory.....	<u>200,000</u>
21	GROSS APPROPRIATION.....	\$ 29,753,500
22	Appropriated from:	
23	Interdepartmental grant revenues:	
24	IDG-MDCH, crime victims rights fund.....	431,600
25	Federal revenues:	
26	DOJ.....	4,067,100
27	DOT.....	617,300

1	Special revenue funds:		
2	Forensic science reimbursement fees		1,384,400
3	State forensic laboratory fund		1,502,600
4	State general fund/general purpose	\$	21,750,500
5	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT		
6	STANDARDS		
7	Full-time equated classified positions	26.0	
8	Standards and training--20.0 FTE positions	\$	2,208,900
9	Justice training grants--4.0 FTE positions		7,924,300
10	Concealed weapons enforcement training		240,000
11	Training only to local units--2.0 FTE positions		625,700
12	Mental health awareness training		100,000
13	Officer's survivor tuition program		48,500
14	Public safety officers benefit program		<u>150,000</u>
15	GROSS APPROPRIATION	\$	11,297,400
16	Appropriated from:		
17	Interdepartmental grant revenues:		
18	IDG-MDOC		100,000
19	Federal revenues:		
20	DOJ		183,400
21	Special revenue funds:		
22	Secondary road patrol and training fund		625,700
23	Michigan justice training fund		8,050,600
24	Licensing fees		5,300
25	Concealed weapons enforcement fee		240,000
26	State general fund/general purpose	\$	2,092,400
27	Sec. 109. EMERGENCY MANAGEMENT		

1	Full-time equated classified positions.....	87.5	
2	Emergency management planning and		
3	administration--56.0 FTE positions.....		\$ 5,058,900
4	Grants to local government.....		2,482,100
5	FEMA program assistance--6.0 FTE positions.....		1,924,200
6	Nuclear power plant emergency planning--6.0 FTE		
7	positions		1,514,300
8	Hazardous materials programs--19.5 FTE positions		<u>51,014,800</u>
9	GROSS APPROPRIATION.....		\$ 61,994,300
10	Appropriated from:		
11	Federal revenues:		
12	DOT.....		583,800
13	DHS.....		56,026,000
14	Special revenue funds:		
15	Nuclear plant emergency planning reimbursement		1,514,300
16	Hazardous materials training center fees		1,477,200
17	State general fund/general purpose		\$ 2,393,000
18	Sec. 110. POST UNIFORM SERVICES		
19	Full-time equated classified positions.....	1,569.0	
20	Uniform services--388.0 FTE positions.....		\$ 45,932,200
21	Security guards--14.0 FTE positions		1,100,500
22	Reimbursed services--11.0 FTE positions		1,726,100
23	At-post troopers--1,156.0 FTE positions		<u>146,226,600</u>
24	GROSS APPROPRIATION.....		\$ 194,985,400
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG-MDMB, building occupancy charges		648,400

1	Special revenue funds:	
2	Highway safety fund.....	15,429,500
3	Traffic law enforcement and safety fund.....	29,131,800
4	State police service fees.....	1,726,100
5	State general fund/general purpose.....	\$ 148,049,600
6	Sec. 111. STATEWIDE FIELD OPERATIONS	
7	Full-time equated classified positions.....	105.0
8	Operational support--98.0 FTE positions.....	\$ 11,740,500
9	Aviation program--7.0 FTE positions.....	<u>1,456,100</u>
10	GROSS APPROPRIATION.....	\$ 13,196,600
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-MDCH, crime victim's rights fund.....	122,000
14	IDG-MDOC, contract.....	98,000
15	IDG-MDCH, tobacco tax.....	610,000
16	Special revenue funds:	
17	Private donations.....	263,600
18	Rental of department aircraft.....	51,100
19	State general fund/general purpose.....	\$ 12,051,900
20	Sec. 112. SPECIAL INVESTIGATIONS	
21	Full-time equated classified positions.....	288.0
22	Criminal investigations--176.0 FTE positions.....	\$ 25,646,900
23	Federal antidrug initiatives--49.5 FTE positions.....	8,464,000
24	Reimbursed services, materials, and equipment--3.5 FTE	
25	positions	2,645,500
26	Auto theft prevention--13.0 FTE positions.....	1,679,900
27	Casino gaming oversight--32.0 FTE positions.....	4,383,200

1	Fire investigation--14.0 FTE positions	1,603,800
2	Fire investigation training to locals	50,000
3	Parole absconder sweeps	<u>1,000</u>
4	GROSS APPROPRIATION	\$ 44,474,300
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDT, auto theft funds	1,368,400
8	IDG-MDTR, casino gaming fees	4,383,200
9	Federal revenues:	
10	Federal investigations - reimbursed services	751,700
11	DOJ	5,532,400
12	Federal narcotics investigation revenues	465,100
13	Special revenue funds:	
14	Local - reimbursed services	1,893,800
15	Narcotics investigation revenues	666,500
16	Forfeiture funds	511,700
17	State general fund/general purpose	\$ 28,901,500
18	Sec. 113. TRAFFIC SAFETY	
19	Full-time equated classified positions	229.0
20	Motor carrier enforcement--106.0 FTE positions	\$ 10,434,100
21	Truck safety enforcement team operations--10.0 FTE	
22	positions	1,320,800
23	Safety inspections--63.0 FTE positions	8,145,000
24	School bus inspections--15.0 FTE positions	1,397,100
25	Safety projects--18.0 FTE positions	2,122,600
26	Traffic services--17.0 FTE positions	<u>4,951,700</u>
27	GROSS APPROPRIATION	\$ 28,371,300

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDT, truck safety fund.....	1,320,800
4	IDG-MDOT, state trunkline fund.....	8,566,000
5	Federal revenues:	
6	DOT.....	10,523,200
7	Special revenue funds:	
8	Local school bus revenue.....	1,397,100
9	Drunk driving prevention and training fund.....	1,289,900
10	Motor carrier fees.....	3,871,400
11	State general fund/general purpose.....	\$ 1,402,900
12	Sec. 114. INFORMATION TECHNOLOGY	
13	Information technology services and projects.....	\$ 18,315,600
14	Michigan public safety communications system.....	<u>11,828,900</u>
15	GROSS APPROPRIATION.....	\$ 30,144,500
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG-MDTR, casino gaming fees.....	90,600
19	IDG-MDOT, state trunkline fund.....	120,600
20	IDG, training academy charges.....	32,600
21	IDG-MDOS.....	4,500
22	IDG-MDTR, emergency telephone fund coordinator.....	1,800
23	IDG-MDTR, emergency telephone fund operations.....	63,500
24	IDT-truck safety fund.....	7,400
25	Federal revenues:	
26	DOJ.....	517,200
27	DHS.....	564,400

1	DOT.....	105,000
2	Special revenue funds:	
3	Local - LEIN fees.....	2,877,200
4	Local - AFIS fees.....	38,800
5	Local - MPSCS subscriber fees.....	1,547,600
6	Local - school bus revenue.....	4,200
7	Auto theft prevention fund.....	3,800
8	Criminal justice information center service fees.....	1,531,100
9	Drunk driving prevention and training fund.....	1,600
10	Forensic science reimbursement fees.....	140,500
11	Hazardous materials center fees.....	22,600
12	Michigan justice training fund.....	71,300
13	Narcotics investigation revenue.....	33,000
14	Nuclear plant emergency planning reimbursement.....	4,900
15	Precision driving track fees.....	300
16	Secondary road patrol and training fund.....	384,600
17	Sex offender registration fund.....	208,800
18	State forensic laboratory fund.....	348,000
19	State police service fees.....	9,500
20	Reimbursed services.....	145,800
21	Motor carrier fees.....	603,300
22	Traffic crash revenue.....	223,200
23	State general fund/general purpose.....	\$ 20,436,800

24 PART 2

25 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 2008-2009 is \$399,671,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$20,741,400.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

Secondary road patrol program.....	\$	13,891,500
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units.....	\$	421,600
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Justice training grants.....		5,724,700
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SPECIAL INVESTIGATIONS

Fire investigation training for locals.....	\$	50,000
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FORENSIC SCIENCES

City of Detroit laboratory.....	\$	200,000
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SUPPORT SERVICES

Management services.....	\$	<u>453,600</u>
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Total.....	\$	20,741,400
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Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

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

- 1 (b) "Department" means the department of state police.
- 2 (c) "DHS" means the United States department of homeland
3 security.
- 4 (d) "DNA" means deoxyribonucleic acid.
- 5 (e) "DOJ" means the United States department of justice.
- 6 (f) "DOT" means the United States department of
7 transportation.
- 8 (g) "FEMA" means the federal emergency management agency.
- 9 (h) "FTE" means full-time equated.
- 10 (i) "IDG" means interdepartmental grant.
- 11 (j) "IDT" means intradepartmental transfer.
- 12 (k) "LEIN" means law enforcement information network.
- 13 (l) "MCOLES" means the Michigan commission on law enforcement
14 standards.
- 15 (m) "MDCH" means the Michigan department of community health.
- 16 (n) "MDMB" means the Michigan department of management and
17 budget.
- 18 (o) "MDOC" means the Michigan department of corrections.
- 19 (p) "MDOS" means the Michigan department of state.
- 20 (q) "MDOT" means the Michigan department of transportation.
- 21 (r) "MDTR" means the Michigan department of treasury.
- 22 (s) "MPSCS" means the Michigan public safety communications
23 system.

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

1 of the billing by the end of the second fiscal quarter.

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

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

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

1 agencies within 30 months.

2 Sec. 208. Unless otherwise specified, the department shall use
3 the Internet to fulfill the reporting requirements of this act.

4 This requirement may include transmission of reports via electronic
5 mail to the recipients identified for each reporting requirement or
6 it may include placement of reports on an Internet or Intranet
7 site.

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

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

26 Sec. 211. It is the intent of the legislature that personnel
27 of the department who request and are eligible for reimbursement of

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

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

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

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

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

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

25 Sec. 215. Not later than January 1, 2009, the department shall
26 report to the state police appropriations subcommittees of the
27 house and senate and the house and senate fiscal agencies. The

1 report shall contain the following information regarding the
2 department's activities related to casino gaming oversight during
3 fiscal year 2007-2008:

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

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

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

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

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

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

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

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

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

1 suspicious or criminal conduct by juveniles to the appropriate
2 local law enforcement entities for investigation. The department
3 may expend funds for the promotion of the hotline.

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

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

14 (3) The department shall submit quarterly written reports to
15 the senate and house appropriations subcommittees on state police
16 and military and veterans affairs no later than December 1, 2008,
17 March 1, 2009, June 1, 2009, and September 1, 2009 which shall
18 include a trooper strength report and the status of the
19 department's plan for accomplishing the goal of subsection (2). If
20 the department determines that insufficient appropriations exist
21 under part 1 to accomplish the goal of subsection (2), the
22 department shall submit a proposal outlining a plan to accomplish
23 the goal, including an accounting of any additional funding
24 necessary to that end.

25 Sec. 219. The department of state police shall notify the
26 house and senate appropriations subcommittees on state police and
27 military and veterans affairs and the house and senate fiscal

1 agencies not less than 180 days before recommending to close or
2 consolidate any state police posts. The notification shall include
3 a local and state impact study of the proposed post closure or
4 consolidation.

5 Sec. 220. (1) The department of state police, in keeping with
6 its role as the general law enforcement agency of the state and as
7 the law enforcement agency of last resort for communities that are
8 either without local law enforcement resources or are seriously
9 underserved by local law enforcement resources, shall provide
10 general law enforcement assistance to those communities until
11 adequate law enforcement services can be provided to those
12 communities by other means.

13 (2) Not later than May 1, 2009, the department shall deliver
14 to the house and senate appropriations subcommittees on state
15 police and military and veterans affairs and the house and senate
16 fiscal agencies a report on the additional costs incurred by the
17 department in each locality for providing the services described in
18 subsection (1) during the first 6 months of the fiscal year 2008-
19 2009.

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

24 Sec. 223. (1) Due to the current budgetary problems in this
25 state, out-of-state travel for the fiscal year ending September 30,
26 2009 shall be limited to situations in which 1 or more of the
27 following conditions apply:

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

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

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

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

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

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

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

21 (3) Not later than January 1, 2009, each department shall
22 prepare a travel report listing all travel by classified and
23 unclassified employees outside this state in the immediately
24 preceding fiscal year that was funded in whole or in part with
25 funds appropriated in the department's budget. The report shall be
26 submitted to the chairs and members of the senate and house of
27 representatives standing committees on appropriations, the fiscal

1 agencies, and the state budget director. The report shall include
2 the following information:

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

5 (b) The destination of each travel occurrence.

6 (c) The dates of each travel occurrence.

7 (d) A brief statement of the reason for each travel
8 occurrence.

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

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

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

19 Sec. 225. It is the intent of the legislature that the
20 administration, working with the MCOLES, continue the long-held
21 practice that all revenue made available to the department from the
22 Michigan justice training fund be used solely for costs directly
23 related to the delivery of Michigan justice training fund grants,
24 so that in the future, eligible entities as provided under 1982 PA
25 302, MCL 18.421 to 18.429, will have a stable and accurate source
26 of training funds.

27 Sec. 226. The department of state police, in cooperation with

1 the department of information technology and others, shall take
2 steps to encourage the development of state, local, and regional
3 tactical interoperable communication plans with the ultimate goal
4 being to ensure that effective and efficient communication
5 interoperability between radio communication systems of local,
6 regional, state, and federal agencies is established in every area
7 of the state. The department shall provide a written report to the
8 senate and house appropriations subcommittees on state police and
9 military and veterans affairs no later than April 1, 2009 on the
10 current status of reaching this objective. The report shall include
11 an accounting of exactly where within the state desired
12 interoperability has been achieved and what cooperative measures
13 and use of technology were used to achieve this interoperability,
14 and which areas of the state have not yet achieved such status. The
15 report shall also include a description of what strategies need to
16 be employed to ensure that the remaining areas of the state, and
17 the state as a whole, will have a communication system with
18 efficient and effective interoperability, particularly on occasions
19 when a multijurisdictional response to an emergency is warranted.

20 Sec. 227. (1) From the funds appropriated in part 1, the
21 department of state police is prohibited from transporting
22 employees of institutions of higher education on state-owned
23 aircraft.

24 (2) From the funds appropriated in part 1, the department is
25 prohibited from transporting legislators or legislative staff on
26 state-owned aircraft without prior approval from the senate
27 majority leader or the speaker of the house of representatives, or

1 both.

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

5 (4) It is the intent of the legislature that state elected
6 officials use commercial or other private air service, unless air
7 travel on state-owned aircraft is part of official state business.

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

10 Sec. 228. The department shall not approve the travel of more
11 than 1 departmental employee to a specific professional development
12 conference or training seminar that is located outside of this
13 state. The only exception to this travel restriction involves a
14 professional development conference or training seminar that is
15 funded by a federal or private funding source and requires more
16 than 1 person from a department to attend.

17 Sec. 230. The unexpended and unencumbered balance of the
18 appropriation for the department contained in 2007 PA 130 shall be
19 used toward the payment of \$400,000.00 to the Michigan state police
20 troopers association. The funds shall be available for
21 appropriation in the fiscal year ending September 30, 2009.

22 Sec. 232. The department shall place emphasis on recruiting
23 MCOLES certified police officers for the trooper recruit school.
24 Emphasis shall be given in the hiring process to those officers who
25 are on layoff and possess valid MCOLES certification. Any emphasis
26 given in the recruiting and selection process shall be consistent
27 with the department's hiring standards and in accordance with civil

1 service rules. The department shall report to the chairpersons of
2 the senate and house of representatives standing committees on
3 appropriations the results of its recruitment and selection
4 process, including the actual number of certified officers selected
5 for any recruit school that is held by September 30, 2009.

6 Sec. 233. From the funds appropriated in part 1 for at-post
7 troopers, up to \$200,000.00 shall be used for the timely completion
8 of a law enforcement resource study produced by contract with an
9 accredited in-state university. The study shall examine the law
10 enforcement needs of each state police district of this state. The
11 study shall provide recommendations concerning state police patrol
12 and response needs within each state police district and post area
13 of this state, baseline coverage recommendations, and information
14 concerning what is required in terms of personnel and resources to
15 meet the recommendations and how those resources could most
16 efficiently be allocated to achieve the recommendations, along with
17 the amount of any additional resources that may be needed. The
18 study shall examine, at a minimum, crime statistics, population,
19 geographic area, and inventory of all levels of existing police
20 resources for a given area, and any other pertinent information.
21 The department shall keep the house and senate appropriations
22 subcommittee chairs informed as to the progress toward the
23 completion of this report and make every effort to have this report
24 completed no later than November 1, 2009. The department shall
25 provide a copy of the report to both of the subcommittees.

26 Sec. 234. Funds appropriated in part 1 shall not be used by a
27 principal executive department, state agency, or authority to hire

1 a person to provide legal services that are the responsibility of
2 the attorney general. This prohibition does not apply to legal
3 services for bonding activities and for those activities that the
4 attorney general authorizes.

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

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

18 Sec. 236. (1) The department shall report no later than April
19 1, 2009 on each specific policy change made by the department to
20 implement a public act affecting that department that took effect
21 during the preceding calendar year. The department shall report to
22 the house and senate appropriations subcommittees on the budget for
23 the department, the joint committee on administrative rules, and
24 the senate and house fiscal agencies.

25 (2) Funds appropriated in part 1 shall not be used by the
26 department to adopt a rule that will apply to a small business and
27 that will have a disproportionate economic impact on small

1 businesses because of the size of those businesses if the
2 department fails to reduce the disproportionate economic impact of
3 the rule on small businesses as provided under section 40 of the
4 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

5 (3) As used in this section:

6 (a) "Rule" means that term as defined under section 7 of the
7 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

8 (b) "Small business" means that term as defined under section
9 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
10 24.207a.

11 Sec. 237. From the funds appropriated in part 1, the
12 department shall maintain, for the full 2008-2009 fiscal year,
13 either the operation of each Michigan state police post which was
14 in operation as of April 2, 2007, or an alternative work station in
15 the vicinity of a current Michigan state police post.

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

20 Sec. 240. (1) In addition to the funds appropriated in part 1,
21 there is appropriated an amount not to exceed \$10,000,000.00 for
22 federal contingency funds. These funds are not available for
23 expenditure until they have been transferred to another line item
24 in this act under section 393(2) of the management and budget act,
25 1984 PA 431, MCL 18.1393.

26 (2) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$3,500,000.00 for state

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

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

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

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

27 Sec. 242. From the funds appropriated in part 1, the

1 department shall develop, post, and maintain, on a publicly
2 accessible Internet site, all expenditures made by the department
3 within the fiscal year. This posting shall include the purpose for
4 which each expenditure is made.

5 INFORMATION TECHNOLOGY

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

9 (2) The department shall provide a detailed report to the
10 senate and house appropriations subcommittees on state police and
11 military and veterans affairs and the criminal justice information
12 systems policy council no later than October 15, 2008, on the
13 actual state service and contract maintenance costs necessary to
14 provide the LEIN services to local agencies for fiscal year 2008-
15 2009.

16 Sec. 302. From the funds appropriated in part 1 for
17 information technology, departments and agencies shall pay user
18 fees to the department of information technology for technology-
19 related services and projects. These user fees shall be subject to
20 provisions of an interagency agreement between the department and
21 the department of information technology.

22 Sec. 303. Amounts appropriated in part 1 for information
23 technology may be designated as work projects and carried forward
24 to support technology projects under the direction of the
25 department of information technology. Funds designated in this
26 manner are not available for expenditure until approved as work

1 projects under section 451a of the management and budget act, 1984
2 PA 431, MCL 18.1451a.

3 Sec. 304. A portion of the funds appropriated in part 1 shall
4 be used by the department to produce a written report detailing
5 departmental policies regarding access to and use of information
6 from the LEIN system. The report shall include a description of
7 departmental measures to protect the security of information in the
8 LEIN system including safeguards that would prevent unauthorized
9 persons from obtaining information from the LEIN system. The
10 department shall submit a copy of this report to the senate and
11 house appropriations committees not later than April 1, 2009.

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

27 Sec. 306. (1) The department of state police, working with the

1 criminal justice information systems policy council, shall
2 implement procedures by which all probation information is placed
3 on the LEIN system. The LEIN system shall include information on
4 each probationer, including any probation conditions placed on a
5 probationer and the name of the probation officer assigned to a
6 probationer. The LEIN system shall also include any nonstandard
7 probation terms.

8 (2) If the department determines that amendments to the code
9 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are
10 required to include all probation information on the LEIN system,
11 the department shall deliver to members of the senate and house
12 appropriations subcommittees on state police and military affairs
13 amendments to the code of criminal procedure, 1927 PA 175, MCL
14 760.1 to 777.69, that, in the department's view, are necessary to
15 accomplish this goal. These proposed amendments shall be delivered
16 to subcommittee members not later than December 1, 2008.

17 Sec. 307. The department of state police shall serve as an
18 active liaison between the department of information technology and
19 local public safety agencies to facilitate the use of the Michigan
20 public safety communications system towers by those local public
21 safety agencies that have an interest in using the towers as a part
22 of their own communications system. The department of state police
23 shall deliver a written report to the senate and house
24 appropriations subcommittees on state police and military and
25 veterans affairs by April 1, 2009, which shall include an
26 assessment of the progress toward establishing local public safety
27 agency use of the Michigan public safety communications system

1 towers, an accounting of problems that may be preventing local use
2 of the towers, and any recommendations the department has that may
3 foster this utilization.

4 Sec. 308. The department of state police shall report any LEIN
5 fee increase to the senate and house appropriations subcommittees
6 on state police and military and veterans affairs 60 days prior to
7 the effective date of that increase. The report shall contain the
8 following information: the current fee structure and the total
9 revenue earned each year; the new fee structure and the total
10 revenue it is expected to earn annually; the total annual cost of
11 the LEIN system; and the total amount of LEIN fees paid by the
12 department under both the old and the new structure.

13 Sec. 309. From the funds appropriated in part 1 for
14 information technology, the department may develop and issue a
15 request for proposal for the development, implementation, and
16 maintenance of an electronic system for real-time enforcement of
17 section 3101 of the insurance code of 1956, 1956 PA 218, MCL
18 500.3101.

19 **HIGHWAY SAFETY PLANNING**

20 Sec. 401. On a quarterly basis, the department shall report to
21 the senate and house appropriations subcommittees on state police
22 and military affairs on the status of assessments collected and
23 authorized under section 629e of the Michigan vehicle code, 1949 PA
24 300, MCL 257.629e, for the purposes of supporting the secondary
25 road patrol grant program. Each quarterly report shall contain
26 updated information on collection levels, revised projected grant

1 allotments to counties for the year, a comparison of projected
2 collections and grant distribution levels with the funds
3 appropriated in part 1 for the secondary road patrol program, and
4 the extent collection levels have exceeded or failed to meet
5 appropriated levels for the current fiscal year or expenditure
6 levels from the previous fiscal year.

7 **FORENSIC SCIENCES**

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

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

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

21 Sec. 503. From the funds appropriated in part 1 for the city
22 of Detroit laboratory, funds shall be used to hire a quality
23 assurance manager and a biologist. The quality assurance manager
24 shall be responsible for the laboratory's quality assurance
25 program, the safety program, and the grant program with an emphasis
26 on quality assurance and shall provide a report to the house and

1 senate appropriations subcommittees on state police and military
2 and veterans affairs concerning the benchmarks implemented to
3 improve the laboratory's performance, the progress on those
4 benchmarks, and the problems related to these goals the laboratory
5 may be facing. The report is due by June 1, 2009. The biologist
6 hired with these funds shall be responsible for operating the DNA
7 extraction machine (Biomek 2000).

8 MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

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

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

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

24 EMERGENCY MANAGEMENT

25 Sec. 801. (1) The state director of emergency management may

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

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

1 days after the approval. The notification shall include the amount
2 and source of the additional authorization, the date of its
3 approval, and the projected use of funds to be expended under the
4 authorization.

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

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

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

13 **POST UNIFORM SERVICES**

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

20 **STATEWIDE FIELD OPERATIONS**

21 Sec. 1002. Money privately donated to the department is
22 appropriated under part 1 to be used for the purposes designated by
23 the donor of the money. Money privately donated to the department's
24 canine unit shall be used to purchase equipment and other items to
25 enhance the operation of the canine unit. It is the intent of the

1 legislature that money from private donations not supplant general
2 fund appropriations.

3 **SPECIAL INVESTIGATIONS**

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

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

14 Sec. 1102. From the funds appropriated in part 1 for special
15 investigations, the department shall provide a report to the
16 chairpersons of the senate and house of representatives standing
17 committees on appropriations no later than April 1, 2009 concerning
18 methamphetamine-related criminal activities.

19 **MOTOR CARRIER ENFORCEMENT**

20 Sec. 1201. (1) The department shall report to the house and
21 senate appropriations subcommittees on state police and the house
22 and senate fiscal agencies by March 1, 2009 regarding the
23 inspection of school buses and other motor vehicles under section
24 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and
25 section 39 of the pupil transportation act, 1990 PA 187, MCL

1 257.1839. The report shall include the following information
2 regarding inspections conducted in calendar year 2008:

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

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

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

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