

No. 78  
STATE OF MICHIGAN  
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OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2010

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House Chamber, Lansing, Tuesday, September 14, 2010.

10:00 a.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Durhal—present	Kurtz—present	Proos—present
Amash—present	Ebli—present	Lahti—present	Roberts—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Rogers—present
Barnett—present	Geiss—present	Lemmons—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lindberg—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Lipton—present	Schuitmaker—present
Bledsoe—present	Green—present	Liss—present	Scott, B.—present
Bolger—present	Gregory—present	Lori—present	Scott, P.—present
Booher—present	Griffin—present	Lund—present	Scripps—present
Brown, L.—present	Haase—present	Marleau—present	Segal—present
Brown, T.—present	Haines—present	Mayes—present	Sheltrown—present
Byrnes—present	Hammel—present	McDowell—present	Slavens—present
Byrum—present	Hansen—present	McMillin—present	Slezak—present
Calley—present	Haugh—present	Meadows—present	Smith—present
Caul—present	Haveman—present	Meekhof—present	Spade—present
Clemente—present	Hildenbrand—present	Melton—present	Stamas—present
Constan—present	Horn—present	Meltzer—present	Stanley—present
Corriveau—present	Huckleberry—present	Miller—present	Switalski—present
Crawford—present	Jackson—present	Moss—present	Tlaib—present
Cushingberry—present	Johnson—present	Nathan—present	Tyler—present
Daley—present	Jones, Rick—present	Nerat—present	Valentine—present
Dean—present	Jones, Robert—present	Neumann—present	Walsh—present
Denby—present	Kandrevas—present	Opsommer—present	Warren—present
DeShazor—present	Kennedy—present	Pavlov—present	Womack—present
Dillon—present	Knollenberg—present	Pearce—present	Young—present
Donigan—present	Kowall—present	Polidori—present	

e/d/s = entered during session

Rep. Bob Genetski, from the 88th District, offered the following invocation:

“God of our life, we welcome this new day. It is Your gift to us, a new creation, a promise of resurrection. We thank You for the gift of being alive this morning. We thank You for the sleep that has refreshed us. We thank You for this chance to make a new beginning.

This Day, Lord, is full of promise and opportunity: let us waste none of it. This day is full of mystery and the unknown: help us face it without fear and anxiety. This day is blessed with beauty and adventure: make us fully alive to it all.

During this day keep us more thoughtful, prayerful and kind. May we be courteous and helpful to others and not turn inward on ourselves. Keep us from any word or deed that would hurt or destroy or belittle. And may the thoughts of our minds be pleasing to Your sight.

Lord, Jesus Christ, Friend and Brother, may we know You more clearly, love You more dearly, and follow You more nearly, day by day. Amen.”

**Reports of Select Committees**

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 5885, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

Recommends:

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

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

PART 1

LINE-ITEM APPROPRIATIONS

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

**DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	7.0	
Full-time equated classified positions .....	970.0	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 150,042,900</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		1,152,900
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 148,890,000</b>
Federal revenues:		
Total federal revenues.....		82,203,800
Special revenue funds:		
Total local revenues.....		645,400
Total private revenues.....		1,382,700
Total other state restricted revenues .....		28,233,400
State general fund/general purpose .....		\$ 36,424,700

**Sec. 102. HEADQUARTERS AND ARMORIES**

Full-time equated unclassified positions.....	7.0	
Full-time equated classified positions .....	110.0	
Headquarters and armories—85.0 FTE positions.....		\$ 11,231,600
Unclassified military personnel .....		665,000

	For Fiscal Year Ending Sept. 30, 2011
Military appeals tribunal .....	900
Michigan emergency volunteers .....	5,000
State active duty .....	100,100
Challenge program—25.0 FTE positions .....	4,091,000
Homeland security .....	1,000,000
Military family relief fund .....	600,000
GROSS APPROPRIATION .....	\$ 17,693,600
Appropriated from:	
IDG, challenge grant .....	152,900
IDG, community health .....	100,000
IDG, state police.....	900,000
Federal revenues:	
DOD-DOA-NGB .....	6,519,800
Special revenue funds:	
Local - school aid fund .....	645,400
Rental fees .....	346,400
Mackinac Bridge authority .....	70,000
Private donations .....	842,700
Military family relief fund .....	600,000
State general fund/general purpose .....	\$ 7,516,400
<b>Sec. 103. MILITARY TRAINING SITES AND SUPPORT FACILITIES</b>	
Full-time equated classified positions .....	181.0
Military training sites and support facilities—181.0 FTE positions .....	\$ 25,358,500
Military training sites and support facilities test projects .....	100,000
GROSS APPROPRIATION .....	\$ 25,458,500
Appropriated from:	
Federal revenues:	
DOD-DOA-NGB .....	23,988,400
Special revenue funds:	
Test project fees.....	100,000
State general fund/general purpose .....	\$ 1,370,100
<b>Sec. 104. DEPARTMENTWIDE APPROPRIATIONS</b>	
Departmentwide accounts.....	\$ 1,860,800
Special maintenance - state .....	651,200
Special maintenance - federal .....	5,300,000
Military retirement .....	3,584,100
Counter narcotic operations.....	50,000
Starbase grant .....	2,322,000
GROSS APPROPRIATION .....	\$ 13,768,100
Appropriated from:	
Federal revenues:	
DOD-DOA-NGB .....	9,288,100
Federal counternarcotic revenues .....	50,000
State general fund/general purpose .....	\$ 4,430,000
<b>Sec. 105. VETERANS ADVICE, ADVOCACY, AND ASSISTANCE</b>	
Veterans advice, advocacy, and assistance grants .....	\$ 3,029,600
GROSS APPROPRIATION .....	\$ 3,029,600
Appropriated from:	
State general fund/general purpose .....	\$ 3,029,600
<b>Sec. 106. GRAND RAPIDS VETERANS' HOME</b>	
Full-time equated classified positions .....	513.0
Grand Rapids veterans' home—513.0 FTE positions .....	\$ 50,891,300
Board of managers .....	665,000
GROSS APPROPRIATION .....	\$ 51,556,300
Appropriated from:	
Federal revenues:	
DVA-VHA .....	17,609,600

	For Fiscal Year Ending Sept. 30, 2011
HHS, Medicaid .....	164,300
HHS, Medicare .....	2,561,500
Special revenue funds:	
Private - veterans' home post and posthumous funds .....	415,000
Income and assessments .....	15,689,300
Military family relief fund .....	250,000
Lease revenue .....	12,200
State general fund/general purpose .....	\$ 14,854,400
<b>Sec. 107. D.J. JACOBETTI VETERANS' HOME</b>	
Full-time equated classified positions .....	158.0
D.J. Jacobetti veterans' home—158.0 FTE positions .....	\$ 16,521,400
Board of managers .....	275,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 16,796,400</u>
Appropriated from:	
Federal revenues:	
DVA-VHA .....	5,924,400
HHS, Medicare .....	589,200
HHS, Medicaid .....	10,800
Special revenue funds:	
Private - veterans' home post and posthumous funds .....	125,000
Military family relief fund .....	150,000
Income and assessments .....	5,128,600
State general fund/general purpose .....	\$ 4,868,400
<b>Sec. 108. VETERANS' AFFAIRS DIRECTORATE</b>	
Full-time equated classified positions .....	8.0
Veterans' affairs directorate administration—2.0 FTE positions .....	\$ 198,400
Veterans' trust fund administration—6.0 FTE positions .....	1,279,000
Veterans' trust fund grants .....	3,746,500
<b>GROSS APPROPRIATION</b> .....	<u>\$ 5,223,900</u>
Appropriated from:	
Special revenue funds:	
Michigan veterans' trust fund.....	5,025,500
State general fund/general purpose .....	\$ 198,400
<b>Sec. 109. INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 1,016,500
<b>GROSS APPROPRIATION</b> .....	<u>\$ 1,016,500</u>
Appropriated from:	
Federal revenues:	
DOD-DOA-NGB .....	130,400
DVA-VHA .....	356,800
HHS, Medicare .....	10,500
Special revenue funds:	
Income and assessments .....	361,400
State general fund/general purpose .....	\$ 157,400
<b>Sec. 110. CAPITAL OUTLAY</b>	
Special maintenance, remodeling and additions.....	\$ 15,000,000
Land acquisitions and appraisals.....	500,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 15,500,000</u>
Appropriated from:	
Federal revenues:	
DOD-DOA-NGB .....	15,000,000
Special revenue funds:	
Michigan national guard construction fund.....	500,000
State general fund/general purpose .....	\$ 0

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is \$64,658,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$120,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS  
MILITARY TRAINING SITES AND SUPPORT FACILITIES

Payments in lieu of taxes .....	\$	70,000
MICHIGAN VETERANS' TRUST FUND		
County counselor education and training expenses.....	\$	50,000
TOTAL .....	\$	120,000

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) "Department" means the department of military and veterans affairs.
- (b) "Director" means the director of the department of military and veterans affairs.
- (c) "DOD" means the United States department of defense.
- (d) "DOD-DOA-NGB" means the DOD department of the army, national guard bureau.
- (e) "DVA" means the United States department of veterans affairs.
- (f) "DVA-VHA" means the DVA veterans health administration.
- (g) "FTE" means full-time equated.
- (h) "HHS" means the United States department of health and human services.
- (i) "IDG" means interdepartmental grant.
- (j) "Large veterans service organization" means a VSO that can certify that its membership exceeds 30,000 individuals.
- (k) "Medium veterans service organization" means a VSO that can certify that its membership is between 2,500 and 30,000 individuals.
- (l) "Small veterans service organization" means a VSO that can certify that its membership is between 1,000 and 2,499 individuals.
- (m) "VSO" means veterans service organization.

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

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

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

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

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

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

Sec. 211. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. The department shall follow all federal guidelines and state laws regarding short-term and long-term retention of records.

Sec. 213. The department shall consult with the house and senate appropriations subcommittees on military and veterans affairs regarding the projected closing or consolidation of any national guard armories.

Sec. 214. It is the intent of the legislature that, should the necessary legislation be enacted and funding become available, funds be appropriated for state military cemeteries in Crawford and Dickinson Counties.

Sec. 221. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the departments and agencies and the department of technology, management, and budget.

Sec. 223. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 225. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2011 shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

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

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

- (a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.
- (b) The destination of each travel occurrence.
- (c) The dates of each travel occurrence.
- (d) A brief statement of the reason for each travel occurrence.
- (e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.
- (f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 226. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 227. Sixty days prior to the public announcement of the intention to sell any department property, the department shall submit notification of that intent to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies.

Sec. 228. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 232. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.



Sec. 233. Not later than September 30, 2011, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 234. Any fiscal year 2010-2011 unused general fund/general purpose funds identified by the department as lapsed funds shall be transferred to the appropriation for special maintenance - state in part 1 and shall be used for the repair and maintenance of state-owned armories.

Sec. 235. The department shall seek partnerships with United States armed forces reserve units for the colocation of activities, including sharing in the acquisition and costs for facilities.

#### **HEADQUARTERS AND ARMORIES**

Sec. 301. The department may charge reasonable rental and equipment usage fees for renting an armory or using the distance learning network. The fee shall include the cost of overtime compensation, insurance coverage, and any maintenance required.

Sec. 302. (1) The funds appropriated in this act for private donations to the challenge program shall be considered state restricted revenue, and unexpended funds remaining at the close of the fiscal year shall not lapse to the general fund but shall be carried forward to the subsequent fiscal year.

(2) The department may charge a parent or guardian of a participant in the challenge program a fee for participating in the program if the participant is a member of a family with an income that exceeds 200% of the federal poverty guidelines as published by the United States department of health and human services. The amount charged the parent or guardian shall not exceed the per-student state share cost of administering the program. The parent or guardian shall be notified of any charge to be assessed under this subsection prior to enrollment of the child in the program.

(3) The department shall take steps to recruit candidates to the challenge program from economically disadvantaged areas, including those with low-income and high-unemployment backgrounds.

Sec. 304. The department will partner with the department of human services to identify youth who may be eligible for the challenge program from those youth served by department of human services programs. These eligible youth shall be given priority for enrollment in the program.

#### **VETERANS ADVICE, ADVOCACY, AND ASSISTANCE**

Sec. 501. (1) The department shall develop and operate a program which will provide benefits counseling and representation to veterans of this state for the purpose of assisting veterans to obtain United States department of veterans affairs health, financial, and memorial benefits for which they are eligible. The department shall work to maximize the coordination between veterans service organizations and any other organization which assists veterans.

(2) The department shall create a 5-member veterans advisory board to assist in matters pertaining to veterans advice, advocacy, and assistance, including recommendations concerning disbursement of any grant money. The department shall request that the state commanders group name candidates serving as president/commander from 2 large veterans service organizations, 2 medium veterans service organizations, and 1 small veterans service organization to serve on the advisory board. The veterans advisory board shall meet no less than twice a year, without reimbursement by the department.

(3) The duties of the veterans advisory board shall include, but are not limited to, the following:

- (a) Serving as a liaison between grant recipients, the department, and the legislature.
- (b) Assisting in recognizing any deficiencies in the grant process and performance.
- (c) Providing a forum regarding veterans issues.
- (d) Suggesting changes in department programs that would help keep pace with changing veterans needs.
- (e) Providing a direct contact with the veterans administration regarding updates on procedures.
- (f) Creating an awareness to make sure that grant recipients are performing the services intended.
- (g) Representing a voice for veterans service organizations.
- (h) Providing for a sounding board for grant recipients.
- (i) Assisting the department in establishing criteria for grant awards.
- (j) Assisting the department in developing plans, reviewing service delivery, and identifying goals to better assist veterans in applying for and receiving benefits from the federal, state, and local governments.
- (k) Providing testimony, if requested, to legislative committees.

(4) Of the appropriations in part 1 for veterans advice, advocacy, and assistance grants for the period of October 1, 2010 to September 30, 2011, \$3,029,600.00 shall be distributed by the department in the form of 5 grants: 2 large, 2 small, and 1 specialized grant for the period beginning October 1, 2010. The specialized grant shall be awarded to a group specializing in advocacy for paralyzed veterans. The department, while utilizing advice provided by the veterans advisory board establishing grant criteria, is solely responsible for determination of the amounts and recipients of these grants.

(5) Money used for grants to veterans service organizations shall be used only for salaries, wages, related personnel costs, in-state training, and equipment for accredited veteran service advocacy officers and necessary support and managerial staff. Training shall be provided for service advocacy officers and shall be conducted by accredited advocacy officers.

(6) To receive a grant from the money appropriated in part 1, a veterans service organization or a veterans service organization which is part of a combination of organizations receiving a grant shall meet the following eligibility requirements:

(a) Be congressionally chartered by the United States congress.  
(b) Be an active participating member of the Michigan veterans organizations' rehabilitation and veterans service committee and abide by its rules, guidelines, and programs.

(c) Demonstrate the receipt of monetary or service support from its own organization.

(d) Comply with the department's and the legislature's requirements of accounting audits, service work activity, accounting of recoveries, listing of volunteer hours, budget requests, and other requirements specified in subsection (3). Each veterans service organization receiving a grant from the money appropriated in part 1 shall provide a copy of the most recent audit report to the department not later than May 1, 2011.

(e) For a veterans service organization founded after September 30, 1989, be in operation and providing service to Michigan veterans for not less than 2 years before receiving an initial state grant. During this 2-year period of time, the organization shall file a listing of service work activity and an accounting of recoveries with the department, the senate and house fiscal agencies, the senate and house of representatives appropriations subcommittees on military affairs, and the state budget office on forms as prescribed by the department.

(7) A veterans service organization receiving a grant from the money appropriated in part 1 shall file with the department an accounting of its expenditures, audited and certified by a certified public accountant, within 120 days after the organization's fiscal year end. Each veterans service organization shall provide 5 copies of a listing of all service activity, an accounting of recoveries, and a listing of volunteer hours for the fiscal year ending September 30, 2010 to the department by January 31, 2011. Each organization shall include a listing of expenditures by spending category, including a listing of individual salaries of each officer and administrative staff. The listing of volunteer hours shall include the hours, services, and donations provided to residents of the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home. Each veterans service organization shall provide a copy of the most recent and completed internal revenue service form 990 to the department at the end of the fiscal year ending September 30, 2010. A veterans service organization receiving a grant from the money appropriated in part 1 shall use the forms recommended by the Michigan veterans organizations rehabilitation and veterans service committee for filing reports required by this act. The department shall provide a report not later than June 1, 2011 to the senate and house fiscal agencies, the senate and house appropriations subcommittees on state police and military and veterans affairs, and the state budget office detailing the most recent expenditure information provided by the veterans service organizations. The department shall also provide within that report specific notification whether any veterans service organization receiving a grant from the money appropriated in part 1 failed to comply with the reporting requirements of this section.

(8) The veterans service directors committee and the department shall take steps to improve the coordination of veterans benefits counseling in the state to maximize the effective and efficient use of taxpayer dollars in this goal and to ensure that every veteran is served.

(9) To accomplish the goal of subsection (8), the veterans service directors committee and the department shall take steps to increase their responsibility in the administration, management, oversight, and outreach of the delivery of services to veterans. The veterans service directors committee and the department shall involve county veterans counselors and representatives from the Michigan veterans trust fund to work in concert to identify, implement, and evaluate steps to do all of the following:

(a) Increase the veterans service directors committee and the department's role in working directly with the United States department of veterans affairs to enhance the delivery of services to Michigan veterans.

(b) Increase the number of initial claims filed with the United States department of veterans affairs on behalf of veterans for service-connected disability or pension benefits. The veterans service directors committee and the department may work toward either an absolute increase of approved claims or an increase in the percentage of Michigan veterans with approved claims.

(c) Develop methods to increase rates of recovery paid by the United States department of veterans affairs to Michigan veterans either by an increase in compensation paid per approved claim or an increase in compensation paid on a per capita basis.

(d) Expand training opportunities for veterans service organization service officers.

(e) Increase either the number or percentage of Michigan veterans enrolled in the veterans affairs health care system.

(f) Publicize the availability, benefit, and value of burial in the Fort Custer and Great Lakes national cemeteries.

(g) Review each grant recipient's performance under the program and require that performance be a major consideration in the future funding of each grant recipient.

(h) Identify areas of redundancy which may exist among services provided by veterans service organizations grantees, Michigan veterans trust fund county committees, and county veterans counselors and provide a proposal on how any redundancies may be minimized and identify specific cost savings which could result.

(10) Each veterans service organization receiving a grant from the money appropriated in part 1 shall file a report with the department not later than May 1, 2011 detailing the following information:

(a) Training completed by each veterans service officer employed by or working on behalf of the veterans service organization.



(b) A roster of the cases that each veterans service organization is serving or processing, including if those cases have been completed or are still pending, whether those cases have been initiated and completed by the veterans service organization, and which cases have been referred to and by county veterans counselors, congressional or senate offices, or any other organizations that serve veterans.

(11) The veterans advisory board, the Michigan association of county veterans counselors, and the department shall create a report of the efforts to complete the goals outlined in this section and shall provide suggestions on how a more effective and efficient veterans benefit counseling program may best be designed for implementation for fiscal year 2011-2012. This report shall be delivered to the house and senate appropriations subcommittees no later than March 1, 2011.

(12) The department shall record any additional administrative costs for collecting and compiling the information from subsections (7) and (10) and also provide this information with the reports required under subsection (7).

(13) The veterans affairs directorate shall design and operate an advocacy program to coordinate with other organizations which assist veterans, including county counselors and other groups, to ensure referrals between groups occur when warranted and to provide the veterans of the state with the most cost-effective and comprehensive counseling services possible. The department shall also take steps to become certified with the United States department of veterans affairs to assist in this task.

(14) The veterans affairs directorate shall deliver progress reports regarding the activities of the advocacy program to the senate and house appropriations subcommittees on state police and military and veterans affairs, with the first report due not later than April 1, 2011 and the second report due not later than October 1, 2011.

(15) The department shall issue performance standards to each veterans service organization grant recipient. Compliance with these performance standards shall be the basis for funding for future years. Failure to meet any or all of the performance standards may result in that organization losing funding in future years, and the department shall forward to the senate and house of representatives appropriations subcommittees on state police and military and veterans affairs corrective action and penalty recommendations.

#### **VETERANS' HOMES**

Sec. 601. Appropriations in this act for the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home shall not be used for any purpose other than for veterans and veterans' families.

Sec. 602. The Grand Rapids veterans' home and the D.J. Jacobetti veterans' home, together with the department and the department of technology, management, and budget, shall produce and deliver to the senate and house of representatives appropriations subcommittees on state police and military and veterans affairs an annual written report. The report shall include an accounting of member populations and bed space available; a description and accounting of services and activities provided to members; financial information; current state nursing home licensure status; the steps required for Medicaid certification, including a listing of any personnel, equipment, supplies, or budgetary increases required; and whether or not steps are being taken toward Medicaid certification. The annual report shall be submitted to the senate and house of representatives appropriations subcommittees on military affairs no later than February 1, 2011.

Sec. 603. The money appropriated in this act for the boards of managers may be expended for facility improvements, the purchase and repair of equipment and furnishings, member services, and other purposes that benefit the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home.

Sec. 605. The department shall, prior to altering the spending plan by the board of managers of post and posthumous funds, report to the appropriate senate and house appropriations subcommittees 30 days prior to that action and shall indicate the rationale for that decision.

#### **VETERANS' AFFAIRS DIRECTORATE**

Sec. 703. By April 1, 2010, the department shall submit to the senate and house of representatives appropriations subcommittees on military affairs and the state budget office a detailed annual report of the Michigan veterans' trust fund for fiscal year 2009-2010. The report shall include information on grants provided from the emergency grant program, including details concerning the methodology of allocations, the selection of emergency grant program authorized agents, and a detailed breakdown of trust fund expenditures for that year. The report shall also provide an update on the department's efforts to reduce program administrative costs and restore the Michigan veterans' trust fund corpus to its original amount of \$50,000,000.00.

Sec. 704. The Michigan veterans' affairs directorate administration and the Michigan veterans' trust fund administration shall take steps to assist the county veterans counselors of the state to obtain training necessary for the execution of their duties.

Sec. 705. It is the intent of the legislature that the department create incentives for all counties in the state to fund at least 1 full-time county veteran's counselor for the purpose of assisting veterans with obtaining federal veterans benefits that they may be eligible to receive. The incentives could include, but not be limited to, matching funds or sharing IT resources from the department for counties to use in maximizing benefits received by Michigan veterans.

#### **CAPITAL OUTLAY**

Sec. 801. The appropriations in part 1 for the department of military and veterans affairs design and construction projects are contingent upon the availability of federal and state restricted funds for financing.

Sec. 802. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 803. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

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

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

Richard LeBlanc  
John Espinoza  
Bob Genetski  
Conferees for the House

Valde Garcia  
Alan L. Cropsey  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Roberts moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 373

### Yeas—101

Agema	Donigan	Kennedy	Polidori
Amash	Durhal	Knollenberg	Proos
Angerer	Ebli	Kowall	Roberts
Ball	Elsenheimer	Kurtz	Rocca
Barnett	Espinoza	LeBlanc	Rogers
Bauer	Geiss	Leland	Schmidt, R.
Bennett	Genetski	Lemmons	Schmidt, W.
Bledsoe	Gonzales	Lipton	Schuitmaker
Bolger	Green	Liss	Scott, P.
Booher	Gregory	Lori	Scripps
Brown, L.	Griffin	Lund	Segal
Brown, T.	Haase	Marleau	Sheltrown
Byrnes	Haines	Mayer	Slavens
Byrum	Hammel	McMillin	Slezak
Calley	Hansen	Meadows	Smith
Caul	Haugh	Meekhof	Spade
Clemente	Haveman	Melton	Stamas
Constan	Hildenbrand	Meltzer	Stanley
Corriveau	Horn	Miller	Switalski
Crawford	Huckleberry	Moss	Tlaib
Cushingberry	Jackson	Nathan	Tyler
Daley	Johnson	Neumann	Valentine
Dean	Jones, Rick	Opsommer	Walsh
Denby	Jones, Robert	Pavlov	Warren
DeShazor	Kandrevas	Pearce	Womack
Dillon			

**Nays—6**

Lahti McDowell Scott, B. Young  
 Lindberg Nerat

In The Chair: Byrnes

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 5888, entitled**

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

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended 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, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

PART 1

LINE-ITEM APPROPRIATIONS

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

**DEPARTMENT OF STATE POLICE**

APPROPRIATION SUMMARY

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

**Sec. 102. EXECUTIVE DIRECTION**

Full-time equated unclassified positions.....	1.0	
Full-time equated classified positions .....	42.5	
Unclassified positions.....		\$ 150,000
Executive direction—21.0 FTE positions.....		2,411,800
Special operations and events—17.5 FTE positions .....		2,015,700
Auto theft prevention program—4.0 FTE positions.....		8,042,300
<b>GROSS APPROPRIATION</b> .....		\$ 12,619,800

Appropriated from:

Interdepartmental grant revenues:		
IDG-MDTR, casino gaming fees.....		27,500
IDT, truck safety fund .....		10,100

For Fiscal Year  
Ending Sept. 30,  
2011

Special revenue funds:	
Auto theft prevention fund .....	8,042,300
Motor carrier fees .....	38,000
Criminal justice information center fees .....	72,300
Forensic science reimbursement fees .....	11,400
Highway safety fund .....	47,300
Narcotics investigation revenues .....	5,400
Nuclear plant emergency planning and reimbursement.....	9,800
State forensic laboratory fund .....	11,800
Traffic law enforcement and safety fund.....	60,500
State general fund/general purpose .....	\$ 4,283,400

**Sec. 103. DEPARTMENTWIDE APPROPRIATIONS**

Special maintenance and utilities .....	\$ 447,600
Rent and building occupancy charges .....	9,843,000
Worker's compensation.....	3,309,600
Fleet leasing.....	12,980,700
In-service training - law enforcement distribution .....	450,000
In-service training - competitive .....	1,000,000
Narcotics investigation funds .....	265,100
<b>GROSS APPROPRIATION .....</b>	<b>\$ 28,296,000</b>

Appropriated from:

Interdepartmental grant revenues:

IDG, training academy charges .....	283,500
IDT, Michigan justice training fund.....	1,450,000

Federal revenues:

Federal narcotics investigation revenues .....	95,000
DOT .....	25,200
DHS .....	177,500

Special revenue funds:

Forensic science reimbursement fee.....	100,700
Narcotics investigation revenues .....	170,100
State forensic laboratory fund .....	100,700
Criminal justice information center service fees.....	199,500
Secondary road patrol and training fund.....	17,900
Hazardous materials training center fees.....	105,100
Michigan justice training fund .....	29,800
Motor carrier fees.....	7,500
Highway safety fund .....	7,800
Traffic law enforcement and safety fund.....	15,400
State general fund/general purpose .....	\$ 25,510,300

**Sec. 104. SUPPORT SERVICES**

Full-time equated classified positions .....	196.5	
Management services—136.0 FTE positions .....		\$ 13,641,900
Training administration—32.0 FTE positions .....		5,856,400
Budget and financial services—24.5 FTE positions .....		2,647,800
Office of justice program grants—4.0 FTE positions .....		8,496,900
<b>GROSS APPROPRIATION .....</b>		<b>\$ 30,643,000</b>

Appropriated from:

Interdepartmental grant revenues:

IDT, auto theft funds .....	2,500
IDG, training academy charges .....	3,338,500
IDT, truck safety fund .....	30,800
IDG-MDOT, state trunkline fund .....	3,000
IDG-MDTR, casino gaming fees.....	107,500
IDG-MDTR, emergency telephone fund coordinator.....	536,500
IDG-MDTR, emergency telephone fund operations.....	478,600

	For Fiscal Year Ending Sept. 30, 2011
IDG-MDOS .....	2,000
IDG-MDOC, contract .....	50,000
Federal revenues:	
DOJ .....	372,700
DOJ interest bearing .....	8,124,200
DOT .....	487,800
Special revenues funds:	
Local - LEIN fees .....	3,800
Local - MPSCS subscriber fees .....	28,100
Local - school bus revenue .....	1,700
Highway safety fund .....	179,500
Nuclear plant emergency planning reimbursement .....	39,300
Precision driving track fees .....	287,200
Criminal justice information center service fees .....	817,900
Traffic law enforcement and safety fund .....	178,300
Reimbursed services .....	1,301,700
Forensic science reimbursement fees .....	36,000
Michigan justice training fund .....	3,700
Narcotics investigation revenues .....	27,400
State forensic laboratory fund .....	36,100
State services fee fund .....	13,500
Motor carrier fees .....	156,700
State general fund/general purpose .....	\$ 13,998,000
<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
Full-time equated classified positions .....	30.0
State program planning and administration—8.0 FTE positions .....	\$ 1,030,300
Secondary road patrol program—2.0 FTE positions .....	14,037,000
Truck safety program—1.0 FTE position .....	3,008,800
Federal highway traffic safety coordination—19.0 FTE positions .....	12,572,900
<b>GROSS APPROPRIATION</b> .....	\$ 30,649,000
Appropriated from:	
Federal revenues:	
DOT .....	12,503,900
DOJ .....	579,000
Special revenue funds:	
Truck driver safety fund .....	3,008,800
Secondary road patrol and training fund .....	14,037,000
State general fund/general purpose .....	\$ 520,300
<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>	
Full-time equated classified positions .....	128.0
Criminal justice information center division—108.0 FTE positions .....	\$ 10,812,900
Criminal records improvement—1.0 FTE position .....	2,249,300
Traffic safety—19.0 FTE positions .....	1,886,400
<b>GROSS APPROPRIATION</b> .....	\$ 14,948,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOS .....	337,200
IDG-MDOT, state trunkline fund .....	874,600
Federal revenues:	
DOJ .....	2,249,300
DOT .....	482,100
Special revenue funds:	
Traffic crash revenue .....	80,000
Motor carrier fees .....	112,500
Sex offender registration fund .....	63,100
Criminal justice information center service fees .....	9,475,400
State general fund/general purpose .....	\$ 1,274,400



For Fiscal Year  
Ending Sept. 30,  
2011

**Sec. 107. FORENSIC SCIENCES**

Full-time equated classified positions .....	269.5	
Laboratory operations—212.0 FTE positions .....		\$ 28,488,600
DNA analysis program—57.5 FTE positions .....		8,167,000
Detroit laboratory .....		100
<b>GROSS APPROPRIATION</b> .....		<u>\$ 36,655,700</u>
Appropriated from:		
Federal revenues:		
DOJ .....		4,169,000
DOT .....		655,900
Federal narcotics investigation revenues .....		510,200
Special revenue funds:		
Forensic science reimbursement fees .....		1,515,900
State forensic laboratory fund .....		1,795,500
Narcotic investigation revenues .....		1,705,000
Criminal justice information center service fees .....		60,200
State services fee fund .....		9,505,900
State general fund/general purpose .....		<u>\$ 16,738,100</u>

**Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

Full-time equated classified positions .....	22.0	
Standards and training/justice training grants—20.0 FTE positions .....		\$ 9,004,000
Concealed weapons enforcement training .....		100,000
Training only to local units—2.0 FTE positions .....		622,700
Mental health awareness training .....		100,000
Public safety officers benefit program .....		149,600
<b>GROSS APPROPRIATION</b> .....		<u>\$ 9,976,300</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDOC, contract .....		100,000
Federal revenues:		
DOJ .....		175,000
Special revenue funds:		
Secondary road patrol and training fund .....		622,700
Michigan justice training fund .....		8,006,400
Licensing fees .....		9,100
Concealed weapons enforcement fee .....		100,000
State general fund/general purpose .....		<u>\$ 963,100</u>

**Sec. 109. EMERGENCY MANAGEMENT**

Full-time equated classified positions .....	80.5	
Emergency management planning and administration—31.0 FTE positions .....		\$ 5,390,600
Grants to local government .....		2,482,100
FEMA program assistance—18.0 FTE positions .....		4,904,000
Nuclear power plant emergency planning—6.0 FTE positions .....		1,799,300
Hazardous materials programs—25.5 FTE positions .....		47,217,600
Interdepartmental grant to legislature .....		200,000
<b>GROSS APPROPRIATION</b> .....		<u>\$ 61,993,600</u>
Appropriated from:		
Federal revenues:		
DOT .....		584,800
DHS .....		55,547,400
Special revenue funds:		
Nuclear plant emergency planning reimbursement .....		1,799,300
Hazardous materials training center fees .....		1,508,200
State general fund/general purpose .....		<u>\$ 2,553,900</u>

**Sec. 110. POST UNIFORM SERVICES**

Full-time equated classified positions .....	1,387.0	
Uniform services—372.0 FTE positions .....		\$ 43,919,500

	For Fiscal Year Ending Sept. 30, 2011
Capitol security guards—7.0 FTE positions .....	642,900
At-post troopers—1,008.0 FTE positions.....	139,235,800
Reimbursed services .....	1,879,500
<b>GROSS APPROPRIATION</b> .....	<b>\$ 185,677,700</b>
Appropriated from:	
Special revenue funds:	
Criminal justice information center service fees.....	785,600
Narcotics investigation revenues .....	1,033,600
Highway safety fund .....	15,325,700
Traffic law enforcement and safety fund.....	28,918,700
Trooper school recruitment fund .....	1,000
State police service fees .....	1,879,500
State general fund/general purpose .....	<b>\$ 137,733,600</b>
<b>Sec. 111. STATEWIDE FIELD OPERATIONS</b>	
Full-time equated classified positions .....	61.0
Operational support—54.0 FTE positions.....	<b>\$ 6,912,200</b>
Aviation program—7.0 FTE positions .....	1,495,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 8,407,200</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC, contract.....	105,300
Special revenue funds:	
Private donations .....	269,800
Rental of department aircraft.....	51,800
State general fund/general purpose .....	<b>\$ 7,980,300</b>
<b>Sec. 112. SPECIAL INVESTIGATIONS</b>	
Full-time equated classified positions .....	342.0
Criminal investigations—217.0 FTE positions.....	<b>\$ 30,017,900</b>
Federal antidrug initiatives—65.5 FTE positions.....	8,756,400
Reimbursed services, materials, and equipment—0.5 FTE position.....	2,688,000
Auto theft prevention—13.0 FTE positions .....	1,413,500
Casino gaming oversight—32.0 FTE positions.....	4,625,100
Fire investigation—14.0 FTE positions.....	1,679,700
Fire investigation training to locals .....	50,000
Parole absconder sweeps .....	10,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 49,241,500</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDT, auto theft funds .....	1,027,000
IDG-MDTR, casino gaming fees.....	4,625,100
Federal revenues:	
Federal investigations - reimbursed services.....	764,100
DOJ.....	3,656,800
DOJ (ARRA).....	2,000,000
Federal narcotics investigation revenues .....	463,800
Special revenue funds:	
Local - reimbursed services.....	1,923,900
Narcotics investigation revenues .....	719,100
Michigan merit award trust fund.....	629,900
Forfeiture funds .....	576,600
State general fund/general purpose .....	<b>\$ 32,855,200</b>
<b>Sec. 113. TRAFFIC SAFETY</b>	
Full-time equated classified positions .....	205.0
Motor carrier enforcement—101.0 FTE positions.....	<b>\$ 11,185,900</b>
Truck safety enforcement team operations—10.0 FTE positions .....	1,375,000
Safety inspections—63.0 FTE positions.....	6,943,400

	For Fiscal Year Ending Sept. 30, 2011
School bus inspections—4.0 FTE positions .....	421,000
Safety projects—10.0 FTE positions .....	1,712,100
Traffic services—17.0 FTE positions .....	5,144,600
GROSS APPROPRIATION .....	\$ 26,782,000
Appropriated from:	
Interdepartmental grant revenues:	
IDT, truck safety fund .....	1,375,000
IDG-MDOT, state trunkline fund .....	8,939,400
Federal revenues:	
DOT .....	8,936,400
Special revenue funds:	
Local school bus revenue .....	421,000
Drunk driving prevention and training fund .....	1,180,700
Motor carrier fees .....	4,374,700
State general fund/general purpose .....	\$ 1,554,800
<b>Sec. 114. INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 20,203,000
Michigan public safety communications system .....	13,138,000
GROSS APPROPRIATION .....	\$ 33,341,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDTR, casino gaming fees .....	91,100
IDG-MDOT, state trunkline fund .....	250,600
IDG, training academy charges .....	8,500
IDG-MDOS .....	4,500
IDG-MDTR, emergency telephone fund coordinator .....	4,700
IDG-MDTR, emergency telephone fund operations .....	64,500
IDG - auto theft funds .....	5,700
IDT - truck safety fund .....	10,100
Federal revenues:	
DOJ .....	539,700
DHS .....	619,500
DOT .....	214,900
Special revenue funds:	
Local - LEIN fees .....	2,159,800
Local - AFIS fees .....	77,400
Local - MPSCS subscriber and maintenance fees .....	1,639,900
Local - school bus revenue .....	1,900
Criminal justice information center service fees .....	4,515,500
Drunk driving prevention and training fund .....	1,900
Forensic science reimbursement fees .....	66,100
Hazardous materials center fees .....	1,900
Michigan justice training fund .....	44,600
Narcotics investigation revenue .....	13,100
Nuclear plant emergency planning reimbursement .....	4,900
Precision driving track fees .....	300
Secondary road patrol and training fund .....	397,400
Sex offender registration fund .....	216,300
State forensic laboratory fund .....	162,800
Reimbursed services .....	157,400
Motor carrier fees .....	257,400
Commercial mobile radio service fees .....	7,000,000
Traffic law enforcement and safety fund .....	79,000
Highway safety fund .....	49,200
Michigan merit award trust fund .....	1,000
State services fee fund .....	30,300
Traffic crash revenue .....	231,300
State general fund/general purpose .....	\$ 14,417,800

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

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

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

Secondary road patrol program .....	\$	13,921,900
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units .....	\$	410,800
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Justice training grants.....	\$	4,605,600
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SPECIAL INVESTIGATIONS

Fire investigation training for locals .....	\$	50,000
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SUPPORT SERVICES

Management services .....	\$	478,600
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Total.....	\$	19,466,900
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Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "AFIS" means the automated fingerprint identification system.
- (b) "ARRA" means the American recovery and reinvestment act of 2009.
- (c) "Department" means the department of state police.
- (d) "DHS" means the United States department of homeland security.
- (e) "DNA" means deoxyribonucleic acid.
- (f) "DOJ" means the United States department of justice.
- (g) "DOT" means the United States department of transportation.
- (h) "FEMA" means the federal emergency management agency.
- (i) "FTE" means full-time equated.
- (j) "IDG" means interdepartmental grant.
- (k) "IDT" means intradepartmental transfer.
- (l) "LEIN" means law enforcement information network.
- (m) "MCOLES" means the Michigan commission on law enforcement standards.
- (n) "MDCH" means the Michigan department of community health.
- (o) "MDMB" means the Michigan department of technology, management, and budget.
- (p) "MDOC" means the Michigan department of corrections.
- (q) "MDOS" means the Michigan department of state.
- (r) "MDOT" means the Michigan department of transportation.
- (s) "MDTR" means the Michigan department of treasury.
- (t) "MPSCS" means the Michigan public safety communications system.

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

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

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

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

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

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

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

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

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

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

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

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

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

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

(a) The amount of money received and expended.

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

(c) The positions and classifications of employees assigned.

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

(e) The number of enlisted and civilian positions.

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

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

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

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

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

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

(3) The department shall submit quarterly written reports to the senate and house appropriations subcommittees on state police and military and veterans affairs no later than December 1, 2010, March 1, 2011, June 1, 2011, and September 1, 2011 which shall include a trooper strength report and the status of the department's plan for accomplishing the goal of subsection (2). If the department determines that insufficient appropriations exist under part 1 to accomplish the goal of subsection (2), the department shall submit a proposal outlining a plan to accomplish the goal, including an accounting of any additional funding necessary to that end.



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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

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

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

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

Sec. 226. The department of state police, in cooperation with the department of technology, management, and budget, shall take steps to encourage the development of state, local, and regional tactical interoperable communication plans with the ultimate goal being to ensure that effective and efficient communication interoperability between radio communication systems of local, regional, state, and federal agencies is established in every area of the state. The department shall provide a written report to the senate and house appropriations subcommittees on state police and military and veterans affairs no later than April 1, 2011 on the current status of reaching this objective. The report shall include an accounting of exactly where within the state desired interoperability has been achieved and what cooperative measures and use of technology were used to achieve this interoperability, and which areas of the state have not yet achieved such status. The report shall also include a description of what strategies need to be employed to ensure that the remaining areas of the state, and the state as a whole, will have a communication system with efficient and effective interoperability, particularly on occasions when a multijurisdictional response to an emergency is warranted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **INFORMATION TECHNOLOGY**

Sec. 301. During fiscal year 2010-2011, an agency shall not be billed a user fee to support the LEIN system except for those agencies with an outstanding balance related to prior years' LEIN user fees. Those agencies with an outstanding balance shall be billed a LEIN user fee based upon the rate schedule established for fiscal year 2009-2010.

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

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

Sec. 304. A portion of the funds appropriated in part 1 shall be used by the department to produce a written report detailing departmental policies regarding access to and use of information from the LEIN system. The report shall include a description of departmental measures to protect the security of information in the LEIN system including safeguards that would prevent unauthorized persons from obtaining information from the LEIN system. The department shall submit a copy of this report to the senate and house appropriations committees not later than April 1, 2011.

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

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

(2) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1, 2010.

Sec. 307. The department of state police shall serve as an active liaison between the department of technology, management, and budget and local public safety agencies to facilitate the use of the Michigan public safety communications system towers by those local public safety agencies that have an interest in using the towers as a part of their own communications system. The department of state police shall deliver a written report to the senate and house appropriations subcommittees on state police and military and veterans affairs by April 1, 2011, which shall include an assessment of the progress toward establishing local public safety agency use of the Michigan public safety communications system towers, an accounting of problems that may be preventing local use of the towers, and any recommendations the department has that may foster this utilization.

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

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

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

#### **HIGHWAY SAFETY PLANNING**

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

#### **FORENSIC SCIENCES**

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

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

#### **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

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

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

#### **EMERGENCY MANAGEMENT**

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

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

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

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

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

#### **POST UNIFORM SERVICES**

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

Sec. 902. From the funds appropriated in part 1 for capitol security guards, the department shall use these funds for security services at the state capitol building. However, this shall not preclude the capitol security guards from responding to emergencies at the house office building, Farnum building, capitol parking lot, and Roosevelt parking ramp.

#### **STATEWIDE FIELD OPERATIONS**

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

#### **SPECIAL INVESTIGATIONS**

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

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

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

#### **MOTOR CARRIER ENFORCEMENT**

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

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

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

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

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



Second: That the House and Senate 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, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

Richard LeBlanc  
John Espinoza  
Bob Genetski  
Conferees for the House

Valde Garcia  
Alan L. Cropsey  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Roberts moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 374**

**Yeas—107**

Agema	Durhal	Kurtz	Proos
Amash	Ebli	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Genetski	Lindberg	Schmidt, W.
Bennett	Gonzales	Lipton	Schuitmaker
Bledsoe	Green	Liss	Scott, B.
Bolger	Gregory	Lori	Scott, P.
Booher	Griffin	Lund	Scripps
Brown, L.	Haase	Marleau	Segal
Brown, T.	Haines	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Slavens
Byrum	Hansen	McMillin	Slezak
Calley	Haug	Meadows	Smith
Caul	Haveman	Meekhof	Spade
Clemente	Hildenbrand	Melton	Stamas
Constan	Horn	Meltzer	Stanley
Corriveau	Huckleberry	Miller	Switalski
Crawford	Jackson	Moss	Tlaib
Cushingberry	Johnson	Nathan	Tyler
Daley	Jones, Rick	Nerat	Valentine
Dean	Jones, Robert	Neumann	Walsh
Denby	Kandrevas	Opsommer	Warren
DeShazor	Kennedy	Pavlov	Womack
Dillon	Knollenberg	Pearce	Young
Donigan	Kowall	Polidori	

**Nays—0**



**Second Reading of Bills**

**House Bill No. 5307, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by repealing sections 109i and 109j (MCL 400.109i and 400.109j).

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Appropriations,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Cushingberry moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Roberts moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5307, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by repealing sections 109i and 109j (MCL 400.109i and 400.109j).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 375**

**Yeas—103**

Agema	Durhal	Kowall	Proos
Amash	Ebli	Kurtz	Roberts
Angerer	Elsenheimer	Lahti	Rocca
Barnett	Espinoza	LeBlanc	Rogers
Bauer	Geiss	Leland	Schmidt, R.
Bennett	Genetski	Lemmons	Schmidt, W.
Bledsoe	Gonzales	Lindberg	Schuitmaker
Bolger	Green	Lipton	Scott, B.
Booher	Gregory	Liss	Scott, P.
Brown, L.	Griffin	Lori	Scripps
Brown, T.	Haase	Lund	Segal
Byrnes	Haines	Marleau	Sheltrown
Byrum	Hammel	Mayer	Slavens
Calley	Hansen	McDowell	Slezak
Caul	Haugh	McMillin	Smith
Clemente	Haveman	Meadows	Spade
Constan	Hildenbrand	Meekhof	Stamas
Corriveau	Horn	Melton	Stanley
Crawford	Huckleberry	Meltzer	Switalski
Cushingberry	Jackson	Moss	Tlaib
Daley	Johnson	Nathan	Tyler
Dean	Jones, Rick	Nerat	Valentine
Denby	Jones, Robert	Neumann	Walsh
DeShazor	Kandrevas	Opsommer	Warren
Dillon	Kennedy	Pavlov	Womack
Donigan	Knollenberg	Polidori	

**Nays—4**

Ball	Miller	Pearce	Young
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In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Roberts moved to amend the title to read as follows:

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 1b (MCL 400.1b), as amended by 1995 PA 223.

The motion prevailed.

The House agreed to the title as amended.

Rep. Roberts moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 5599, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2008 PA 48.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Appropriations (for amendment, see House Journal No. 77, p. 1333),

The amendment was adopted, a majority of the members serving voting therefor.

Rep. LeBlanc moved to amend the bill as follows:

1. Amend page 4, line 8, after "**EXCEED**" by striking out "**\$5,000,000.00**" and inserting "**\$7,000,000.00**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Denby moved to amend the bill as follows:

1. Amend page 4, line 11, after "**SYSTEM.**" by inserting "**ANY MONEY REMAINING IN THE FUND ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION THAT WAS TRANSFERRED FROM THE CMRS EMERGENCY TELEPHONE FUND SHALL BE DISTRIBUTED TO CMRS CUSTOMERS IN THIS STATE ON A PRO RATA BASIS.**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Cushingberry moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Roberts moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5599, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2008 PA 48.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 376

#### Yeas—63

Angerer	Durhal	Lahti	Schmidt, R.
Barnett	Ebli	LeBlanc	Scott, B.
Bauer	Espinoza	Leland	Scripps
Bennett	Geiss	Lemmons	Segal
Bledsoe	Gonzales	Lindberg	Sheltrown
Brown, L.	Gregory	Lipton	Slavens
Brown, T.	Griffin	Liss	Slezak
Byrnes	Haase	McDowell	Smith
Byrum	Hammel	Meadows	Spade
Clemente	Haugh	Melton	Stanley

Constan	Huckleberry	Miller	Switalski
Corriveau	Jackson	Nathan	Tlaib
Cushingberry	Johnson	Nerat	Valentine
Dean	Jones, Robert	Neumann	Warren
Dillon	Kandrevas	Polidori	Womack
Donigan	Kennedy	Roberts	

#### Nays—44

Agema	Elsenheimer	Kurtz	Pearce
Amash	Genetski	Lori	Proos
Ball	Green	Lund	Rocca
Bolger	Haines	Marleau	Rogers
Booher	Hansen	Mayer	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Scott, P.
Crawford	Horn	Meltzer	Stamas
Daley	Jones, Rick	Moss	Tyler
Denby	Knollenberg	Opsommer	Walsh
DeShazor	Kowall	Pavlov	Young

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Roberts moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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Rep. Roberts moved that House Committees be given leave to meet during the balance of today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Rep. Roberts moved that when the House adjourns today it stand adjourned until Wednesday, September 15, at 10:00 a.m.

The motion prevailed.

Reps. Valentine, Liss, Barnett, Johnson, Bauer, Warren, Donigan, Huckleberry, Leland, Bettie Scott, Bledsoe, Scripps, Jackson, Young, Roberts, Tlaib, Nathan, Slavens, Kennedy, Womack, Haugh, Meadows, Miller, Melton, Slezak, Haase, Spade, Polidori, Gonzales, Neumann, Lemmons and Sheltroun offered the following resolution:

#### House Resolution No. 326.

A resolution to encourage federal mortgage loan servicers to participate in the administration of the federal Hardest Hit Fund.

Whereas, Michigan's homeowners have been hit especially hard by the housing crisis. Medical emergencies, layoffs, unemployment, and underemployment have caused thousands of Michigan residents to fall behind in mortgage payments or become unable to make any payments at all; and

Whereas, The federal government has recognized Michigan's plight and made available \$154.5 million to immediately assist struggling homeowners through payment assistance, rescue funds, and federal matching funds to reduce mortgage principal, with an additional \$128.4 million on the way; and

Whereas, The Hardest Hit Fund can potentially enable more than 17,000 Michigan homeowners to stay in their homes, stabilize communities throughout Michigan, and avoid the trauma and embarrassment of foreclosure; and

Whereas, The Hardest Hit Fund can only be accessed by the homeowner if their mortgage loan servicer agrees to participate in the federal program; and

Whereas, Despite receiving billions of dollars in federal bailout money, some of our nation's largest mortgage loan servicers have declined in turn to help bail out our nation's homeowners. At this time, many large federal banks operating in Michigan have opted to not participate in the program, blunting the effectiveness of the Hardest Hit Fund across the country and unnecessarily causing Michigan residents to lose their homes; now, therefore, be it

Resolved by the House of Representatives, That we encourage federal mortgage loan servicers to participate in the administration of the federal Hardest Hit Fund; and be it further

Resolved, That copies of this resolution be transmitted to American Bankers Association, the Credit Union National Association, the Michigan Bankers Association, the Michigan Credit Union League, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Banking and Financial Services.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, September 9, for her approval of the following bills:

**Enrolled House Bill No. 6086 at 9:33 a.m.**

**Enrolled House Bill No. 5221 at 1:18 p.m.**

**Enrolled House Bill No. 5678 at 1:20 p.m.**

**Enrolled House Bill No. 5679 at 1:22 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, September 9:

<b>House Bill Nos.</b>	<b>6413</b>	<b>6414</b>	<b>6415</b>	<b>6416</b>	<b>6417</b>	<b>6418</b>	<b>6419</b>	<b>6420</b>	<b>6421</b>	<b>6422</b>	<b>6423</b>	<b>6424</b>	<b>6425</b>	<b>6426</b>

<b>Senate Bill Nos.</b>	<b>1480</b>	<b>1481</b>	<b>1482</b>	<b>1483</b>	<b>1484</b>	<b>1485</b>
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### Messages from the Senate

#### **House Bill No. 6247, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 4 (MCL 168.4), as amended by 2003 PA 302.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### **House Bill No. 6248, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as amended by 2005 PA 71.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### Notices

Pursuant to Rule 41, the Speaker has made the following reassignment:

**House Bill No. 6421** referred to the Committee on Tax Policy on September 13, 2010.

### Messages from the Governor

Date: September 9, 2010  
Time: 10:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6086 (Public Act No. 158, I.E.), being**

An act to make, supplement, and adjust appropriations for various state departments and agencies and for community colleges for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

(Filed with the Secretary of State September 9, 2010, at 10:20 a.m.)

### Announcements by the Clerk

September 1, 2010

Received from the Auditor General financial statements, together with the Auditors' Report, of the Bureau of State Lottery for the six-month periods ended March 31, 2010 and 2009.

September 8, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Follow-up Report on Computer Equipment Surplus and Salvage, Department of Technology, Management & Budget, September 2010.

September 8, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Follow-up Report on Teradata Data Warehouse, Department of Technology, Management & Budget, September 2010.

September 10, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Follow-up of the performance audit of the Qualified Voter File and Digital Driver's License Systems, Department of State and Department of Information Technology, September 2010.

Richard J. Brown  
Clerk of the House

By unanimous consent the House returned to the order of

### Introduction of Bills

Reps. Rick Jones, Genetski, Haveman, Sheltroun, Knollenberg, Pavlov, Crawford, Marleau, Hansen, Haines, Moss, Meltzer, Daley, Tyler, Bolger, Lori, Rogers, Hildenbrand, Ball, Walsh, Green, Stamas, Denby, Rocca, Kurtz, Horn, Opsommer, Pearce, Lund, Paul Scott, Agema, Booher, Calley, Caul, McMillin and Kowall introduced

**House Bill No. 6428, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2836a. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Genetski, Rick Jones, Haveman, Sheltroun, Knollenberg, Pavlov, Crawford, Marleau, Hansen, Haines, Moss, Meltzer, Daley, Tyler, Bolger, Lori, Rogers, Hildenbrand, Ball, Walsh, Green, Stamas, Denby, Rocca, Kurtz, Horn, Opsommer, Pearce, Lund, Paul Scott, Agema, Booher, Calley, Caul, McMillin and Kowall introduced

**House Bill No. 6429, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Slavens, Rick Jones, Ball and Liss introduced

**House Bill No. 6430, entitled**

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 107 (MCL 462.107) and by adding section 364.

The bill was read a first time by its title and referred to the Committee on Judiciary.



Reps. Meadows, Rick Jones, Slavens, Ball and Liss introduced

**House Bill No. 6431, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104, 80180, 80181, 81141, 82136, and 82137 (MCL 324.80104, 324.80180, 324.80181, 324.81141, 324.82136, and 324.82137), section 80104 as amended by 2004 PA 587, section 80180 as amended by 2007 PA 8, sections 80181, 82136, and 82137 as added by 1995 PA 58, and section 81141 as amended by 1996 PA 175.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Rick Jones, Slavens, Ball and Liss introduced

**House Bill No. 6432, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319d, 320a, and 625a (MCL 257.319d, 257.320a, and 257.625a), section 319d as amended by 1996 PA 404, section 320a as amended by 2010 PA 58, and section 625a as amended by 2003 PA 61, and by adding section 43a.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Barnett, Meadows, Gregory, Donigan, Roy Schmidt, Leland, Haugh, Geiss, Stanley, Bledsoe, Crawford and Rogers introduced

**House Bill No. 6433, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 1, 2, and 2a (MCL 691.1401, 691.1402, and 691.1402a), section 1 as amended by 2001 PA 131 and section 2 as amended and section 2a as added by 1999 PA 205.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Lipton, Smith, Liss, Young, Bledsoe and Clemente introduced

**House Bill No. 6434, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 22216. The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Clemente introduced

**House Bill No. 6435, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 460 (MCL 208.1460), as added by 2008 PA 335.

The bill was read a first time by its title and referred to the Committee on Energy and Technology.

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Rep. Haugh moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 15, at 10:00 a.m.

