

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 184, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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.

Patrick Colbeck

Peter MacGregor

Roger Kahn

Nancy E. Jenkins

Vincent Gregory

Richard LeBlanc

Conferees for the Senate

Conferees for the House

**SUBSTITUTE FOR
SENATE BILL NO. 184**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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:

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PART 1

LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part for the department of state police are appropriated for the fiscal year ending September 30, 2012, 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.....	2.0	
Full-time equated classified positions.....	2,751.0	
GROSS APPROPRIATION.....		\$ 524,282,700
Total interdepartmental grants and intradepartmental		
transfers		23,546,200
Schedule of interdepartmental grant revenue sources:		
IDG, training academy charges.....	2,505,200	
IDG-MDOC, contract	167,100	
IDG-MDOS	332,000	
IDG-MDOT, state trunkline fund.....	10,586,900	
IDG-MDTR, casino gaming fees	5,190,800	
IDG-MDTR, emergency telephone fund		
coordinator	585,800	
IDG-MDTR, emergency telephone fund		
operations	628,900	
IDT, auto theft funds	633,400	
IDT, Michigan justice training fund.....	1,450,000	
IDT, truck safety fund	1,466,100	

1	ADJUSTED GROSS APPROPRIATION	\$	500,736,500
2	Total federal revenues		106,051,600
3	Schedule of federal revenue sources:		
4	DHS	56,202,400	
5	DOJ	15,950,000	
6	DOJ interest bearing	8,136,500	
7	DOT	24,133,800	
8	Federal investigations-reimbursed		
9	services	1,034,600	
10	Federal narcotics investigation revenues.....	594,300	
11	Total local revenues.....		6,456,700
12	Schedule of local revenue sources:		
13	Local-AFIS fees	78,100	
14	Local-LEIN fees	1,173,100	
15	Local-MPSCS subscriber & maintenance fees..	1,713,100	
16	Local-reimbursed services	1,962,800	
17	Local-school bus revenue	1,529,600	
18	Total private revenues.....		216,100
19	Schedule of private revenue sources:		
20	Private donations	216,100	
21	Total state restricted revenues.....		123,336,100
22	Schedule of restricted revenue sources:		
23	Auto theft prevention fund	6,704,500	
24	Commercial mobile radio service fees.....	7,000,000	
25	CJIC service fees	16,370,400	
26	Concealed weapons enforcement fee.....	100,000	
27	Drunk driving prevention & training fund...	1,299,700	

1	Forensic science reimbursement fees.....	1,352,700	
2	Forfeiture funds	75,000	
3	Hazardous materials training center fees...	1,281,200	
4	Highway safety fund	11,814,000	
5	Licensing fees	9,100	
6	Michigan justice training fund.....	8,188,400	
7	Michigan merit award trust fund.....	682,000	
8	Motor carrier fees	3,865,900	
9	Narcotics investigation revenue.....	989,200	
10	Nuclear plant emergency planning		
11	reimbursement	2,065,700	
12	Precision driving track fees	287,500	
13	Reimbursement services	1,195,800	
14	Rental of department aircraft.....	53,300	
15	Secondary road patrol & training fund.....	15,100,500	
16	Sex offenders registration fund.....	283,200	
17	State forensic laboratory fund.....	1,852,900	
18	State police service fees	2,087,100	
19	State services fee fund	10,254,100	
20	Tobacco tax revenue	3,000,000	
21	Traffic crash revenue	315,800	
22	Traffic law enforcement and safety fund...	24,094,400	
23	Trooper school recruitment fund.....	1,100	
24	Truck driver safety fund	3,012,600	
25	State general fund/general purpose.....	\$	264,676,000
26	Sec. 102. EXECUTIVE DIRECTION		
27	Full-time equated unclassified positions.....	2.0	

1	Full-time equated classified positions.....	38.5	
2	Executive direction.....		\$ <u>5,083,700</u>
3	GROSS APPROPRIATION.....		\$ 5,083,700
4	Appropriated from:		
5	Interdepartmental grant revenues.....		31,300
6	State restricted revenues.....		483,600
7	State general fund/general purpose.....		\$ 4,568,800
8	Schedule of programs:		
9	Unclassified positions	261,100	
10	Executive direction	2,602,400	
11	Special operations and events.....	2,220,200	
12	Sec. 103. SCIENCE, TECHNOLOGY, AND TRAINING BUREAU		
13	Full-time equated classified positions.....	459.5	
14	Science, technology, and training bureau.....		\$ <u>100,304,700</u>
15	GROSS APPROPRIATION.....		\$ 100,304,700
16	Appropriated from:		
17	Interdepartmental grant revenues.....		5,458,300
18	Federal revenues.....		9,332,800
19	Local revenues.....		2,913,000
20	State restricted revenues.....		45,379,700
21	State general fund/general purpose.....		\$ 37,220,900
22	Schedule of programs:		
23	Criminal justice information center		
24	division	11,355,700	
25	Criminal records improvement	2,249,500	
26	Traffic safety	1,922,900	
27	Laboratory operations	28,960,100	

1	DNA analysis program	7,982,800	
2	Standards and training/justice training		
3	grants	8,970,400	
4	Concealed weapons enforcement training.....	100,000	
5	Training only to local units	587,900	
6	Public safety officers benefit program.....	149,600	
7	Training administration	4,813,300	
8	Information technology services and		
9	projects	18,701,700	
10	Michigan public safety communications		
11	system	13,060,800	
12	In-service training-law enforcement		
13	distribution	450,000	
14	In-service training-competitive.....	1,000,000	
15	Sec. 104. FIELD SERVICES BUREAU		
16	Full-time equated classified positions.....	1,999.0	
17	Field services bureau.....		\$ <u>270,391,600</u>
18	GROSS APPROPRIATION.....		\$ 270,391,600
19	Appropriated from:		
20	Interdepartmental grant revenues.....		16,680,500
21	Federal revenues.....		18,354,300
22	Local revenues.....		3,484,400
23	Private revenues.....		216,100
24	State restricted revenues.....		47,139,400
25	State general fund/general purpose.....		\$ 184,516,900
26	Schedule of programs:		
27	Narcotics investigation funds.....	265,100	

1	Uniform services	44,974,600	
2	Capitol security	659,200	
3	At-post troopers	129,238,300	
4	Reimbursed services	2,087,100	
5	Operational support	7,297,100	
6	Aviation program	1,529,700	
7	Criminal investigations	34,574,500	
8	Federal antidrug initiatives	10,861,900	
9	Reimbursed services, materials, and		
10	equipment	2,997,400	
11	Auto theft prevention	1,041,700	
12	Casino gaming oversight	5,028,200	
13	Fire investigations	1,811,800	
14	Parole absconder sweeps	12,200	
15	Motor carrier enforcement	11,019,900	
16	Truck safety enforcement team operations...	1,434,300	
17	Safety inspections	6,803,500	
18	School bus inspections	1,521,600	
19	Safety projects	1,802,100	
20	Traffic services	5,431,400	
21	Sec. 105. SUPPORT SERVICES		
22	Full-time equated classified positions.....	254.0	
23	Support services.....		\$ <u>148,502,700</u>
24	GROSS APPROPRIATION.....		\$ 148,502,700
25	Appropriated from:		
26	Interdepartmental grant revenues.....		1,376,100
27	Federal revenues.....		78,364,500

1	Local revenues.....	59,300
2	State restricted revenues.....	30,333,400
3	State general fund/general purpose.....	\$ 38,369,400
4	Schedule of programs:	
5	Auto theft prevention program.....	6,694,100
6	Special maintenance and utilities.....	402,800
7	Rent and building occupancy charges.....	8,363,200
8	Worker's compensation	3,266,300
9	Fleet leasing	12,980,700
10	Management services	12,476,200
11	Budget and financial services.....	1,746,000
12	Office of justice program grants.....	8,497,100
13	Accounting service center	1,031,100
14	State program planning and administration..	1,094,100
15	Secondary road patrol program.....	14,041,600
16	Truck safety program	3,011,000
17	Federal highway traffic safety	
18	coordination	12,585,500
19	Emergency management planning and	
20	administration	5,701,200
21	Grants to local government	2,482,100
22	FEMA program assistance	4,930,200
23	Nuclear power plant emergency planning.....	2,030,000
24	Hazardous materials programs	47,169,400
25	Interdepartmental grant to legislature.....	100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

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 2011-2012 is \$388,012,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is \$19,006,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE POLICE

Science, technology, and training bureau	\$	4,541,000
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Schedule of programs:

Justice training grants	4,375,100
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Training only to local units	165,900
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Support services	14,465,000
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Schedule of programs:

Secondary road patrol	13,901,200
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Management services	<u>563,800</u>
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TOTAL	\$	19,006,000
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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 State department of justice.
- 6 (f) "DOT" means the United States department of
7 transportation.
- 8 (g) "DTMB" means the department of technology, management, and
9 budget.
- 10 (h) "FEMA" means the federal emergency management agency.
- 11 (i) "IDG" means interdepartmental grant.
- 12 (j) "IDT" means intradepartmental transfer.
- 13 (k) "LEIN" means the law enforcement information network.
- 14 (l) "MCOLES" means Michigan commission on law enforcement
15 standards.
- 16 (m) "MDCH" means the Michigan department of community health.
- 17 (n) "MDOC" means the Michigan department of corrections.
- 18 (o) "MDOS" means the Michigan department of state.
- 19 (p) "MDOT" means the Michigan department of transportation.
- 20 (q) "MDTR" means the Michigan department of treasury.
- 21 (r) "MPSCS" means Michigan public safety communications
22 system.
- 23 (s) "Work project" means, except as used in section 211, a
24 group of activities featuring a fixed duration, budget, and scope
25 that is expected to cause a measurable change in the delivery,
26 efficiency, or effectiveness of 1 or more operations.
- 27 Sec. 204. The following shall constitute the appropriations

1 from part 1 for interdepartmental grant funds received by the
2 department from sources outside the department: \$2,505,200.00 from
3 training academy charges; \$167,100.00 from the department of
4 corrections contract; \$332,000.00 from the department of state;
5 \$10,586,900.00 from the department of transportation – state
6 trunkline funds; \$5,190,800.00 from casino gaming fees; \$585,800.00
7 from the department of treasury – emergency telephone fund
8 coordinator; and \$628,900.00 from the department of treasury –
9 emergency telephone fund operations.

10 Sec. 205. (1) The following shall constitute the
11 appropriations from part 1 for interdepartmental grant funds made
12 from the department to other departments: \$1,095,900.00 to the
13 department of environmental quality--radiological emergency
14 preparedness; \$139,000.00 to the department of attorney general--
15 justice training competitive grant; \$300,000.00 to the judiciary--
16 justice training competitive grant; \$322,300.00 to the department
17 of attorney general--operations; \$900,000.00 to the department of
18 military and veterans affairs--homeland security grant;
19 \$18,701,700.00 to DTMB--information technology services and
20 projects; and \$13,060,800.00 to DTMB--Michigan public safety
21 communications systems.

22 (2) Based on the availability of federal funding and the
23 demonstrated need as indicated by applications submitted to the
24 state court administrative office, the department shall provide
25 \$1,800,000.00 in Byrne justice assistance grant program funding to
26 the judiciary by interdepartmental grant.

27 Sec. 206. (1) In addition to the funds appropriated in part 1,

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

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

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

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

24 Sec. 207. (1) The department shall maintain a searchable
25 website accessible by the public at no cost that includes, but is
26 not limited to, all of the following:

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

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

2 (c) Fiscal year-to-date payments to a selected vendor,
3 including the vendor name, payment, date, payment amount, and
4 payment description.

5 (d) The number of active department employees by job
6 classification.

7 (e) Job specifications and wage rates.

8 (2) The department may develop and operate its own website to
9 provide this information or may reference the state's central
10 transparency website as the source for this information.

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

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

27 Sec. 210. The department shall take all reasonable steps to

1 ensure businesses in deprived and depressed communities compete for
2 and perform contracts to provide services or supplies, or both, for
3 the department. The director of the department shall strongly
4 encourage firms with which the department contracts to subcontract
5 with certified businesses in depressed and deprived communities for
6 services or supplies, or both.

7 Sec. 211. Amounts appropriated in part 1 for information
8 technology may be designated as work projects and carried forward
9 to support technology projects under the direction of the
10 department of technology, management, and budget. Funds designated
11 in this manner are not available for expenditure until approved as
12 work projects under section 451a of the management and budget act,
13 1984 PA 431, MCL 18.1451a.

14 Sec. 212. The departments and agencies receiving
15 appropriations in part 1 shall receive and retain copies of all
16 reports funded from appropriations in part 1. Federal and state
17 guidelines for short-term and long-term retention of records shall
18 be followed. The department may electronically retain copies of
19 reports unless otherwise required by federal and state guidelines.

20 Sec. 213. (1) Due to the current budgetary problems in this
21 state, out-of-state travel for this fiscal year ending September
22 30, 2012 shall be limited to situations in which 1 or more of the
23 following conditions apply:

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

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

1 circumstances.

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

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

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

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

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

17 Sec. 214. From the funds appropriated in part 1 for
18 information technology, departments and agencies shall pay user
19 fees to the department of technology, management, and budget for
20 technology-related services and projects. The user fees shall be
21 subject to provisions of an interagency agreement between the
22 department and agencies and the department of technology,
23 management, and budget.

24 Sec. 215. The department shall not take disciplinary action
25 against an employee for communicating with a member of the
26 legislature or his or her staff.

27 Sec. 216. (1) Notwithstanding any other provision of this act,

1 the schedule of programs in part 1 lists programs which may, but
2 are not required to be, funded under this act, with the following
3 exceptions:

4 (a) Standard & training/justice training grants.

5 (b) Casino gaming oversight.

6 (c) Commercial mobile radio service fees.

7 (2) Notwithstanding any other provisions of this act, the
8 schedule of revenue sources in part 1 may or may not be received
9 from the funding entities listed.

10 (3) The secondary road patrol funding is not subject to
11 funding flexibility and shall be funded in accordance with section
12 629e of the Michigan vehicle code, 1949 PA 300, of MCL 257.629e.

13 (4) Any funding required by statute is not subject to funding
14 flexibility and shall be funded in accordance with that statute.

15 Sec. 217. The department shall improve its budgetary
16 efficiency pertaining to the delivery of core services delineated
17 in section 221 by doing all of the following:

18 (a) Prioritizing personnel over buildings in budgetary
19 efficiency considerations.

20 (b) Pursuing the physical or virtual consolidation of support
21 service functions such as information technology, human resources,
22 and accounting as a means of improving standardization and
23 efficiency.

24 (c) Seeking expenditure reductions whenever possible through
25 the streamlining of existing service delivery activities.

26 (d) Identifying efficiencies that can be gained via the
27 reduction or elimination of programs, policies, and practices which

1 have outlived their usefulness.

2 Sec. 218. (1) Any unused general fund/general purpose funds
3 for this fiscal year created through efficiencies and identified by
4 the department as potential lapsed funds shall be designated as the
5 department incentive pool balance, provided that all the
6 requirements of this part have been achieved.

7 (2) Any funds associated with any supplemental general
8 fund/general purpose fund requests for this fiscal year shall be
9 debited against this fiscal year's department incentive pool
10 balance if it does not meet 1 or more of the following criteria:

11 (a) The supplemental funds pertain to the addition of a new
12 core service.

13 (b) The supplemental funds pertain to the expansion of
14 existing service capacity beyond current fiscal year expectations.

15 (3) At the end of this fiscal year, if the incentive pool
16 balance is positive, the department incentive pool balance shall be
17 allocated as follows:

18 (a) Ten percent of the unused funds shall be allocated as work
19 project funds to be used in a manner that provides direct benefit
20 to department employees or their families within 12 months of the
21 end of this fiscal year.

22 (b) Forty percent of the unused funds shall be allocated as
23 work project funds to be used at the discretion of the department
24 for projects designed to improve service delivery.

25 (c) Fifty percent of the unused funds shall be lapsed to the
26 general fund/general purpose fund.

27 Sec. 219. (1) The department shall be available to meet on a

1 quarterly basis before the appropriate senate and house
2 appropriations subcommittees.

3 (2) The department shall provide all information necessary to
4 validate that the requirements of this part have been achieved.

5 (3) The department shall provide a corrective action plan
6 within 30 days of a quarterly report under this section for any
7 requirements of this part that have not been achieved. The
8 department shall provide a monthly status of correction action
9 plans.

10 (4) The department shall provide a summary of fund shifts,
11 that have been approved by the state budget office, that have
12 occurred between items listed in the schedule of programs mentioned
13 in part 1 on a quarterly basis to the senate and house
14 appropriations subcommittees.

15 (5) The department shall provide the following data to the
16 appropriate senate and house appropriations subcommittees:

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

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

25 (c) Forensic laboratory system staffing levels and vacancies
26 and backlogs in all disciplines.

27 Sec. 220. The department shall provide the following data to

1 the appropriate senate and house appropriations subcommittees on an
2 annual basis:

3 (a) Bridge card enforcement as described section 306(4) of
4 this part.

5 (b) As it pertains to inspections conducted by the traffic
6 safety division, all of the following:

7 (i) The number of buses and vehicles inspected by the
8 department.

9 (ii) The number of buses and vehicles passing and failing
10 inspection.

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

12 (c) A report on the status of assessments collected and
13 authorized under section 629e of the Michigan vehicle code, 1949 PA
14 300, MCL 257.629e, for the purpose of supporting the secondary road
15 patrol grant program. The report shall contain updated information
16 on collection levels, revised projected grant allotments to
17 counties for the year, a comparison of projected collections and
18 grant distribution levels with the funds appropriated in part 1 for
19 the secondary road patrol program, and the extent collection levels
20 have exceeded or failed to meet appropriated levels for the current
21 fiscal year or expenditure levels from the previous fiscal year.

22 (d) A report regarding the department's activities related to
23 casino gaming oversight. The report shall contain the following:

24 (i) The amount of money received and expended.

25 (ii) The nature and structure of the casino gaming oversight
26 unit.

27 (iii) The positions and classifications of employees assigned.

1 (iv) The number of full-time and part-time employees and the
2 aggregate number of FTEs.

3 (v) The duties and responsibilities of the assigned employees.

4 Sec. 221. The appropriations in part 1 are for the core
5 services, support services, and work projects of the department,
6 including, but not limited to, the following core services: traffic
7 safety and enforcement, complaint and criminal investigations, fire
8 investigation, sex offender registry and enforcement, specialty
9 teams, regional communication centers, civil disorder response -
10 mobilization, capitol security, hazardous materials response
11 training, intelligence gathering and dissemination, state emergency
12 operations center, criminal history system, fingerprint and
13 background checks, the law enforcement information network,
14 forensics, training and recruiting, public awareness campaigns,
15 establishing and monitoring law enforcement standards, and grants
16 administration.

17 Sec. 222. The department shall notify the house and senate
18 appropriations subcommittees on state police and military and
19 veterans affairs and the house and senate fiscal agencies not less
20 than 90 days before recommending to close or consolidate any state
21 police posts. The notification shall include a local and state
22 impact study of the proposed post closure or consolidation.

23 Sec. 223. At least 60 days before beginning any effort to
24 privatize, the department shall submit a complete project plan to
25 the appropriate senate and house fiscal agencies. The plan shall
26 include the criteria under which the privatization initiative will
27 be evaluated. The evaluation shall be completed and submitted to

1 the appropriate senate and house appropriations subcommittees and
2 the senate and house fiscal agencies within 30 months.

3 Sec. 224. Funds appropriated in part 1 shall not be used by a
4 principal executive department, state agency, or authority to hire
5 a person to provide legal services that are the responsibility of
6 the attorney general. This prohibition does not apply to legal
7 services for bonding activities and for those activities that the
8 attorney general authorizes.

9 Sec. 225. (1) It is the intent of the legislature that the
10 department shall not provide any subsidy for contractual services
11 it provides.

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

16 (3) The department shall define service cost models for those
17 services requiring reimbursement.

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

22 (5) This section does not apply to state agencies.

23 Sec. 226. The department shall strive to inspect its worksites
24 annually to ensure internal control and quality of service.

25 Sec. 227. The department shall define interoperability
26 standards to ensure effective communication between state, local,
27 regional, and federal agencies under public safety scenarios. The

1 department shall monitor compliance with these interoperability
2 standards by the agencies and notify the legislature and pertinent
3 agency management of noncompliance within 30 days of this
4 determination.

5 Sec. 228. Not later than November 15, the department shall
6 prepare and transmit a report that provides for estimates of the
7 total general fund/general purpose appropriations lapses at the
8 close of the fiscal year. This report shall summarize the projected
9 year-end general fund/general purpose appropriations lapses by
10 major departmental program or program areas. The report shall be
11 transmitted to the office of the state budget, the chairperson of
12 the senate and house standing committees on appropriations, and the
13 senate and house fiscal agencies.

14 Sec. 229. Within 14 days after the release of the executive
15 budget recommendation, the department shall provide the state
16 budget director, the senate and house appropriations chairs, the
17 senate and house appropriations subcommittees on state police and
18 military and veterans affairs, respectively, and the senate and
19 house fiscal agencies with an annual report on estimated state
20 restricted fund balances, state restricted fund projected revenues,
21 and state restricted fund expenditures for the fiscal years ending
22 September 30, 2011 and September 30, 2012.

23 Sec. 230. The department may pursue entering into an agreement
24 with Calhoun County to build a new facility in that county which
25 would serve as the new state police post for region 4 of district
26 5, as identified by the department.

27 Sec. 231. The department, in keeping with its role as the

1 general law enforcement agency of the state and as the law
2 enforcement agency of last resort for communities that are either
3 without local law enforcement resources or are seriously
4 underserved by local law enforcement resources, shall provide
5 general law enforcement assistance to those communities until
6 adequate law enforcement services can be provided to those
7 communities by other means.

8 Sec. 232. The department shall serve as an active liaison
9 between the department of technology, management, and budget and
10 local public safety agencies to facilitate the use of the MPSCS
11 towers by those local public safety agencies that have an interest
12 in using the towers as a part of their communication system.

13 **SCIENCE, TECHNOLOGY, AND TRAINING BUREAU**

14 Sec. 301. (1) The department shall provide forensic testing
15 services to aid in criminal investigations.

16 (2) The department shall maintain the staffing and resources
17 necessary to provide forensic evidence with an average turnaround
18 time of 82 days assuming an annual caseload volume commensurate
19 with that received in fiscal year 2009-2010.

20 (3) The department shall define and implement improved methods
21 with the intent of reaching an average 55-day turnaround for
22 forensic evidence.

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

1 Sec. 302. (1) The department shall develop and deliver
2 professional, innovative, and quality training that supports the
3 enforcement and public safety efforts of the criminal justice
4 community.

5 (2) The department shall maintain the staffing and resources
6 necessary to provide educational opportunities for personal and
7 professional growth to a minimum of 10,000 state and local law
8 enforcement employees and other public safety partners.

9 (3) The department shall maintain the staffing and resources
10 necessary to provide educational opportunities for personal and
11 professional growth to a minimum of 3,000 community members.

12 (4) The department shall define and implement methods with a
13 goal of reducing the cost of training services delivery by 20%.
14 These methods may include the pursuit of technology to reach
15 students throughout the state utilizing distance learning.

16 (5) The department shall place emphasis on recruiting MCOLES-
17 certified police officers for the trooper recruit school. Emphasis
18 shall be given in the hiring process to those officers who are on
19 layoff and possess valid MCOLES certification. Any emphasis given
20 in the recruiting and selection process shall be consistent with
21 the department's hiring standards and in accordance with civil
22 service rules.

23 (6) The department shall develop and provide a service
24 delivery cost model for its training activities.

25 Sec. 303. (1) MCOLES shall establish standards for the
26 selection, employment, training, education, licensing, and
27 revocation of all law enforcement officers.

1 (2) MCOLES shall maintain the staffing and resources necessary
2 to provide the basic law enforcement training curriculum for 20
3 academy programs statewide.

4 (3) MCOLES shall maintain a minimum 98% passing rate from the
5 MCOLES licensing exam without lowering academic standards to
6 achieve this rate.

7 Sec. 304. (1) The department shall maintain a criminal history
8 system and the state accident data collection system in the support
9 of public safety and law enforcement communities in this state.

10 (2) The department shall maintain the staffing and resources
11 necessary to adhere to 1925 PA 289, MCL 28.241 to 28.248.

12 (3) The department shall improve the accuracy, timeliness, and
13 completeness of criminal history information through outreach
14 targeted to criminal justice agencies.

15 (4) The department shall maintain the state accident data
16 collection system and make this information available to the public
17 at a reasonable cost. For bulk access to the accident records in
18 which the vehicle identification number has been collected and
19 computerized, the department shall make those records available to
20 the public at cost, provided that the name and address have been
21 excluded.

22 Sec. 305. (1) The department shall provide fingerprint and
23 background check services in support of public safety and law
24 enforcement communities in this state.

25 (2) The department shall maintain the staffing and resources
26 necessary to process fingerprint and background check services
27 commensurate with fiscal year 2009-2010.

1 (3) The department shall maintain resources and educational
2 outreach for the electronic submission of fingerprint information
3 from local law enforcement agencies and maintain at least a 97%
4 submission rate.

5 (4) The department shall define and maintain a cost model
6 pertaining to providing fingerprint check services and provide for
7 the following:

8 (a) Fingerprint service fees shall be commensurate with the
9 actual costs of delivering this service.

10 (b) The department shall pursue means of reducing the expenses
11 associated with delivering this service.

12 Sec. 306. (1) The department shall maintain the law
13 enforcement information network in support of public safety and law
14 enforcement communities in this state.

15 (2) The department shall maintain the staffing and resources
16 necessary to adhere to the C.J.I.S. policy council act, 1974 PA
17 163, MCL 28.211 to 28.215.

18 (3) The department shall audit criminal justice agencies as
19 required by federal guidelines.

20 (4) The department shall work cooperatively with the
21 department of human services to coordinate the functions of the
22 state police LEIN system and the department of human services
23 bridges case management system to provide obtainable data that will
24 allow authorized users of the bridges case management system to
25 identify those persons who may be ineligible to receive certain
26 assistance services due to their law enforcement status.

27 (5) The department shall implement procedures by which all

1 probation information is placed on the LEIN system and provide for
2 the following:

3 (a) The LEIN system shall include information on each
4 probationer, including any probation conditions placed on a
5 probationer and the name of the probation officer assigned to the
6 probationer. The LEIN system shall also include any nonstandard
7 probation terms.

8 (b) 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 and
13 veterans affairs amendments to the code of criminal procedure, 1927
14 PA 175, MCL 760.1 to 777.69, that, in the department's view, are
15 necessary to accomplish this goal. These proposed amendments shall
16 be delivered to subcommittee members not later than December 1,
17 2011.

18 (6) The appropriations in part 1 do not contain any funding
19 from LEIN user fees for services rendered in fiscal year 2011-2012.
20 If the department chooses to propose such a fee for fiscal year
21 2011-2012, the department shall do each of the following:

22 (a) Notify the senate and house appropriations subcommittees
23 on state police and military and veterans affairs no less than 90
24 days prior to establishing the fee.

25 (b) Define and maintain a cost model pertaining to the
26 provision of LEIN administration services. LEIN service fees shall
27 be commensurate with the actual costs of delivering this service.

1 The department shall pursue means of reducing the expenses
2 associated with delivering this service.

3 **FIELD SERVICES BUREAU**

4 Sec. 401. (1) The department shall oversee traffic safety and
5 enforcement in this state.

6 (2) The department shall maintain the staffing and resources
7 necessary to make traffic contacts per patrol hours commensurate
8 with the service level and contact areas exhibited in fiscal year
9 2010-2011. There shall be no degradation of road patrol services to
10 any region of this state.

11 (3) The department shall maintain the staffing and resources
12 necessary to continually work to enhance traffic safety throughout
13 the state.

14 (4) The department shall maintain the staffing and resources
15 necessary to annually inspect at least 75,000 commercial vehicles.

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

22 Sec. 402. (1) The department shall identify and apprehend
23 criminals through criminal investigations in this state.

24 (2) The department shall maintain the staffing and resources
25 necessary to devote a comparable number of hours investigating
26 crimes as those performed in fiscal year 2009-2010.

1 (3) The department shall maintain the staffing and resources
2 necessary to annually meet or exceed a case clearance rate of 56%.

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

9 (5) The department shall provide protection to this state, its
10 economy, welfare, and vital state-sponsored programs through the
11 prevention and suppression of organized smuggling of untaxed
12 tobacco products in the state, through enforcement of the tobacco
13 products tax act, 1993 PA 327, MCL 205.421 to 205.436, and other
14 laws pertaining to combating criminal activity in this state, by
15 maintaining a tobacco tax enforcement unit. The appropriations in
16 part 1 include funding from the potential receipt of \$3,000,000.00
17 in tobacco tax revenue. If these funds become available for
18 expenditure by the department, the department shall utilize them
19 only for costs associated with an increased effort to enforce
20 tobacco tax laws, including the deployment of additional tobacco
21 tax enforcement personnel.

22 Sec. 403. (1) The department shall provide fire investigation
23 services to citizens of this state through investigative assistance
24 to local law enforcement agencies.

25 (2) The department shall maintain the staffing and resources
26 necessary to maintain readiness to respond appropriately to at
27 least the number of requests for service which occurred in fiscal

1 year 2009-2010.

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

4 Sec. 404. (1) The department shall oversee the sex offender
5 registry and its enforcement in this state.

6 (2) The department shall maintain the staff and resources
7 necessary to enforce the provision of the sex offenders
8 registration act, 1994 PA 295, MCL 28.721 to 28.736.

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

12 Sec. 405. (1) The department shall provide specialty services
13 to citizens of this state in accordance with all applicable state
14 and federal laws and regulations.

15 (2) The department shall maintain the staffing and resources
16 necessary to provide training to maintain readiness to respond
17 appropriately to at least the number of requests for specialty
18 services which occurred in fiscal year 2009-2010.

19 (3) The canine unit shall be available for call out statewide
20 100% of the time.

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

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

25 (6) The underwater recovery unit shall be available for call
26 out statewide 100% of the time.

27 (7) Aviation services shall be available for call out

1 statewide 100% of the time, unless prohibited by weather or
2 unexpected mechanical breakdowns.

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

8 Sec. 406. (1) The department shall operate and maintain
9 regional communication centers.

10 (2) The department shall maintain staffing and resources
11 necessary to provide communication to Michigan state police law
12 enforcement through the regional communication centers by
13 maintaining 47,000 radio contacts per dispatcher.

14 (3) The department shall improve its budgetary and operational
15 efficiency by consolidating at least 1 regional communication
16 center.

17 Sec. 407. (1) The department shall provide security services
18 at the state capitol building.

19 (2) The department shall maintain the staff and resources
20 necessary to respond to emergencies at the house office building,
21 Farnum building, capitol parking lot, Townsend parking ramp, and
22 Roosevelt parking ramp.

23 (3) The department shall pursue federal grants to improve the
24 security at the capitol building.

25 (4) The department may develop a phased approach for improving
26 security at the capitol building.

27 Sec. 408. (1) The department shall respond to civil disorders

1 and natural disasters.

2 (2) The department shall, at a minimum, maintain readiness
3 including training and equipment to respond to civil disorders and
4 natural disasters commensurate with the capabilities of fiscal year
5 2009-2010.

6 Sec. 409. The department shall develop a law enforcement
7 delivery of service model in conjunction with each state police
8 post area in the state. In the development of this model, the
9 department shall consider local and county law enforcement
10 capabilities to ensure the efficient delivery of services.

11 **SUPPORT SERVICES**

12 Sec. 501. (1) The department shall operate the Michigan
13 intelligence operation center as the state's federally recognized
14 fusion center.

15 (2) The department shall ensure public safety through the
16 emergency management and homeland security division by providing
17 public and private sector partners with timely and accurate
18 information and regarding critical information key resources
19 threats as reported to or discovered by the Michigan intelligence
20 operations center and increase public awareness on how to report
21 suspicious activity through website or telephone communications.

22 (3) The department shall seek to increase the number of public
23 and private sector contacts which receive vital homeland security
24 information and intelligence in order to enhance the safety and
25 security for citizens of this state.

26 Sec. 502. (1) The department shall provide hazardous materials

1 response training.

2 (2) The department shall maintain the staffing and resources
3 necessary to serve approximately 110 local emergency management
4 preparedness programs and 88 local emergency planning committees in
5 this state.

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

9 (4) The department's emergency management division shall make
10 every effort to ensure both of the following:

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

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

17 Sec. 503. (1) The department shall operate and maintain the
18 state's emergency operations center and provide command and control
19 in support of emergency response services.

20 (2) The department shall maintain readiness, including
21 training and equipment to respond to civil disorders and natural
22 disasters.

23 (3) The department shall relocate the state's emergency
24 operations center from its present site at Collins Road to another
25 suitable facility.

26 (4) The state director of emergency management may expend
27 money appropriated under this act to call upon any agency or

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

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

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

4 Sec. 504. (1) The department shall conduct public awareness
5 campaigns regarding various public safety issues.

6 (2) The department shall provide resources and technical
7 assistance to train child passenger safety technicians to promote
8 public education and awareness to parents.

9 (3) Based on available grants, the department shall attempt to
10 identify a trained child passenger safety technician in each county
11 in this state.

12 Sec. 505. (1) The department shall administer various public
13 safety grants to state, local, and private entities within this
14 state.

15 (2) The department shall comply with all federal and state
16 guidelines pertaining to grant distributions.

17 (3) The department shall seek new grant funding to support
18 public safety.

19 **ONE-TIME BASIS ONLY**

20 Sec. 1001. For the state fiscal year ending September 30,
21 2012, there is appropriated from general fund/general purpose
22 revenue, on a 1-time basis only, \$800,000.00 for department costs
23 associated with providing traffic control services for the Michigan
24 international speedway.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.