

SUBSTITUTE FOR  
SENATE BILL NO. 280

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

PART 1

## Senate Bill No. 280 as amended June 15, 2005

## 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, 2006, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF STATE POLICE**

## APPROPRIATION SUMMARY:

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

Full-time equated classified positions ..... 2,906.0

GROSS APPROPRIATION ..... \$ <<543,575,100>>

## Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers ..... 20,295,700

ADJUSTED GROSS APPROPRIATION ..... \$ <<523,279,400>>

## Federal revenues:

Total federal revenues ..... 170,821,000

## Special revenue funds:

Total local revenues ..... 5,597,900

Total private revenues ..... 11,200

Total state restricted revenues ..... 112,782,100

State general fund/general purpose ..... \$ <<234,067,200>>

**Sec. 102. EXECUTIVE DIRECTION**

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

Full-time equated classified positions ..... 39.0

Unclassified positions ..... \$ 238,300

Executive direction--34.0 FTE positions ..... 3,493,200

1	Auto theft prevention program--5.0 FTE positions .....	<u>7,133,500</u>
2	GROSS APPROPRIATION .....	\$ 10,865,000
3	Appropriated from:	
4	Special revenue funds:	
5	Auto theft prevention fund .....	7,133,500
6	Michigan justice training fund .....	126,700
7	State general fund/general purpose .....	\$ 3,604,800
8	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>	
9	Special maintenance and utilities .....	\$ 479,400
10	Rent and building occupancy charges .....	8,057,500
11	Worker's compensation .....	3,090,000
12	Fleet leasing .....	13,919,200
13	In-service training .....	850,000
14	Narcotics investigation funds .....	<u>265,000</u>
15	GROSS APPROPRIATION .....	\$ 26,661,100
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG, training academy charges .....	227,500
19	IDT, Michigan justice training fund .....	850,000
20	Federal revenues:	
21	Federal narcotics investigation revenues .....	95,000
22	DOJ .....	40,400
23	DOT .....	20,200
24	DHS .....	9,300
25	Special revenue funds:	
26	Forensic science reimbursement fee .....	80,800
27	Narcotics investigation revenues .....	170,000

1	State forensic laboratory fund .....	80,800
2	Criminal justice information center service fees .....	119,400
3	Secondary road patrol and training fund .....	2,600
4	Hazardous materials training center fees .....	65,500
5	Michigan justice training fund .....	5,200
6	Motor carrier fees .....	6,000
7	Highway safety fund .....	6,400
8	Traffic law enforcement and safety fund .....	12,700
9	State general fund/general purpose .....	\$ 24,869,300
10	<b>Sec. 104. SUPPORT SERVICES</b>	
11	Full-time equated classified positions ..... 129.0	
12	Human resources--26.0 FTE positions .....	\$ 2,026,100
13	Human resources optimization user charges .....	88,600
14	Management services--35.0 FTE positions .....	2,563,400
15	Training administration--37.0 FTE positions .....	4,450,900
16	Communications--8.0 FTE positions .....	4,339,000
17	Budget and financial services--23.0 FTE positions ....	<u>1,902,500</u>
18	GROSS APPROPRIATION .....	\$ 15,370,500
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDT, auto theft funds .....	23,800
22	IDG, training academy charges .....	3,005,700
23	IDT, truck safety fund .....	4,600
24	IDG-MDOT, state trunkline fund .....	30,000
25	IDG-MDTR, casino gaming fees .....	31,000
26	Special revenues funds:	
27	Local - LEIN fees .....	36,100

1	Highway safety fund.....	127,200
2	Auto theft prevention fund.....	4,600
3	Nuclear plant emergency planning reimbursement .....	3,300
4	Precision driving track fees .....	287,900
5	Criminal justice information center service fees .....	146,500
6	Traffic law enforcement and safety fund .....	220,100
7	Reimbursed services .....	47,200
8	Motor carrier fees .....	141,100
9	State general fund/general purpose .....	\$ 11,261,400
10	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
11	Full-time equated classified positions..... 26.0	
12	State program planning and administration--14.0 FTE	
13	positions .....	\$ 1,187,200
14	Grants to local governments and nonprofit	
15	organizations.....	4,500,000
16	Secondary road patrol program--2.0 FTE positions .....	14,020,100
17	Truck safety program--2.0 FTE positions .....	2,993,300
18	Highway traffic safety coordination--8.0 FTE positions	<u>6,057,000</u>
19	GROSS APPROPRIATION.....	\$ 28,757,600
20	Appropriated from:	
21	Federal revenues:	
22	DOT.....	10,646,000
23	DOJ.....	570,100
24	Special revenue funds:	
25	Truck driver safety fund.....	2,993,300
26	Secondary road patrol and training fund .....	14,020,100
27	State general fund/general purpose .....	528,100

1	<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>		
2	Full-time equated classified positions.....	95.0	
3	Criminal justice information center division--	78.0	
4	FTE positions.....		\$ 7,677,700
5	Criminal records improvement--1.0 FTE position .....		4,741,700
6	Traffic safety--16.0 FTE positions .....		<u>2,557,500</u>
7	GROSS APPROPRIATION.....		\$ 14,976,900
8	Appropriated from:		
9	Interdepartmental grant revenues:		
10	IDG-MDOS.....		315,900
11	IDG-MDOT, state trunkline fund.....		347,500
12	Federal revenues:		
13	DOJ.....		4,741,700
14	DOT.....		1,413,800
15	Special revenue funds:		
16	Local - LEIN fees.....		205,100
17	Sex offender registration fund.....		256,400
18	Criminal justice information center service fees .....		6,386,200
19	State general fund/general purpose .....		\$ 1,310,300
20	<b>Sec. 107. FORENSIC SCIENCES</b>		
21	Full-time equated classified positions.....	220.0	
22	Laboratory operations--180.0 FTE positions .....		\$ 18,844,100
23	DNA analysis program--40.0 FTE positions .....		<u>8,720,600</u>
24	GROSS APPROPRIATION.....		\$ 27,564,700
25	Appropriated from:		
26	Federal revenues:		
27	DOJ.....		3,601,200

1	DOT.....		730,900
2	Special revenue funds:		
3	Forensic science reimbursement fees .....		2,152,500
4	State forensic laboratory fund .....		1,662,600
5	State general fund/general purpose .....	\$	19,417,500
6	<b>Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT</b>		
7	<b>STANDARDS</b>		
8	Full-time equated classified positions..... 28.0		
9	Standards and training--22.0 FTE positions .....	\$	2,305,500
10	Justice training grants--4.0 FTE positions .....		10,247,600
11	Concealed weapons enforcement training .....		140,000
12	Training only to local units--2.0 FTE positions .....		839,000
13	Officer's survivor tuition program .....		48,800
14	Public safety officers benefit program .....		<u>150,000</u>
15	GROSS APPROPRIATION .....	\$	13,730,900
16	Appropriated from:		
17	Federal revenues:		
18	DOJ.....		391,200
19	Special revenue funds:		
20	Secondary road patrol and training fund .....		839,000
21	Michigan justice training fund .....		10,970,200
22	Licensing fees .....		54,300
23	Concealed weapons enforcement fee .....		140,000
24	State general fund/general purpose .....	\$	1,336,200
25	<b>Sec. 110. EMERGENCY MANAGEMENT</b>		
26	Full-time equated classified positions..... 72.0		
27	Emergency management planning and		

1	administration--55.0 FTE positions.....	\$	4,397,900
2	Grants to local government .....		2,482,100
3	FEMA program assistance--3.0 FTE positions .....		995,700
4	Nuclear power plant emergency planning--6.0 FTE		
5	positions .....		1,266,500
6	Hazardous materials transportation--1.0 FTE position .		582,600
7	Hazardous materials programs--7.0 FTE positions .....		<u>121,703,400</u>
8	GROSS APPROPRIATION .....	\$	131,428,200
9	Appropriated from:		
10	Federal revenues:		
11	DOT.....		582,600
12	DHS.....		126,226,900
13	Special revenue funds:		
14	Nuclear plant emergency planning reimbursement .....		1,266,500
15	Hazardous materials training center fees .....		1,339,000
16	State general fund/general purpose .....	\$	2,013,200
17	<b>Sec. 111. UNIFORM SERVICES</b>		
18	Full-time equated classified positions..... 1,662.0		
19	Uniform services--506.0 FTE positions .....	\$	47,444,000
20	Security guards--15.0 FTE positions .....		1,014,200
21	Reimbursed services .....		2,173,200
22	At-post troopers--1,141.0 FTE positions .....		121,232,500
23	Commercial mobile radio service projects .....		<u>800,000</u>
24	GROSS APPROPRIATION .....	\$	172,663,900
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG-MDMB, building occupancy charges .....		610,100



1	IDG-MDTR, emergency telephone fund coordinator .....	400,000
2	IDG-MDTR, emergency telephone fund operations .....	400,000
3	Federal revenues:	
4	DOJ.....	1,694,100
5	Special revenue funds:	
6	Narcotic investigation revenues .....	45,900
7	Highway safety fund.....	21,951,400
8	Traffic law enforcement and safety fund .....	31,303,000
9	State police service fees .....	2,173,200
10	State general fund/general purpose .....	\$ 114,086,200
11	<b>Sec. 112. SPECIAL OPERATIONS</b>	
12	Full-time equated classified positions..... 49.0	
13	Operational support--34.0 FTE positions .....	\$ 2,935,600
14	Traffic services--10.0 FTE positions .....	3,543,400
15	Aviation program--5.0 FTE positions .....	<u>1,110,400</u>
16	GROSS APPROPRIATION.....	\$ 7,589,400
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	IDG-MDOC, contract .....	87,100
20	Federal revenues:	
21	DOT.....	1,666,000
22	Special revenue funds:	
23	Private donations .....	11,200
24	Rental of department aircraft .....	169,000
25	Drunk driving prevention and training fund .....	1,197,600
26	State general fund/general purpose .....	\$ 4,458,500
27	<b>Sec. 113. CRIMINAL INVESTIGATIONS</b>	

1	Full-time equated classified positions.....	372.0	
2	Criminal investigations--258.0 FTE positions .....		\$ 30,553,900
3	Federal antidrug initiatives--62.0 FTE positions .....		10,756,900
4	Reimbursed services, materials, and equipment .....		2,583,400
5	Auto theft prevention--9.0 FTE positions .....		1,511,900
6	Casino gaming oversight--32.0 FTE positions .....		3,948,700
7	Fire investigation--11.0 FTE positions .....		1,496,600
8	Fire investigation training to locals .....		<u>50,500</u>
9	GROSS APPROPRIATION.....		\$ 50,901,900
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDT, auto theft funds .....		1,230,800
13	IDG-MDTR, casino gaming fees .....		3,948,700
14	IDG-MDCH, tobacco tax .....		610,000
15	Federal revenues:		
16	Federal investigations - reimbursed services .....		734,100
17	DOJ.....		8,039,000
18	Federal narcotics investigation revenues .....		424,000
19	Special revenue funds:		
20	Local - reimbursed services .....		1,849,300
21	Narcotics investigation revenues .....		581,500
22	Forfeiture funds .....		390,100
23	State general fund/general purpose .....		\$ 33,094,400
24	<b>Sec. 114. MOTOR CARRIER ENFORCEMENT</b>		
25	Full-time equated classified positions.....	214.0	
26	Motor carrier enforcement--106.0 FTE positions .....		\$ 9,399,200
27	Truck safety enforcement team operations--10.0 FTE		

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1	positions .....	1,244,100
2	Safety inspections--64.0 FTE positions .....	7,616,800
3	School bus inspections--16.0 FTE positions .....	1,238,100
4	Safety projects--18.0 FTE positions .....	<u>1,975,500</u>
5	GROSS APPROPRIATION .....	\$ 21,473,700
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDT, truck safety fund .....	1,244,100
9	IDG-MDOT, state trunkline fund .....	6,816,000
10	Federal revenues:	
11	DOT .....	8,088,300
12	Special revenue funds:	
13	Motor carrier fees .....	4,087,200
14	State general fund/general purpose .....	\$ 1,238,100
15	<b>Sec. 115. INFORMATION TECHNOLOGY</b>	
16	Information technology services and projects .....	\$ <<21,591,300>>
17	GROSS APPROPRIATION .....	\$ <<21,591,300>>
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG-MDTR, casino gaming fees .....	79,700
21	IDG-MDOT, state trunkline fund .....	33,200
22	Federal revenues:	
23	DOT .....	1,106,200
24	Special revenue funds:	
25	Local - LEIN fees .....	3,471,000
26	Local - AFIS fees .....	36,400
27	Motor carrier fees .....	15,600

Senate Bill No. 280 as amended June 15, 2005

1 State general fund/general purpose ..... \$ <<16,849,200>>

2 PART 2

3 PROVISIONS CONCERNING APPROPRIATIONS

4 GENERAL SECTIONS

5 Sec. 201. Pursuant to section 30 of article IX of the state  
6 constitution of 1963, total state spending from state resources  
7 under part 1 for fiscal year 2005-2006 is <<\$346,849,300.00>> and state  
8 spending from state resources to be paid to local units of  
9 government for fiscal year 2005-2006 is \$20,518,700.00. The  
10 itemized statement below identifies appropriations from which  
11 spending to units of local government will occur:

12 DEPARTMENT OF STATE POLICE

13 OFFICE OF HIGHWAY SAFETY PLANNING

14 Secondary road patrol program ..... \$ 13,879,900

15 COMMISSION ON LAW ENFORCEMENT STANDARDS

16 Training only to local units ..... \$ 650,200

17 Justice training grants ..... 5,538,100

18 CRIMINAL INVESTIGATIONS

19 Fire investigation training for locals ..... 50,500

20 UNIFORM SERVICES

21 Commercial mobile radio service projects ..... \$ 400,000

22 Total ..... \$ 20,518,700

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

1       Sec. 203. As used in this act:

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

4       (b) "Department" means the department of state police.

5       (c) "DHS" means the United States department of homeland  
6 security.

7       (d) "DNA" means deoxyribonucleic acid.

8       (e) "DOJ" means the United States department of justice.

9       (f) "DOT" means the United States department of  
10 transportation.

11       (g) "FEMA" means the federal emergency management agency.

12       (h) "FTE" means full-time equated.

13       (i) "IDG" means interdepartmental grant.

14       (j) "IDT" means intradepartmental transfer.

15       (k) "LEIN" means law enforcement information network.

16       (l) "MCOLES" means the Michigan commission on law enforcement  
17 standards.

18       (m) "MDCH" means the Michigan department of community health.

19       (n) "MDMB" means the Michigan department of management and  
20 budget.

21       (o) "MDOC" means the Michigan department of corrections.

22       (p) "MDOS" means the Michigan department of state.

23       (q) "MDOT" means the Michigan department of transportation.

24       (r) "MDTR" means the Michigan department of treasury.

25       Sec. 204. The department of civil service shall bill the  
26 department at the end of the first fiscal quarter for the 1% charge  
27 authorized by section 5 of article XI of the state constitution of

1 1963. Payments shall be made for the total amount of the billing by  
2 the end of the second fiscal quarter.

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

10 (2) The state budget director shall grant exceptions to this  
11 hiring freeze when the state budget director believes that the  
12 hiring freeze will result in rendering a state department or agency  
13 unable to deliver basic services, cause loss of revenue to the  
14 state, result in the inability of the state to receive federal  
15 funds, or necessitate additional expenditures that exceed any  
16 savings from maintaining a vacancy. The state budget director shall  
17 report by the last business day of each month to the chairpersons  
18 of the senate and house of representatives standing committees on  
19 appropriations the number of exceptions to the hiring freeze  
20 approved during the previous month and the justification for the  
21 exception.

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

1 to the appropriate senate and house of representatives  
2 appropriations subcommittees and the senate and house fiscal  
3 agencies within 30 months.

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

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

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

25       Sec. 211. It is the intent of the legislature that personnel  
26 of the department who request and are eligible for reimbursement of  
27 expenses related to the operation of the department be reimbursed

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

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

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

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

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

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

24       Sec. 215. Not later than January 1, 2006, the department shall  
25 report to the state police appropriations subcommittees of the  
26 house and senate and the house and senate fiscal agencies. The  
27 report shall contain the following information regarding the



1 department's activities related to casino gaming oversight during  
2 fiscal year 2004-2005:

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

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

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

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

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

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

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

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

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

1 local law enforcement entities for investigation. The department  
2 may expend funds for the promotion of the hotline.

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

9 (2) From the funds appropriated in part 1 for at-post  
10 troopers, 1 or more trooper recruit schools of a size, length, and  
11 date to be determined by the department or the legislature shall be  
12 conducted during fiscal year 2005-2006 with the goal of maintaining  
13 at-post trooper strength of at least 1,075 on September 30, 2006.

14 (3) The department shall submit quarterly written reports to  
15 the senate and house appropriations subcommittees on state police  
16 and military and veterans affairs no later than December 1, 2005,  
17 March 1, 2006, June 1, 2006, and September 1, 2006 which shall  
18 include a trooper strength report and the status of the  
19 department's plan for accomplishing the goal of subsection (2). If  
20 the department determines that insufficient appropriations exist  
21 under part 1 to accomplish the goal of subsection (2), the  
22 department shall submit a proposal outlining a plan to accomplish  
23 the goal including an accounting of any additional funding  
24 necessary to that end.

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

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

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

13       Sec. 221. (1) Of the funds appropriated in part 1 for rent and  
14 building occupancy charges, funds shall be used for the necessary  
15 rental costs for a state police post in Marshall.

16       (2) From the funds appropriated in part 1, the state police  
17 and the department of management and budget shall conduct a study  
18 regarding the feasibility of a new state police post in Marshall to  
19 replace the current post in Battle Creek. The study shall review  
20 the possibility of partnering with local communities and first  
21 responders in the construction and occupancy of the new facility  
22 and shall be completed and the findings communicated to the senate  
23 and house of representatives appropriations subcommittees on state  
24 police by November 15, 2005.

25       Sec. 223. (1) Due to the current budgetary problems in this  
26 state, out-of-state travel for the fiscal year ending September 30,  
27 2006 shall be limited to situations in which 1 or more of the

1 following conditions apply:

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

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

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

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

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

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

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

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

1 budget director. The report shall include the following  
2 information:

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

5 (b) The destination of each travel occurrence.

6 (c) The dates of each travel occurrence.

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

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

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

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

#### 19 INFORMATION TECHNOLOGY

20 Sec. 301. The money appropriated in part 1 for computer  
21 services shall be funded by LEIN user fees sufficient to pay 1/3 of  
22 the service and contract maintenance costs of the LEIN system.

23 Sec. 302. From the funds appropriated in part 1 for  
24 information technology, the department shall pay user fees to the  
25 department of information technology for technology-related  
26 services and projects. These user fees shall be subject to

1 provisions of an interagency agreement between the department and  
2 the department of information technology.

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

10       Sec. 304. A portion of the funds appropriated in part 1 shall  
11 be used by the department to produce a written report detailing  
12 departmental policies regarding access to and use of information  
13 from the LEIN system. The report shall include a description of  
14 departmental measures to protect the security of information in the  
15 LEIN system including safeguards that would prevent unauthorized  
16 persons from obtaining information from the LEIN system. The  
17 department shall submit a copy of this report to the senate and  
18 house appropriations committees not later than April 1, 2006.

19       Sec. 305. The criminal justice information systems policy  
20 council shall encourage members of the law enforcement agencies in  
21 the state to be sensitive to, and note when necessary, activities  
22 or circumstances that may suggest the unauthorized access or misuse  
23 of information from the LEIN system. The criminal justice  
24 information systems policy council shall advise LEIN auditors, as a  
25 part of their audit of law enforcement agencies, to investigate in  
26 depth all suspected incidents of improper access or improper use of  
27 information from the LEIN system and determine whether or not those

1 incidents were illegal. In those incidents that may be determined  
2 to be illegal, the executive secretary for the council shall  
3 determine whether those incidents were of a negligent or criminal  
4 nature. If an incident is determined to be an illegal act, the  
5 council shall inform the chairs of both the senate and house  
6 appropriations committees.

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

15       (2) If the department determines that amendments to the code  
16 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are  
17 required to include all probation information on the LEIN system,  
18 the department shall deliver to members of the senate and house  
19 appropriations subcommittees on state police and military affairs  
20 amendments to the code of criminal procedure, 1927 PA 175, MCL  
21 760.1 to 777.69, that, in the department's view, are necessary to  
22 accomplish this goal. These proposed amendments shall be delivered  
23 to subcommittee members not later than December 1, 2005.

24       Sec. 307. The department of state police shall serve as an  
25 active liaison between the department of information technology and  
26 local public safety agencies to facilitate the use of the Michigan  
27 public safety communications system towers by those local public

1 safety agencies that have an interest in using the towers as a part  
2 of their own communications system. The department of state police  
3 shall deliver a written report to the senate and house  
4 appropriations subcommittees on state police and military and  
5 veterans affairs by April 1, 2006, which shall include an  
6 assessment of the progress toward establishing local public safety  
7 agency use of the Michigan public safety communications system  
8 towers, an accounting of problems that may be preventing local use  
9 of the towers, and any recommendations the department has that may  
10 foster this utilization.

#### 11 HIGHWAY SAFETY PLANNING

12 Sec. 401. On a quarterly basis, the department shall report to  
13 the senate and house appropriations subcommittees on state police  
14 and military affairs on the status of assessments collected and  
15 authorized under section 629e of the Michigan vehicle code, 1949 PA  
16 300, MCL 257.629e, for the purposes of supporting the secondary  
17 road patrol grant program. Each quarterly report shall contain  
18 updated information on collection levels, revised projected grant  
19 allotments to counties for the year, a comparison of projected  
20 collections and grant distribution levels with the funds  
21 appropriated in part 1 for the secondary road patrol program, and  
22 the extent collection levels have exceeded or failed to meet  
23 appropriated levels for the current fiscal year or expenditure  
24 levels from the previous fiscal year.

#### 25 FORENSIC SCIENCES



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

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

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

14    **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

20       Sec. 602. From the appropriations in part 1 for the training  
21 of new state troopers and other new police officers in the state  
22 and for the continuing education of all law enforcement officers in  
23 the state, sufficient funds shall be used to include curricula on  
24 the content and application of federal firearms laws, including the  
25 procedures necessary for law enforcement to turn appropriate cases  
26 over to the federal bureau of alcohol, tobacco, and firearms or any

1 other applicable federal criminal justice agency.

2 **EMERGENCY MANAGEMENT**

3       Sec. 801. (1) The state director of emergency management may  
4 expend money appropriated under this act to call upon any agency or  
5 department of the state or any resource of the state to protect  
6 life or property or to provide for the health or safety of the  
7 population in any area of the state in which the governor proclaims  
8 a state of emergency or state of disaster under 1945 PA 302, MCL  
9 10.31 to 10.33, or under the emergency management act, 1976 PA 390,  
10 MCL 30.401 to 30.421. The state director of emergency management  
11 may expend the amounts the director considers necessary to  
12 accomplish these purposes. The director shall submit to the state  
13 budget director as soon as possible a complete report of all  
14 actions taken under the authority of this section. The report shall  
15 contain, as a separate item, a statement of all money expended that  
16 is not reimbursable from federal money. The state budget director  
17 shall review the expenditures and submit recommendations to the  
18 legislature in regard to any possible need for a supplemental  
19 appropriation.

20       (2) In addition to the money appropriated in this act, the  
21 department may receive and expend money from local, private,  
22 federal, or state sources for the purpose of providing emergency  
23 management training to local or private interests and for the  
24 purpose of supporting emergency preparedness, response, recovery,  
25 and mitigation activity. If additional expenditure authorization in  
26 the Michigan administrative information network is approved by the

1 state budget office under this section, the department and the  
2 state budget office shall notify the house and senate  
3 appropriations subcommittees on state police and military and  
4 veterans affairs and the house and senate fiscal agencies within 10  
5 days after the approval. The notification shall include the amount  
6 and source of the additional authorization, the date of its  
7 approval, and the projected use of funds to be expended under the  
8 authorization.

9       Sec. 802. The department shall not make any purchases related  
10 to a statewide emergency management computer network unless  
11 authorized to do so by the director of the department of  
12 information technology.

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

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

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

## 21 **UNIFORM SERVICES**

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

1 this state from harm.

2 **SPECIAL OPERATIONS**

3 Sec. 1001. In addition to the appropriations in part 1 to the  
4 department of state police for the aviation program, the department  
5 is authorized to sell its aircraft and the proceeds from the sale  
6 are appropriated and may be applied to the renovation cost of  
7 replacement aircraft. If additional expenditure authorization in  
8 the Michigan administrative information network is approved by the  
9 state budget office under this section, the department and the  
10 state budget office shall notify the house and senate  
11 appropriations subcommittees on state police and military and  
12 veterans affairs and the house and senate fiscal agencies within 10  
13 days after the approval. The notification shall include the amount  
14 and source of the additional authorization, the date of its  
15 approval, and the projected use of funds to be expended under the  
16 authorization.

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

24 **CRIMINAL INVESTIGATIONS**

25 Sec. 1101. (1) There is sufficient money appropriated in part

1 to criminal 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. Criminal 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.

#### **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, 2006 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 2005:

(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

1 system.