

SUBSTITUTE FOR
SENATE BILL NO. 1096

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of state police for the fiscal year ending September 30, 2007, 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..... 2,900.0

GROSS APPROPRIATION..... \$ 566,788,500

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 22,642,400

ADJUSTED GROSS APPROPRIATION..... \$ 544,146,100

Federal revenues:

Total federal revenues..... 169,305,000

Special revenue funds:

Total local revenues..... 8,088,900

Total private revenues..... 80,300

Total state restricted revenues..... 111,373,200

State general fund/general purpose..... \$ 255,298,700

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..... 3,720,400

Auto theft prevention program--5.0 FTE positions 10,729,400

1	GROSS APPROPRIATION.....	\$	14,688,100
2	Appropriated from:		
3	Special revenue funds:		
4	Auto theft prevention fund.....		10,729,400
5	State general fund/general purpose.....	\$	3,958,700
6	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS		
7	Special maintenance and utilities.....	\$	447,600
8	Rent and building occupancy charges.....		9,039,600
9	Worker's compensation.....		2,917,000
10	Fleet leasing.....		13,919,200
11	In-service training.....		850,000
12	Narcotics investigation funds.....		<u>265,000</u>
13	GROSS APPROPRIATION.....	\$	27,438,400
14	Appropriated from:		
15	Interdepartmental grant revenues:		
16	IDG, training academy charges.....		255,200
17	IDT, Michigan justice training fund.....		850,000
18	Federal revenues:		
19	Federal narcotics investigation revenues.....		95,000
20	DOT.....		22,700
21	DHS.....		10,400
22	Special revenue funds:		
23	Forensic science reimbursement fee.....		90,600
24	Narcotics investigation revenues.....		170,000
25	State forensic laboratory fund.....		90,600
26	Criminal justice information center service fees.....		179,500
27	Secondary road patrol and training fund.....		2,900

1	Hazardous materials training center fees	73,500
2	Michigan justice training fund	5,800
3	Motor carrier fees	6,700
4	Highway safety fund	7,200
5	Traffic law enforcement and safety fund	14,200
6	State general fund/general purpose	\$ 25,564,100
7	Sec. 104. SUPPORT SERVICES	
8	Full-time equated classified positions 208.0	
9	Human resources--26.0 FTE positions	\$ 2,254,800
10	Human resources optimization user charges	173,600
11	Management services--112.0 FTE positions	11,910,800
12	Training administration--37.0 FTE positions	5,638,800
13	Communications--8.0 FTE positions	3,171,500
14	Budget and financial services--25.0 FTE positions	<u>2,180,600</u>
15	GROSS APPROPRIATION	\$ 25,330,100
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDT, auto theft funds	25,800
19	IDG, training academy charges	3,121,100
20	IDT, truck safety fund	4,900
21	IDG-MDOT, state trunkline fund	34,600
22	IDG-MDTR, casino gaming fees	33,400
23	IDG-MDTR, emergency telephone fund coordinator	411,200
24	IDG-MDTR, emergency telephone fund operations	411,200
25	IDG-MDOC, contract	1,039,600
26	Federal revenues:	
27	DOT	205,600

1	Special revenues funds:	
2	Local - LEIN fees.....	248,900
3	Highway safety fund.....	137,700
4	Auto theft prevention fund.....	4,900
5	Nuclear plant emergency planning reimbursement.....	3,400
6	Precision driving track fees.....	287,100
7	Criminal justice information center service fees.....	411,900
8	Traffic law enforcement and safety fund.....	237,800
9	Reimbursed services.....	1,326,800
10	Forensic science reimbursement fees.....	30,200
11	Motor carrier fees.....	170,100
12	State general fund/general purpose.....	\$ 17,183,900
13	Sec. 105. HIGHWAY SAFETY PLANNING	
14	Full-time equated classified positions..... 26.0	
15	State program planning and administration--14.0 FTE	
16	positions	\$ 1,227,200
17	Grants to local governments and nonprofit	
18	organizations	4,500,000
19	Secondary road patrol program--2.0 FTE positions.....	14,024,700
20	Truck safety program--2.0 FTE positions.....	2,996,300
21	Highway traffic safety coordination--8.0 FTE positions	<u>6,089,800</u>
22	GROSS APPROPRIATION.....	\$ 28,838,000
23	Appropriated from:	
24	Federal revenues:	
25	DOT.....	10,707,300
26	DOJ.....	573,200
27	Special revenue funds:	

1	Truck driver safety fund.....		2,996,300
2	Secondary road patrol and training fund.....		14,024,700
3	State general fund/general purpose.....	\$	536,500
4	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER		
5	Full-time equated classified positions.....	94.0	
6	Criminal justice information center division--	77.0	
7	FTE positions	\$	10,679,600
8	Criminal records improvement--1.0 FTE position.....		4,745,600
9	Traffic safety--16.0 FTE positions.....		<u>2,781,400</u>
10	GROSS APPROPRIATION.....	\$	18,206,600
11	Appropriated from:		
12	Interdepartmental grant revenues:		
13	IDG-MDOS.....		320,900
14	IDG-MDOT, state trunkline fund.....		467,400
15	Federal revenues:		
16	DOJ.....		4,745,600
17	DOT.....		1,436,600
18	Special revenue funds:		
19	Traffic crash revenue.....		76,400
20	Sex offender registration fund.....		264,000
21	Criminal justice information center service fees.....		9,933,900
22	State general fund/general purpose.....	\$	961,800
23	Sec. 107. FORENSIC SCIENCES		
24	Full-time equated classified positions.....	220.0	
25	Laboratory operations--180.0 FTE positions.....	\$	19,384,700
26	DNA analysis program--40.0 FTE positions.....		<u>8,836,900</u>
27	GROSS APPROPRIATION.....	\$	28,221,600

1	Appropriated from:		
2	Federal revenues:		
3	DOJ.....		3,966,100
4	Special revenue funds:		
5	Forensic science reimbursement fees.....		2,258,800
6	State forensic laboratory fund.....		1,766,300
7	State general fund/general purpose.....	\$	20,230,400
8	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT		
9	STANDARDS		
10	Full-time equated classified positions..... 28.0		
11	Standards and training--22.0 FTE positions.....	\$	2,138,200
12	Justice training grants--4.0 FTE positions.....		9,096,200
13	Concealed weapons enforcement training.....		140,000
14	Training only to local units--2.0 FTE positions.....		845,700
15	Officer's survivor tuition program.....		48,500
16	Public safety officers benefit program.....		<u>150,000</u>
17	GROSS APPROPRIATION.....	\$	12,418,600
18	Appropriated from:		
19	Federal revenues:		
20	DOJ.....		180,600
21	Special revenue funds:		
22	Secondary road patrol and training fund.....		845,700
23	Michigan justice training fund.....		9,218,000
24	Licensing fees.....		5,200
25	Concealed weapons enforcement fee.....		140,000
26	State general fund/general purpose.....	\$	2,029,100
27	Sec. 109. EMERGENCY MANAGEMENT		

1	Full-time equated classified positions.....	72.0	
2	Emergency management planning and		
3	administration--55.0 FTE positions.....		\$ 4,614,900
4	Grants to local government.....		2,482,100
5	FEMA program assistance--3.0 FTE positions.....		1,012,100
6	Nuclear power plant emergency planning--6.0 FTE		
7	positions		1,288,900
8	Hazardous materials transportation--1.0 FTE position.		583,800
9	Hazardous materials programs--7.0 FTE positions		<u>121,753,200</u>
10	GROSS APPROPRIATION.....		\$ 131,735,000
11	Appropriated from:		
12	Federal revenues:		
13	DOT.....		583,800
14	DHS.....		126,395,800
15	Special revenue funds:		
16	Nuclear plant emergency planning reimbursement		1,288,900
17	Hazardous materials training center fees		1,389,200
18	State general fund/general purpose		\$ 2,077,300
19	Sec. 110. POST UNIFORM SERVICES		
20	Full-time equated classified positions.....	1,580.0	
21	Uniform services--424.0 FTE positions.....		\$ 43,430,000
22	Security guards--15.0 FTE positions		1,054,700
23	Reimbursed services.....		1,628,000
24	At-post troopers--1,141.0 FTE positions		<u>128,902,300</u>
25	GROSS APPROPRIATION.....		\$ 175,015,000
26	Appropriated from:		
27	Interdepartmental grant revenues:		

1	IDG-MDMB, building occupancy charges		648,400
2	Federal revenues:		
3	DOJ.....		723,300
4	Special revenue funds:		
5	Highway safety fund.....		15,451,400
6	Traffic law enforcement and safety fund.....		29,303,000
7	State police service fees.....		1,628,000
8	State general fund/general purpose	\$	127,260,900
9	Sec. 111. STATEWIDE FIELD OPERATIONS		
10	Full-time equated classified positions..... 49.0		
11	Operational support--34.0 FTE positions	\$	3,178,600
12	Traffic services--10.0 FTE positions		3,741,000
13	Aviation program--5.0 FTE positions		<u>1,143,100</u>
14	GROSS APPROPRIATION.....	\$	8,062,700
15	Appropriated from:		
16	Interdepartmental grant revenues:		
17	IDG-MDOC, contract.....		93,000
18	Federal revenues:		
19	DOT.....		1,760,100
20	Special revenue funds:		
21	Private donations.....		80,300
22	Rental of department aircraft.....		175,900
23	Drunk driving prevention and training fund.....		1,265,000
24	State general fund/general purpose	\$	4,688,400
25	Sec. 112. SPECIAL INVESTIGATIONS		
26	Full-time equated classified positions..... 370.0		
27	Criminal investigations--254.0 FTE positions	\$	32,144,300

1	Federal antidrug initiatives--62.0 FTE positions	11,157,800
2	Reimbursed services, materials, and equipment	2,613,600
3	Auto theft prevention--9.0 FTE positions	1,595,900
4	Casino gaming oversight--32.0 FTE positions	4,184,200
5	Fire investigation--13.0 FTE positions	1,385,000
6	Fire investigation training to locals	<u>50,000</u>
7	GROSS APPROPRIATION.....	\$ 53,130,800
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDT, auto theft funds	1,299,800
11	IDG-MDTR, casino gaming fees	4,184,200
12	IDG-MDCH, tobacco tax	610,000
13	Federal revenues:	
14	Federal investigations - reimbursed services	742,700
15	DOJ	8,314,700
16	Federal narcotics investigation revenues	443,200
17	Special revenue funds:	
18	Local - reimbursed services	1,870,900
19	Narcotics investigation revenues	648,800
20	Forfeiture funds	450,400
21	State general fund/general purpose	\$ 34,566,100
22	Sec. 113. MOTOR CARRIER ENFORCEMENT	
23	Full-time equated classified positions..... 214.0	
24	Motor carrier enforcement--106.0 FTE positions	\$ 10,097,700
25	Truck safety enforcement team operations--10.0 FTE	
26	positions	1,284,900
27	Safety inspections--64.0 FTE positions	7,900,800

1	School bus inspections--16.0 FTE positions	1,340,000
2	Safety projects--18.0 FTE positions	<u>2,044,500</u>
3	GROSS APPROPRIATION.....	\$ 22,667,900
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDT, truck safety fund.....	1,284,900
7	IDG-MDOT, state trunkline fund.....	7,430,900
8	Federal revenues:	
9	DOT.....	8,365,200
10	Special revenue funds:	
11	Local - school bus revenue.....	1,340,000
12	Motor carrier fees.....	4,246,900
13	State general fund/general purpose.....	\$ 0
14	Sec. 114. INFORMATION TECHNOLOGY	
15	Information technology services and projects	\$ <u>21,035,700</u>
16	GROSS APPROPRIATION.....	\$ 21,035,700
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	IDG-MDTR, casino gaming fees.....	81,800
20	IDG-MDOT, state trunkline fund.....	34,100
21	Federal revenues:	
22	DOT.....	33,100
23	Special revenue funds:	
24	Local - LEIN fees.....	3,591,400
25	Local - AFIS fees.....	37,700
26	Local - MPSCS subscriber fees.....	1,000,000
27	Motor carrier fees.....	16,100

1 State general fund/general purpose \$ 16,241,500

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 2006-2007 is \$366,671,900.00 and state
8 spending from state resources to be paid to local units of
9 government for fiscal year 2006-2007 is \$19,899,200.00. 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 \$ 13,884,500

15 MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

16 Training only to local units \$ 650,200

17 Justice training grants 4,903,300

18 CRIMINAL INVESTIGATIONS

19 Fire investigation training for locals 50,000

20 SUPPORT SERVICES

21 Communications \$ 411,200

22 Total \$ 19,899,200

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
26 departments and agencies at the end of the first fiscal quarter for
27 the 1% charge authorized by section 5 of article XI of the state

1 constitution of 1963. Payments shall be made for the total amount
2 of the billing by 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 quality.

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, 2007, 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 2005-2006:

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 2006-2007 with the goal of maintaining
13 at-post trooper strength of at least 1,075 on September 30, 2007.

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, 2006,
17 March 1, 2007, June 1, 2007, and September 1, 2007 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. The department of state police may pursue entering
14 into an agreement with Calhoun County to build a new facility in
15 Marshall which would serve as a new state police post to replace
16 the current state police post in Battle Creek.

17 Sec. 223. (1) Due to the current budgetary problems in this
18 state, out-of-state travel for the fiscal year ending September 30,
19 2007 shall be limited to situations in which 1 or more of the
20 following conditions apply:

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

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

26 (c) The travel is necessary to produce budgetary savings or to
27 increase state revenues, including protecting existing federal

1 funds or securing additional federal funds.

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

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

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

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

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

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

25 (b) The destination of each travel occurrence.

26 (c) The dates of each travel occurrence.

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

1 occurrence.

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

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

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

12 Sec. 226. The department of state police, in cooperation with
13 the department of information technology and others, shall take
14 steps to encourage the development of state, local, and regional
15 tactical interoperable communication plans with the ultimate goal
16 being to ensure that effective and efficient communication
17 interoperability between radio communication systems of local,
18 regional, state, and federal agencies is established in every area
19 of the state. The department shall provide a written report to the
20 senate and house appropriations subcommittees on state police and
21 military and veterans affairs no later than April 1, 2007 on the
22 current status of reaching this objective. The report shall include
23 an accounting of exactly where within the state desired
24 interoperability has been achieved and what cooperative measures
25 and use of technology were used to achieve this interoperability,
26 and which areas of the state have not yet achieved such status. The
27 report shall also include a description of what strategies need to

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1 be employed to ensure that the remaining areas of the state, and
2 the state as a whole, will have a communication system with
3 efficient and effective interoperability, particularly on occasions
4 when a multijurisdictional response to an emergency is warranted.

5 Sec. 227. (1) From the funds appropriated in part 1, the
6 department of state police is prohibited from transporting
7 employees of institutions of higher education on state-owned
8 aircraft.

9 (2) From the funds appropriated in part 1, the department is
10 prohibited from transporting legislators or legislative staff on
11 state-owned aircraft without prior approval from the senate
12 majority leader or the speaker of the house of representatives, or
13 both.

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

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

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

21 Sec. 228. By October 15, 2006, the department shall provide to
22 the senate and house appropriations subcommittees on state police
23 and military and veterans affairs and the senate and house fiscal
24 agencies a list of general fund/general purpose budget cuts
25 sufficient to reduce department general fund/general purpose
26 spending by 7.93% in fiscal year 2006-2007 if the K-16 ballot
initiative is adopted by the voters of the state.

27 Sec. 229. From the unexpended and unencumbered balance of the

Senate Bill No. 1096 as amended May 24, 2006

1 appropriation for the department contained in 2005 PA 159, it is
2 the intent of the legislature that funds may be used in support of
3 the state police retirement system for retirees who accrued
4 overtime from 1957 through 1963. The funds shall be available for
5 appropriation in the fiscal year ending September 30, 2007.

<<Sec. 230. From the unexpended and unencumbered balance of the
appropriation for the department contained in 2005 PA 159, over and above
that which is necessary to fulfill the objectives of section 229, shall
be used toward the establishment of a trooper school. The funds shall be
available for appropriation in the fiscal year ending September 30,
2007.>>

6 **INFORMATION TECHNOLOGY**

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

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

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

23 Sec. 304. A portion of the funds appropriated in part 1 shall
24 be used by the department to produce a written report detailing
25 departmental policies regarding access to and use of information
26 from the LEIN system. The report shall include a description of
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1 departmental measures to protect the security of information in the
2 LEIN system including safeguards that would prevent unauthorized
3 persons from obtaining information from the LEIN system. The
4 department shall submit a copy of this report to the senate and
5 house appropriations committees not later than April 1, 2007.

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

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

1 probation terms.

2 (2) If the department determines that amendments to the code
3 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are
4 required to include all probation information on the LEIN system,
5 the department shall deliver to members of the senate and house
6 appropriations subcommittees on state police and military affairs
7 amendments to the code of criminal procedure, 1927 PA 175, MCL
8 760.1 to 777.69, that, in the department's view, are necessary to
9 accomplish this goal. These proposed amendments shall be delivered
10 to subcommittee members not later than December 1, 2006.

11 Sec. 307. The department of state police shall serve as an
12 active liaison between the department of information technology and
13 local public safety agencies to facilitate the use of the Michigan
14 public safety communications system towers by those local public
15 safety agencies that have an interest in using the towers as a part
16 of their own communications system. The department of state police
17 shall deliver a written report to the senate and house
18 appropriations subcommittees on state police and military and
19 veterans affairs by April 1, 2007, which shall include an
20 assessment of the progress toward establishing local public safety
21 agency use of the Michigan public safety communications system
22 towers, an accounting of problems that may be preventing local use
23 of the towers, and any recommendations the department has that may
24 foster this utilization.

25 Sec. 308. The department of state police shall report any LEIN
26 fee increase to the senate and house appropriations subcommittees
27 on state police and military and veterans affairs 60 days prior to

1 the effective date of that increase. The report shall contain the
2 following information: the current fee structure and the total
3 revenue earned each year; the new fee structure and the total
4 revenue it is expected to earn annually; the total annual cost of
5 the LEIN system; and the total amount of LEIN fees paid by the
6 department under both the old and the new structure.

7 HIGHWAY SAFETY PLANNING

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

21 FORENSIC SCIENCES

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

25 (2) The department shall report to the house and senate

1 appropriations subcommittees on state police and military and
2 veterans affairs and the house and senate fiscal agencies when any
3 changes to the department's DNA protocol are made.

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

10 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

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

24 **EMERGENCY MANAGEMENT**

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

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

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

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

5 Sec. 802. The department shall not make any purchases related
6 to a statewide emergency management computer network unless
7 authorized to do so by the director of the department of
8 information technology.

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

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

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

17 **UNIFORM SERVICES**

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

24 **SPECIAL OPERATIONS**

25 Sec. 1001. In addition to the appropriations in part 1 to the

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

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

23 CRIMINAL INVESTIGATIONS

24 Sec. 1101. (1) There is sufficient money appropriated in part
25 1 to criminal investigations to ensure that the citizens in a
26 service area of any state police post in the vicinity of a state

1 prison do not experience a downgrading of state police services in
2 their area. Criminal investigations shall be available by temporary
3 or permanent assignment of a detective when either a temporary or
4 permanent prison facility is opened.

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

8 **MOTOR CARRIER ENFORCEMENT**

9 Sec. 1201. (1) The department shall report to the house and
10 senate appropriations subcommittees on state police and the house
11 and senate fiscal agencies by March 1, 2007 regarding the
12 inspection of school buses and other motor vehicles under section
13 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and
14 section 39 of the pupil transportation act, 1990 PA 187, MCL
15 257.1839. The report shall include the following information
16 regarding inspections conducted in calendar year 2006:

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

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

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

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