

2000 PUBLIC AND LOCAL ACTS

[No. 269]

(HB 5282)

AN ACT to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2001; 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 the testing of certain persons; 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:*

PART 1

LINE-ITEM APPROPRIATIONS

Appropriations; department of state police.

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, 2001, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF STATE POLICE**

|   |         |                |
|---|---------|----------------|
| Full-time equated unclassified positions .....                      | 5.0     |                |
| Full-time equated classified positions.....                         | 3,618.5 |                |
| GROSS APPROPRIATION .....   |         | \$ 404,926,100 |
| Interdepartmental grant revenues:                                   |         |                |
| Total interdepartmental grants and intradepartmental transfers..... |         | \$ 23,306,500  |
| ADJUSTED GROSS APPROPRIATION .....                                  |         | \$ 381,619,600 |
| Federal revenues:   |         |                |
| Total federal revenues.....   |         | 34,329,300     |
| Special revenue funds:  |         |                |
| Total local revenues.....   |         | 3,495,300      |
| Total private revenues.....   |         | 0              |
| Total state restricted revenues.....                                |         | 43,231,600     |
| State general fund/general purpose .....                            |         | \$ 300,563,400 |

Executive direction.

**Sec. 102. EXECUTIVE DIRECTION**

|  |      |               |
|--|------|---------------|
| Full-time equated unclassified positions .....       | 5.0  |               |
| Full-time equated classified positions.....          | 52.0 |               |
| Unclassified positions.....                          |      | \$ 413,700    |
| Executive direction—45.0 FTE positions.....          |      | 3,845,500     |
| Auto theft prevention program—7.0 FTE positions..... |      | 6,528,200     |
| GROSS APPROPRIATION .....                            |      | \$ 10,787,400 |
| Appropriated from:                                   |      |               |
| Special revenue funds:                               |      |               |
| Auto theft prevention fees.....                      |      | 6,528,200     |
| State general fund/general purpose .....             |      | \$ 4,259,200  |

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Departmentwide appropriations.

**Sec. 103. DEPARTMENTWIDE APPROPRIATIONS**

|  |    |            |
|--|----|------------|
| Special maintenance and utilities.....         | \$ | 467,900    |
| Rent and building occupancy charges.....       |    | 8,814,000  |
| Worker's compensation.....                     |    | 2,539,000  |
| Fleet leasing .....                            |    | 13,190,300 |
| In-service training .....                      |    | 850,000    |
| Narcotics investigation funds .....            |    | 265,000    |
| GROSS APPROPRIATION.....                       | \$ | 26,126,200 |
| Appropriated from:                             |    |            |
| Interdepartmental grant revenues:              |    |            |
| IDT, Michigan justice training fund.....       |    | 850,000    |
| Federal revenues:                              |    |            |
| Federal narcotics investigation revenues ..... |    | 95,000     |
| Special revenue funds:                         |    |            |
| Narcotics investigation revenues.....          |    | 170,000    |
| State general fund/general purpose .....       | \$ | 25,011,200 |

Support services.

**Sec. 104. SUPPORT SERVICES**

|  |    |            |
|--|----|------------|
| Full-time equated classified positions.....      |    | 132.5      |
| Human resources—28.5 FTE positions.....          | \$ | 2,133,500  |
| Management services—60.0 FTE positions.....      |    | 4,065,600  |
| Training administration—44.0 FTE positions ..... |    | 4,823,500  |
| GROSS APPROPRIATION.....                         | \$ | 11,022,600 |
| Appropriated from:                               |    |            |
| Interdepartmental grant revenues:                |    |            |
| IDG, training academy charges .....              |    | 2,663,600  |
| Special revenue funds:                           |    |            |
| Local - LEIN fees .....                          |    | 31,900     |
| Auto theft prevention fees.....                  |    | 21,000     |
| Reimbursements .....                             |    | 10,000     |
| Precision driving track fees.....                |    | 264,100    |
| Narcotics investigation revenues.....            |    | 40,600     |
| Motor carrier fees.....                          |    | 76,300     |
| State general fund/general purpose .....         | \$ | 7,915,100  |

Highway safety planning.

**Sec. 105. HIGHWAY SAFETY PLANNING**

|   |    |           |
|---|----|-----------|
| Full-time equated classified positions.....                     |    | 26.0      |
| State program planning and administration—14.0                  |    |           |
| FTE positions.....  | \$ | 1,214,100 |
| Grants to local governments and nonprofit organizations .....   |    | 4,000,000 |
| Secondary road patrol administration—1.0 FTE position .....     |    | 86,200    |
| Secondary road patrol and traffic accident basic grants.....    |    | 6,272,300 |
| Secondary road patrol and traffic accident enhanced grants..... |    | 6,152,300 |
| Truck safety program—2.0 FTE positions .....                    |    | 3,021,600 |
| Field coordination and analysis—8.0 FTE positions.....          |    | 1,360,000 |

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|---|---|
| Highway traffic safety—1.0 FTE position.....  | \$ 3,113,800                                |
| GROSS APPROPRIATION .....                     | \$ 25,220,300                               |
| Appropriated from:                            |   |
| Federal revenues:                             |   |
| DOT-NHTSA.....                                | 8,903,300                                   |
| DOJ-OJJDP.....                                | 200,000                                     |
| Special revenue funds:                        |   |
| Truck driver safety fund.....                 | 2,971,600                                   |
| Secondary road patrol and training fund ..... | 6,152,300                                   |
| State general fund/general purpose .....      | \$ 6,993,100                                |

Central records.

**Sec. 106. CENTRAL RECORDS**

|   |              |
|---|--------------|
| Full-time equated classified positions.....                             | 78.5         |
| Central records division—60.0 FTE positions .....                       | \$ 4,669,800 |
| Criminal records improvement—1.0 FTE position .....                     | 2,727,600    |
| Traffic safety—17.5 FTE positions .....                                 | 1,513,000    |
| GROSS APPROPRIATION .....   | \$ 8,910,400 |
| Appropriated from:  |              |
| Interdepartmental grant revenues:                                       |              |
| IDG-MDOS .....  | 307,900      |
| IDG-MDOT, state trunkline fund.....                                     | 330,900      |
| Federal revenues:   |              |
| DOJ-BJS, national criminal history improvement program<br>(NCHIP) ..... | 2,627,400    |
| DOJ-BJA, drug control and system improvements, formula<br>grants.....   | 100,200      |
| DOT-NHTSA.....  | 386,700      |
| Special revenue funds:  |              |
| Central records service fees.....                                       | 2,030,700    |
| State general fund/general purpose .....                                | \$ 3,126,600 |

Criminal justice data center.

**Sec. 107. CRIMINAL JUSTICE DATA CENTER**

|  |               |
|--|---------------|
| Full-time equated classified positions.....                                | 69.0          |
| State police - management information systems—<br>24.5 FTE positions ..... | \$ 3,146,500  |
| Local LEIN services—23.5 FTE positions.....                                | 5,255,100     |
| Automated fingerprint identification system—21.0<br>FTE positions .....    | 2,869,300     |
| Computer services .....  | 655,600       |
| GROSS APPROPRIATION .....  | \$ 11,926,500 |
| Appropriated from:   |               |
| Special revenue funds:   |               |
| Local - LEIN fees .....  | 2,026,400     |
| Local - AFIS fees .....  | 33,000        |
| State general fund/general purpose .....                                   | \$ 9,867,100  |

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Forensic sciences.

**Sec. 108. FORENSIC SCIENCES**

|   |       |    |            |
|---|-------|----|------------|
| Full-time equated classified positions.....                     | 212.0 |    |            |
| Laboratory operations—193.0 FTE positions .....                 |       | \$ | 16,294,600 |
| DNA analysis program—19.0 FTE positions .....                   |       |    | 2,307,800  |
| Grant to city of Detroit .....                                  |       |    | 921,100    |
| GROSS APPROPRIATION.....  |       | \$ | 19,523,500 |
| Appropriated from:  |       |    |            |
| Federal revenues:   |       |    |            |
| DOJ-BJA, drug control and system improvement, formula grants .. |       |    | 580,200    |
| Special revenue funds:  |       |    |            |
| Forensic science reimbursement fees .....                       |       |    | 15,000     |
| State forensic laboratory fund.....                             |       |    | 455,000    |
| State general fund/general purpose .....                        |       | \$ | 18,473,300 |

Commission on law enforcement standards.

**Sec. 109. COMMISSION ON LAW ENFORCEMENT  
STANDARDS**

|  |      |    |            |
|--|------|----|------------|
| Full-time equated classified positions.....                  | 28.0 |    |            |
| Standards and training—24.0 FTE positions .....              |      | \$ | 2,035,400  |
| Training only to local units .....                           |      |    | 659,400    |
| Officer's survivor tuition program.....                      |      |    | 50,000     |
| Michigan justice training commission—4.0 FTE positions ..... |      |    | 9,026,100  |
| GROSS APPROPRIATION.....                                     |      | \$ | 11,770,900 |
| Appropriated from:   |      |    |            |
| Federal revenues:  |      |    |            |
| DOJ-OJP .....  |      |    | 360,000    |
| Special revenue funds:                                       |      |    |            |
| Secondary road patrol and training fund .....                |      |    | 659,400    |
| Michigan justice training fund.....                          |      |    | 9,026,100  |
| State general fund/general purpose .....                     |      | \$ | 1,725,400  |

Fire marshal.

**Sec. 110. FIRE MARSHAL**

|  |      |    |           |
|--|------|----|-----------|
| Full-time equated classified positions.....  | 54.0 |    |           |
| Fire marshal programs—44.0 FTE positions .....                                       |      | \$ | 3,925,000 |
| Fire investigation training to locals .....  |      |    | 51,500    |
| Fire fighters training council—10.0 FTE positions.....                               |      |    | 1,505,600 |
| GROSS APPROPRIATION.....   |      | \$ | 5,482,100 |
| Appropriated from:   |      |    |           |
| Federal revenues:  |      |    |           |
| FEMA-PTED, hazardous material assistance program.....                                |      |    | 50,000    |
| DOT-RSPA, interagency hazardous materials public sector and<br>planning grants ..... |      |    | 50,000    |
| State general fund/general purpose .....   |      | \$ | 5,382,100 |

Emergency management.

**Sec. 111. EMERGENCY MANAGEMENT**

|   |      |  |  |
|---|------|--|--|
| Full-time equated classified positions..... | 49.0 |  |  |
|---|------|--|--|

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|---|---|
| Emergency management planning and administration—   |   |
| 32.0 FTE positions.....   | \$ 2,896,700                                |
| Grants to local government .....  | 2,182,100                                   |
| FEMA program assistance—3.0 FTE positions .....   | 954,600                                     |
| Nuclear power plant emergency planning—6.0 FTE positions .....                                | 1,124,200                                   |
| Hazardous materials transportation—1.0 FTE position .....                                     | 613,000                                     |
| Hazardous materials programs—7.0 FTE positions .....  | 1,834,200                                   |
| GROSS APPROPRIATION.....  | \$ <u>9,604,800</u>                         |
| Appropriated from:  |   |
| Federal revenues:   |   |
| FEMA-PTED, hazardous material assistance program.....   | 4,613,900                                   |
| DOT-RSPA, interagency hazardous materials public sector<br>training and planning grants ..... | 613,000                                     |
| DOJ-BJA, anti-terrorism training .....  | 249,900                                     |
| Special revenue funds:  |   |
| Nuclear plant emergency planning reimbursement.....   | 1,124,200                                   |
| Hazardous materials training center fees .....  | 1,249,100                                   |
| State general fund/general purpose .....  | \$ 1,754,700                                |

Uniform services.

**Sec. 112. UNIFORM SERVICES**

|  |                       |
|--|-----------------------|
| Full-time equated classified positions.....          | 2,077.5               |
| Uniform services—610.0 FTE positions.....            | \$ 50,124,800         |
| Security guards—35.0 FTE positions.....              | 1,456,000             |
| Reimbursed services .....                            | 666,900               |
| At-post troopers—1,432.5 FTE positions.....          | 117,097,400           |
| State commercial mobile radio service projects ..... | 837,000               |
| Firearms awareness and safety .....                  | 350,000               |
| GROSS APPROPRIATION.....                             | \$ <u>170,532,100</u> |
| Appropriated from:                                   |                       |
| Interdepartmental grant revenues:                    |                       |
| IDG-MDMB, building occupancy charges .....           | 610,100               |
| IDG-MDOC .....                                       | 102,000               |
| IDG-MDTR, emergency telephone fund .....             | 837,000               |
| Federal revenues:                                    |                       |
| DOL-ETA .....  | 150,000               |
| DOJ-COPS .....                                       | 500,000               |
| Special revenue funds:                               |                       |
| Highway safety fund.....                             | 6,555,600             |
| State police service fees .....                      | 666,900               |
| State general fund/general purpose .....             | \$ 161,110,500        |

Special operations.

**Sec. 113. SPECIAL OPERATIONS**

|   |              |
|---|--------------|
| Full-time equated classified positions..... | 156.5        |
| Operational support—35.0 FTE positions..... | \$ 2,470,200 |
| Traffic services—13.5 FTE positions.....    | 3,564,400    |
| Aviation program—8.0 FTE positions.....     | 1,693,500    |

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|---|---|
| Communications—100.0 FTE positions.....         | \$ 14,727,600                               |
| GROSS APPROPRIATION .....                       | \$ 22,455,700                               |
| Appropriated from:                              |   |
| Interdepartmental grant revenues:               |   |
| IDG-MDOC, contract .....                        | 76,000                                      |
| Federal revenues:                               |   |
| DOT-NHTSA.....                                  | 2,040,700                                   |
| Special revenue funds:                          |   |
| Rental of department aircraft.....              | 201,300                                     |
| Drunk driving prevention and training fund..... | 833,600                                     |
| State general fund/general purpose.....         | \$ 19,304,100                               |

Criminal investigations.

**Sec. 114. CRIMINAL INVESTIGATIONS**

|   |               |
|---|---------------|
| Full-time equated classified positions.....           | 465.5         |
| Criminal investigations—341.5 FTE positions.....      | \$ 33,664,100 |
| Federal anti-drug initiatives—72.0 FTE positions..... | 9,884,100     |
| Reimbursed services, materials, and equipment .....   | 1,715,600     |
| Auto theft prevention—10.0 FTE positions .....        | 1,129,300     |
| Casino gaming oversight—42.0 FTE positions .....      | 5,309,600     |
| GROSS APPROPRIATION .....                             | \$ 51,702,700 |

Appropriated from:

|   |               |
|---|---------------|
| Interdepartmental grant revenues:                                     |               |
| IDT, auto theft funds.....  | 863,600       |
| IDG-MDTR, casino gaming fees.....                                     | 5,309,600     |
| IDG-MDCH, tobacco tax .....   | 656,900       |
| Federal revenues:   |               |
| Federal investigations - reimbursed services .....                    | 311,600       |
| DOJ-BJA, drug control and system improvement, formula<br>grants ..... | 7,396,400     |
| Federal narcotics investigation revenues .....                        | 379,700       |
| Special revenue funds:  |               |
| Local - reimbursed services.....                                      | 1,404,000     |
| Narcotics investigation revenues .....                                | 535,100       |
| Forfeiture funds .....  | 269,500       |
| Licensing fees .....  | 415,400       |
| State general fund/general purpose.....                               | \$ 34,160,900 |

Motor carrier enforcement.

**Sec. 115. MOTOR CARRIER ENFORCEMENT**

|  |               |
|--|---------------|
| Full-time equated classified positions.....                      | 218.0         |
| Motor carrier enforcement—135.0 FTE positions.....               | \$ 11,791,500 |
| Truck safety enforcement team operations—15.0 FTE positions..... | 1,022,400     |
| Safety inspections—45.5 FTE positions.....                       | 4,357,400     |
| School bus inspections—16.0 FTE positions.....                   | 1,480,100     |
| Safety projects—6.5 FTE positions .....                          | 1,209,500     |
| GROSS APPROPRIATION .....  | \$ 19,860,900 |

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|---|---|
| Appropriated from:                      |   |
| Interdepartmental grant revenues:       |   |
| IDT, truck safety fund.....             | \$ 1,094,100                                |
| IDG-MDOT, state trunkline fund.....     | 9,604,800                                   |
| Federal revenues:                       |   |
| DOT-NHTSA.....                          | 4,721,300                                   |
| Special revenue funds:                  |   |
| Motor carrier fees .....                | 2,960,600                                   |
| State general fund/general purpose..... | \$ 1,480,100                                |

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Total state spending; payments to local units of government.

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 2000-2001 is \$343,795,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2000-2001 is \$20,120,300.00. 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 and traffic accident basic grants.....     | \$ 6,272,300 |
| Secondary road patrol and traffic accident enhanced grants ..... | 6,152,300    |

FORENSIC SCIENCES

|                                |            |
|--------------------------------|------------|
| Grant to city of Detroit ..... | \$ 921,100 |
|--------------------------------|------------|

COMMISSION ON LAW ENFORCEMENT STANDARDS

|  |            |
|--|------------|
| Training only to local units .....         | \$ 659,400 |
| Michigan justice training commission ..... | 5,624,700  |

FIRE MARSHAL

|   |               |
|---|---------------|
| Fire fighters training council.....         | \$ 439,000    |
| Fire investigation training for locals..... | 51,500        |
| Total .....                                 | \$ 20,120,300 |

Appropriations subject to §§ 18.1101 to 18.1594.

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.

Definitions.

Sec. 203. As used in this act:

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

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- (b) "COLES" means the commission on law enforcement standards.
- (c) "Department" means the department of state police.
- (d) "DNA" means deoxyribonucleic acid.
- (e) "DOJ" means the United States department of justice.
- (f) "DOJ-BJA" means the DOJ bureau of justice assistance.
- (g) "DOJ-BJS" means the United States DOJ bureau of justice statistics.
- (h) "DOJ-COPS" means the DOJ community oriented policing services.
- (i) "DOJ-OJJDP" means the DOJ office of juvenile justice and delinquency prevention.
- (j) "DOJ-OJP" means the DOJ office of justice programs.
- (k) "DOL" means the United States department of labor.
- (l) "DOL-ETA" means the DOL employment and training administration.
- (m) "DOT" means the United States department of transportation.
- (n) "DOT-NHTSA" means DOT national highway traffic safety administration.
- (o) "DOT-FHWA" means the DOT federal highway administration.
- (p) "DOT-RSPA" means the DOT research and special programs administration.
- (q) "FEMA" means the federal emergency management agency.
- (r) "FEMA-PTED" means the FEMA preparedness, training, and exercises directorate.
- (s) "FTE" means full-time equated.
- (t) "IDG" means interdepartmental grant.
- (u) "IDT" means intradepartmental transfer.
- (v) "LEIN" means law enforcement information network.
- (w) "MDCH" means the Michigan department of community health.
- (x) "MDMB" means the Michigan department of management and budget.
- (y) "MDOC" means the Michigan department of corrections.
- (z) "MDOS" means the Michigan department of state.
- (aa) "MDOT" means the Michigan department of transportation.
- (bb) "MDTR" means the Michigan department of treasury.

Billing by department of civil service; payments.

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.

Hiring freeze; exceptions.

Sec. 205. (1) Beginning October 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 or to positions that are funded with 80% or more federal or restricted funds.

(2) The state budget director shall 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. The state budget director shall



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report by the fifteenth of each month 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 month and the justification for the exception.

Contingency funds; availability for expenditure.

Sec. 206. (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.

Privatization; plan.

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.

Reporting requirements; use of Internet.

Sec. 208. The department shall continue to pilot the use of the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on the Internet or legislative Intranet site. The senate and house of representatives appropriations subcommittees and senate and house fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the department shall provide a cumulative listing of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, and a list of those reports expected to be transmitted in the following quarter.

Purchase of foreign goods or services.

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.

Businesses in deprived and depressed communities; contracts to provide services or supplies.

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

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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.

Reimbursement of employee expenses.

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.

Matching requirements; federal money as supplement funding.

Sec. 212. Of the state general fund/general purpose revenue appropriated in this act, \$89,079,600.00 represents a state spending increase over the amount provided to the department of state police for the fiscal year ending September 30, 1994, and may be used to meet state match requirements of programs contained in the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs, so that any additional federal money received supplements funding provided to the department of state police in this act.

Receipt and expenditure of federal or state forfeiture money.

Sec. 213. The department is authorized to receive and to expend upon receipt any federal or state forfeiture money. Each quarter, the department shall notify the state police appropriations subcommittees of the house and senate and the house and senate fiscal agencies of the receipt of any federal or state forfeiture money.

Motor vehicle citations issued; use as basis for evaluation or promotion prohibited.

Sec. 214. Any law enforcement entity receiving GF/GP funds from this act shall not evaluate an employee or consider an employee for promotion or assignment on the basis of motor vehicle citations issued.

Sex offender registry website.

Sec. 215. (1) Money appropriated under this act shall be used to maintain a sex offenders registry website on the Internet. The website shall be capable of being linked to and immediately be accessible from the websites of public officials, including legislators. The sex offenders registry website shall contain a listing of all those persons in the state convicted of a sex offense and required to be registered with the state under the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.732. Persons listed on the sex offenders registry website shall have information listed about them including, but not limited to, their name, aliases, date of birth, address, physical description, including a photograph, and a list of sex offenses of which they were convicted.

(2) There are sufficient funds appropriated in part 1 for maintaining the accuracy of the information contained in the sex offender registry website. The department shall assign sufficient personnel to ensure the accuracy and completeness of information concerning each registrant on the website by verifying the accuracy of registrants' addresses on a regular basis. The department shall vigorously apprehend and prosecute those who fail to comply with the sex offenders registration act.

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Contractual services.

Sec. 216. (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.

State-owned aircraft; maintenance, scheduling, and use.

Sec. 217. In conjunction with the department of transportation, the department of state police shall develop plans for the maintenance, scheduling, and use of all state-owned aircraft. It is the intent of the legislature that these plans maximize the safe and cost-efficient use of the state transportation air fleet. The department shall prepare a joint report, coordinated by the department of transportation, on the development of these plans.

Reports for appropriated money; copies and retention.

Sec. 218. The department shall create and retain copies of reports for all money appropriated under part 1.

Report relating to casino gaming oversight.

Sec. 219. Not later than March 15, 2001 and September 30, 2001, 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:

- (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.

Vehicle identification number; collection and computerization.

Sec. 220. The state police shall collect and computerize the vehicle identification number of all vehicles that are entered into the state accident data collection system and make this and other vehicle information available to the public.

Threats of school violence or suspicious or criminal conduct; creation of toll-free hotline.

Sec. 221. Of the funds appropriated in part 1, \$50,000.00 shall be expended by the department to create 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.

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Compliance with §§ 769.16b, 330.1464a, and 700.5107; expenditure of funds.

Sec. 222. Of the funds appropriated in part 1, not more than \$100,000.00 shall be expended by the department to comply with section 16b of the code of criminal procedure, 1927 PA 175, MCL 769.16b, section 464a of the mental health code, 1974 PA 258, MCL 330.1464a, and section 5107 of the estates and protected individuals code, 1998 PA 386, MCL 700.5107.

### **FIRE MARSHAL**

Report on state fire investigation, education, and training under reorganization of fire marshal division.

Sec. 301. (1) The department shall prepare a detailed report and deliver it to the senate and house subcommittees on the state police not later than May 15, 2001.

(2) The report shall contain input from a delegate appointed from and by the following organizations:

- (a) Michigan fire chiefs association.
- (b) Michigan state fireman's association.
- (c) Michigan firefighter's union.
- (d) Michigan fire service instructors association.
- (e) Michigan fire inspectors society.
- (f) Michigan chapter of the international association of arson investigators.

(3) The report shall contain information about the quality and adequacy of service from the state fire investigation, education, and training under the reorganization of the fire marshal division responsibilities. The report shall be based on the performance of the fire marshal division in the performance of its fire safety duties during the first 6 months of fiscal year 2000-2001.

### **HIGHWAY SAFETY PLANNING**

Secondary road patrol and traffic accident enhanced grants program and training to local units.

Sec. 401. In addition to the money appropriated in section 105 and section 109, the department may receive and expend state restricted funds for the support of the secondary road patrol and traffic accident enhanced grants program and training to local units in accordance with section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e. Expenditures for the support of the secondary road patrol and traffic accident enhanced grants and training to local units program shall not exceed revenues received.

Log truck accidents; grant to Michigan technological university; study.

Sec. 402. Of the funds appropriated in section 105, a grant of \$50,000.00 shall be made to Michigan Technological University to be used for a study of the distribution and nature of log truck accidents and the characteristics of log trucks and log loads. The findings of

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this study shall be forwarded to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director.

### **CRIMINAL JUSTICE DATA CENTER**

LEIN mainframe computer; use of LEIN user fees for service and maintenance.

Sec. 501. The money appropriated in section 107 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the service and contract maintenance costs of the LEIN mainframe computer system.

Access to and use of LEIN; report.

Sec. 503. A portion of the funds appropriated in section 107 for the criminal justice data center shall be used by the department to produce a written report detailing departmental policies regarding access to and use of information from the law enforcement information network. The report shall include a description of departmental measures to protect the security of information in the law enforcement information network including safeguards that would prevent unauthorized persons from obtaining information from the law enforcement information network. The department shall deliver a copy of this report to the senate and house appropriations committees no later than April 1, 2001.

Unauthorized access or misuse of information from LEIN; audit.

Sec. 504. 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 law enforcement information network. 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 law enforcement information network and determine whether or not those incidents were illegal. In those incidents which may be determined to be illegal, the executive secretary for the council shall determine whether those incidents were of a negligent or criminal nature. When an incident is determined to be an illegal act, the council shall inform the chairs of both the senate and house appropriations committees.

### **FORENSIC SCIENCES**

Detroit crime lab and Detroit police special events account; supplement; report.

Sec. 601. It is the intent of the legislature that the grant to the city of Detroit under section 108 be allocated by the city to supplement the city's appropriations for the Detroit crime lab and the Detroit police special events account. The city of Detroit shall provide a report to the department detailing the expenditures made and the services provided from the money appropriated for the grant. This report shall be forwarded by the department to the house and senate appropriations subcommittees on state police, the house and senate fiscal agencies, and the state budget director by January 15, 2001.

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Retaining and purging DNA analysis samples and records; distribution of protocol; report.

Sec. 602. (1) The department shall distribute a copy of the department's protocol for retaining and purging DNA analysis samples and records to each police agency in this state.

(2) The department shall report to the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies whenever any changes to the department's DNA protocol are made.

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

Maintenance and delivery of training; certification by COLES.

Sec. 701. The money appropriated to the COLES 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 COLES.

Community policing curriculum.

Sec. 702. The money appropriated in section 109 for community policing coordination shall be used by the department to work in conjunction with local criminal justice agencies to implement and update an appropriate curriculum to support community policing. The department shall work as a coordinator to deliver community policing training.

Content and application of federal firearms laws; curricula.

Sec. 703. From the appropriations in section 109 for the training of new Michigan state troopers, other new police officers in the state, and the continuing education of all law enforcement officers in the state, sufficient funds shall be used for the purpose of including curricula on the content and application of federal firearms laws, including the procedures necessary for law enforcement to use to turn appropriate cases over to the federal bureau of alcohol, tobacco and firearms or any other applicable federal criminal justice agency.

### **EMERGENCY MANAGEMENT**

State of emergency or state of disaster; report; training local or private interests.

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 30.420. 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

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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.

### **UNIFORM SERVICES**

Roadblock or check lane system; prohibited expenditure.

Sec. 901. The department shall not expend any portion of the money appropriated in this act, including any expenditure made under an executive order, to plan for or to implement a roadblock or check lane system that has as its primary objective the deterrence or detection of intoxicated drivers in this state.

Maintenance of maximum number of troopers.

Sec. 902. It is the intent of the legislature that the department maintain the maximum number of troopers on the road from the available money appropriated in this act.

State police traffic enforcement; authority to respond to crime and emergencies.

Sec. 903. 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.

Construction zone traffic law enforcement.

Sec. 905. Of the funds appropriated in section 112 for reimbursed services, up to \$500,000.00 shall be expended for construction zone traffic law enforcement.

Gun safety curriculum.

Sec. 906. Money appropriated under section 112 for firearms awareness and safety shall be expended by the department, in collaboration with the Michigan State University school of criminal justice, to develop a curriculum for K-12 students on gun awareness and safety, and to train 400 police officers to deliver the curriculum to school-age youth. The gun safety curriculum shall include teaching children to prevent gun accidents by instructing them to "stop, don't touch, leave the area and tell an adult" should a child encounter a gun. The curriculum shall not include instruction on how to use a gun.

### **SPECIAL OPERATIONS**

Michigan public safety communications system.

Sec. 1001. (1) Money appropriated under section 113 for the Michigan public safety communications system shall be expended upon approval of an expenditure plan by the state budget director.

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(2) The department of state police shall assess all subscribers of the Michigan public safety communications system reasonable access and maintenance fees.

(3) All money received by the department of state police under this section shall be deposited to the state general fund pursuant to section 443 of the management and budget act, 1984 PA 431, MCL 18.1443.

(4) The department of state police shall provide a report to the house and senate appropriations committees, house and senate fiscal agencies, and the state budget director on April 15, 2001, and on October 15, 2001, indicating the amount of revenue collected under this section and deposited to the state general fund for the immediately preceding 6-month period.

Sale of aircraft; authorization.

Sec. 1002. In addition to the appropriations in section 113 to the department of state police for the aviation program, the department is authorized to sell its aircraft and the proceeds from the sale are appropriated and may be applied to the renovation cost of replacement aircraft.

### **CRIMINAL INVESTIGATIONS**

Citizens in vicinity of state prison; downgrading of state police services.

Sec. 1101. (1) There is sufficient money appropriated in section 114 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.

Private security guard licensure program.

Sec. 1102. In addition to the money appropriated in part 1, the department may receive and expend state restricted funds for the support of the private security guard licensure program. Expenditures for the support of the private security guard licensure program shall not exceed revenues received.

### **MOTOR CARRIER ENFORCEMENT**

School bus inspections.

Sec. 1201. The appropriation in section 115 for school bus inspections shall be used by the department of state police to inspect each school bus and pupil transportation vehicle annually, as required 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 department shall award a certificate to a school system if the system's school buses all received a 100% successful state inspection upon the first inspection in a given year.



**CENTRAL RECORDS**

Pistol purchases; information on applications; data collection; report.

Sec. 1301. Of the funds appropriated in section 106, there are sufficient funds for the department to gather and report statistical information on applications for pistol purchases in the state during fiscal year 2000-2001. A report shall be produced that will include a statistical sampling of several hundred applications in the state from a variety of jurisdictions, including those from both rural and urban areas of the state. The data collected shall include the number of background checks performed, the number of persons failing background checks according to various state and federal regulations, and the specific reason for each of the pistol purchases denied. The report shall be delivered to the senate and house appropriations subcommittees on state police and military and veterans affairs no later than November 15, 2001.

This act is ordered to take immediate effect.

Approved July 6, 2000.

Filed with Secretary of State July 6, 2000.

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