

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5593**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1999; 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:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

Sec. 101. Subject to the conditions set forth in this act, the

4

amounts listed in this part are appropriated for the department of state

5

police for the fiscal year ending September 30, 1999, from the funds

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HB 5593 as amended May 27, 1998
2

For Fiscal Year Ending
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1 indicated in this part. The following is a summary of the appropriations
2 in this part:

3 DEPARTMENT OF STATE POLICE

4 Full-time equated unclassified positions.....5.0

5 Full-time equated classified positions.....3,557.0

6 GROSS APPROPRIATION..... \$ 352,035,800

7 Interdepartmental grant revenues:

8 Total interdepartmental grants and intradepartmental

9 transfers..... \$ 18,259,000

10 ADJUSTED GROSS APPROPRIATION..... \$ 333,776,800

11 Federal revenues:

12 Total federal revenues..... 30,039,400

13 Special revenue funds:

14 Total local revenues..... 3,453,400

15 Total private revenues..... 0

16 Total state restricted revenues..... 41,008,900

17 State general fund/general purpose..... \$ 259,275,100

18 Sec. 102. EXECUTIVE DIRECTION

19 Full-time equated unclassified positions.....5.0

20 Full-time equated classified positions.....51.0

21 Unclassified positions..... \$ 390,500

22 Executive direction--44.0 FTE positions..... 3,216,700

23 Auto theft prevention program--7.0 FTE positions..... 6,494,900

24 GROSS APPROPRIATION..... \$ 10,102,100

25 Appropriated from:

26 Special revenue funds:

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| | | |
|----|--|------------------|
| 1 | Auto theft prevention fees..... | 6,494,900 |
| 2 | State general fund/general purpose..... \$ | 3,607,200 |
| 3 | Sec. 103. DEPARTMENTWIDE APPROPRIATIONS | |
| 4 | Special maintenance and utilities..... \$ | 459,300 |
| 5 | Rent..... | 3,074,800 |
| 6 | Worker's compensation..... | 2,482,600 |
| 7 | Fleet leasing..... | 13,030,200 |
| 8 | In-service training..... | 850,000 |
| 9 | Building occupancy charges-property management | |
| 10 | services..... | 2,761,000 |
| 11 | Narcotics investigation funds..... | <u>265,000</u> |
| 12 | GROSS APPROPRIATION..... \$ | 22,922,900 |
| 13 | Appropriated from: | |
| 14 | Interdepartmental grant revenues: | |
| 15 | IDT-Michigan justice training fund..... | 850,000 |
| 16 | Federal revenues: | |
| 17 | Federal narcotics investigation revenues..... | 95,000 |
| 18 | Special revenue funds: | |
| 19 | Narcotics investigation revenues..... | 170,000 |
| 20 | State general fund/general purpose..... \$ | 21,807,900 |
| 21 | Sec. 104. SUPPORT SERVICES | |
| 22 | Full-time equated classified positions.....132.5 | |
| 23 | Human resources--28.5 FTE positions..... \$ | 1,948,100 |
| 24 | Management services--60.0 FTE positions..... | 3,747,200 |
| 25 | Training administration--44.0 FTE positions..... | <u>4,231,700</u> |
| 26 | GROSS APPROPRIATION..... \$ | 9,927,000 |

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| | | |
|----|---|------------------|
| 1 | Appropriated from: | |
| 2 | Interdepartmental grant revenues: | |
| 3 | IDG-training academy charges..... | 2,326,900 |
| 4 | Special revenue funds: | |
| 5 | Local-LEIN fees..... | 31,900 |
| 6 | Auto theft prevention fees..... | 21,000 |
| 7 | Reimbursements..... | 10,000 |
| 8 | Precision driving track fees..... | 208,500 |
| 9 | Narcotics investigation revenues..... | 40,600 |
| 10 | Motor carrier fees..... | 76,300 |
| 11 | State general fund/general purpose..... \$ | 7,211,800 |
| 12 | Sec. 105. HIGHWAY SAFETY PLANNING | |
| 13 | Full-time equated classified positions.....26.0 | |
| 14 | State program planning and administration--14.0 FTE | |
| 15 | positions..... \$ | 1,148,600 |
| 16 | Grants to local governments and nonprofit | |
| 17 | organizations..... | 4,000,000 |
| 18 | Secondary road patrol administration--1.0 FTE | |
| 19 | position..... | 80,500 |
| 20 | Secondary road patrol and traffic accident basic | |
| 21 | grants..... | 5,059,800 |
| 22 | Secondary road patrol and traffic accident enhanced | |
| 23 | grants..... | 5,780,000 |
| 24 | Truck safety program--2.0 FTE positions..... | 2,967,600 |
| 25 | Field coordination and analysis--8.0 FTE positions... | 1,303,300 |
| 26 | Highway traffic safety--1.0 FTE position..... | <u>2,913,800</u> |

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| | | | |
|----|---|------|----------------|
| 1 | GROSS APPROPRIATION..... | \$ | 23,253,600 |
| 2 | Appropriated from: | | |
| 3 | Interdepartmental grant revenues: | | |
| 4 | IDG-department of transportation-Michigan transporta- | | |
| 5 | tion fund..... | | 547,200 |
| 6 | Federal revenues: | | |
| 7 | DOT-NHTSA, federal highway administration..... | | 8,818,500 |
| 8 | Special revenue funds: | | |
| 9 | Truck driver safety fund..... | | 2,967,600 |
| 10 | Secondary road patrol and training fund..... | | 5,780,000 |
| 11 | State general fund/general purpose..... | \$ | 5,140,300 |
| 12 | Sec. 106. CENTRAL RECORDS | | |
| 13 | Full-time equated classified positions..... | 65.5 | |
| 14 | Central records division--60.0 FTE positions..... | \$ | 4,151,800 |
| 15 | Criminal records improvement--1.0 FTE position..... | | 2,714,500 |
| 16 | Traffic safety--4.5 FTE positions..... | | <u>253,400</u> |
| 17 | GROSS APPROPRIATION..... | \$ | 7,119,700 |
| 18 | Appropriated from: | | |
| 19 | Federal revenues: | | |
| 20 | DOJ-BJS, national criminal history improvement pro- | | |
| 21 | gram (NCHIP)..... | | 2,614,500 |
| 22 | DOJ-BJA, drug control and system improvements, for- | | |
| 23 | mula grants..... | | 100,000 |
| 24 | DOT-NHTSA, federal highway administration..... | | 131,900 |
| 25 | Special revenue funds: | | |
| 26 | Central records service fees..... | | 1,700,300 |

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| | | | |
|----|---|--------------------------|----------------|
| 1 | State general fund/general purpose..... | \$ | 2,573,000 |
| 2 | Sec. 107. CRIMINAL JUSTICE DATA CENTER | | |
| 3 | Full-time equated classified positions..... | 82.0 | |
| 4 | State police-management information systems-- | 24.5 FTE | |
| 5 | positions..... | \$ | 1,920,200 |
| 6 | Traffic accident records-- | 13.0 FTE positions..... | 822,300 |
| 7 | Local LEIN services-- | 23.5 FTE positions..... | 5,060,400 |
| 8 | Automated fingerprint identification system-- | 21.0 FTE | |
| 9 | positions..... | | 2,732,700 |
| 10 | Computer services..... | | <u>655,600</u> |
| 11 | GROSS APPROPRIATION..... | \$ | 11,191,200 |
| 12 | Appropriated from: | | |
| 13 | Interdepartmental grant revenues: | | |
| 14 | IDG-department of state..... | | 302,400 |
| 15 | IDG-department of transportation-state trunkline fund | | 302,400 |
| 16 | Federal revenues: | | |
| 17 | Special revenue funds: | | |
| 18 | Local-LEIN fees..... | | 2,000,000 |
| 19 | Local-AFIS fees..... | | 33,000 |
| 20 | State general fund/general purpose..... | \$ | 8,553,400 |
| 21 | Sec. 108. FORENSIC SCIENCES | | |
| 22 | Full-time equated classified positions..... | 197.0 | |
| 23 | Laboratory operations-- | 178.0 FTE positions..... | \$ 13,695,100 |
| 24 | DNA analysis program-- | 19.0 FTE positions..... | 2,170,400 |
| 25 | Grant to city of Detroit..... | | <u>921,100</u> |
| 26 | GROSS APPROPRIATION..... | \$ | 16,786,600 |

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| | | | |
|----|--|------------------|--|
| 1 | Appropriated from: | | |
| 2 | Federal revenues: | | |
| 3 | DOJ-BJA, drug control and system improvement, formula | | |
| 4 | grants..... | 580,200 | |
| 5 | DOD-CVSA research grant..... | 40,000 | |
| 6 | Special revenue funds: | | |
| 7 | Forensic science reimbursement fees..... | 15,000 | |
| 8 | State forensic laboratory fund..... | 455,000 | |
| 9 | State general fund/general purpose..... | \$ 15,696,400 | |
| 10 | Sec. 109. LAW ENFORCEMENT OFFICERS TRAINING COUNCIL | | |
| 11 | Full-time equated classified positions.....22.5 | | |
| 12 | Standards and training--15.5 FTE positions..... | \$ 1,291,200 | |
| 13 | Community policing coordination--3.0 FTE positions... | 154,100 | |
| 14 | Training only to local units..... | 619,400 | |
| 15 | Officer's survivor tuition program..... | 50,000 | |
| 16 | Michigan justice training commission--4.0 FTE | | |
| 17 | positions..... | <u>9,010,000</u> | |
| 18 | GROSS APPROPRIATION..... | \$ 11,124,700 | |
| 19 | Appropriated from: | | |
| 20 | Federal revenues: | | |
| 21 | DOJ-OJP..... | 360,000 | |
| 22 | Special revenue funds: | | |
| 23 | Secondary road patrol and training fund..... | 619,400 | |
| 24 | Michigan justice training fund..... | 9,010,000 | |
| 25 | State general fund/general purpose..... | \$ 1,135,300 | |
| 26 | Sec. 110. FIRE MARSHAL | | |

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| | | | | |
|----|---|------|----|------------------|
| 1 | Full-time equated classified positions..... | 51.0 | | |
| 2 | Fire marshal programs--44.0 FTE positions..... | | \$ | 3,572,400 |
| 3 | Fire investigation training to locals..... | | | 51,500 |
| 4 | Fire fighters training council--7.0 FTE positions.... | | | <u>964,500</u> |
| 5 | GROSS APPROPRIATION..... | | \$ | 4,588,400 |
| 6 | Appropriated from: | | | |
| 7 | Federal revenues: | | | |
| 8 | FEMA-PTED, hazardous material assistance program..... | | | 50,000 |
| 9 | DOT-RSPA, interagency hazardous materials public | | | |
| 10 | training..... | | | 50,000 |
| 11 | Special revenue funds: | | | |
| 12 | State general fund/general purpose..... | | \$ | 4,488,400 |
| 13 | Sec. 111. EMERGENCY MANAGEMENT | | | |
| 14 | Full-time equated classified positions..... | 49.0 | | |
| 15 | Emergency management planning and | | | |
| 16 | administration--18.5 FTE positions..... | | \$ | 1,662,500 |
| 17 | Grants to local government..... | | | 2,182,100 |
| 18 | FEMA program assistance--13.5 FTE positions..... | | | 1,998,200 |
| 19 | Nuclear power plant emergency planning--6.0 FTE | | | |
| 20 | positions..... | | | 1,070,800 |
| 21 | Hazardous materials transportation--1.0 FTE position. | | | 609,800 |
| 22 | Hazardous materials programs--10.0 FTE positions..... | | | <u>1,598,200</u> |
| 23 | GROSS APPROPRIATION..... | | \$ | 9,121,600 |
| 24 | Appropriated from: | | | |
| 25 | Federal revenues: | | | |
| 26 | FEMA-PTED, hazardous material assistance program..... | | | 4,900,100 |

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| | | |
|----|---|--------------------|
| 1 | DOT-RSPA, interagency hazardous materials public | |
| 2 | sector training and planning grants..... | 609,800 |
| 3 | EPA-OSWER, superfund innovative technology evaluation | |
| 4 | program..... | 151,000 |
| 5 | DOJ-BJA, antiterrorism training..... | 249,900 |
| 6 | Special revenue funds: | |
| 7 | Nuclear plant emergency planning reimbursement..... | 1,070,800 |
| 8 | Hazardous materials training center fees..... | 1,021,400 |
| 9 | State general fund/general purpose..... \$ | 1,118,600 |
| 10 | Sec. 112. UNIFORM SERVICES | |
| 11 | Full-time equated classified positions.....2,075.5 | |
| 12 | Uniform services--610.0 FTE positions..... \$ | 45,747,300 |
| 13 | Security guards--35.0 FTE positions..... | 1,331,000 |
| 14 | Reimbursed services..... | 500,000 |
| 15 | At-post troopers--1,430.5 FTE positions..... | <u>101,467,700</u> |
| 16 | GROSS APPROPRIATION..... \$ | 149,046,000 |
| 17 | Appropriated from: | |
| 18 | Interdepartmental grant revenues: | |
| 19 | IDG-department of management and budget, building | |
| 20 | occupancy charges..... | 579,300 |
| 21 | IDG-department of corrections..... | 94,700 |
| 22 | Federal revenues: | |
| 23 | DOL-ETA..... | 150,000 |
| 24 | DOJ-OJP..... | 200,000 |
| 25 | Special revenue funds: | |
| 26 | Highway safety fund..... | 6,300,000 |

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| | | |
|----|---|-------------------|
| 1 | State police service fees..... | 500,000 |
| 2 | State general fund/general purpose..... \$ | 141,222,000 |
| 3 | Sec. 113. SPECIAL OPERATIONS | |
| 4 | Full-time equated classified positions.....156.5 | |
| 5 | Operational support--35.0 FTE positions..... \$ | 2,227,200 |
| 6 | Traffic safety--13.5 FTE positions..... | 3,321,500 |
| 7 | Aviation program--8.0 FTE positions..... | 1,213,800 |
| 8 | Communications--100.0 FTE positions..... | <u>13,034,200</u> |
| 9 | GROSS APPROPRIATION..... \$ | 19,796,700 |
| 10 | Appropriated from: | |
| 11 | Interdepartmental grant revenues: | |
| 12 | IDG-department of corrections, contract..... | 61,500 |
| 13 | Federal revenues: | |
| 14 | DOT-NHTSA, federal highway administration..... | 1,902,500 |
| 15 | Special revenue funds: | |
| 16 | Rental of department aircraft..... | 201,300 |
| 17 | Drunk driving prevention and training fund..... | 776,700 |
| 18 | State general fund/general purpose..... \$ | 16,854,700 |
| 19 | Sec. 114. CRIMINAL INVESTIGATIONS | |
| 20 | Full-time equated classified positions.....442.5 | |
| 21 | Criminal investigations--312.5 FTE positions..... \$ | 28,304,500 |
| 22 | Federal anti-drug initiatives--72.0 FTE positions.... | 7,132,900 |
| 23 | Reimbursed services, materials, and equipment..... | 1,696,700 |
| 24 | Auto theft prevention--10.0 FTE positions..... | 1,020,700 |
| 25 | Casino gaming oversight--48.0 FTE positions..... | <u>4,845,400</u> |
| 26 | GROSS APPROPRIATION..... \$ | 43,000,200 |

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| | | |
|----|--|----------------|
| 1 | Appropriated from: | |
| 2 | Interdepartmental grant revenues: | |
| 3 | IDT-auto theft funds..... | 781,700 |
| 4 | IDG-MDTR, casino gaming fees..... | 4,845,400 |
| 5 | IDG-department of community health, tobacco tax..... | 593,200 |
| 6 | Federal revenues: | |
| 7 | Federal investigations-reimbursed services..... | 308,200 |
| 8 | DOJ-BJA, drug control and system improvement, formula | |
| 9 | grants..... | 4,812,400 |
| 10 | DOJ-BJS..... | 475,000 |
| 11 | Federal narcotics investigation revenues..... | 368,600 |
| 12 | Special revenue funds: | |
| 13 | Local-reimbursed services..... | 1,388,500 |
| 14 | Narcotics investigation revenues..... | 496,900 |
| 15 | Forfeiture funds..... | 269,500 |
| 16 | Licensing fees..... | 190,400 |
| 17 | State general fund/general purpose..... \$ | 28,470,400 |
| 18 | Sec. 115. MOTOR CARRIER ENFORCEMENT | |
| 19 | Full-time equated classified positions.....206.0 | |
| 20 | Motor carrier enforcement--123.0 FTE positions..... \$ | 7,804,200 |
| 21 | Truck safety enforcement team operations--15.0 FTE | |
| 22 | positions..... | 1,125,800 |
| 23 | Safety inspections--45.5 FTE positions..... | 2,913,800 |
| 24 | School bus inspections--16.0 FTE positions..... | 1,395,700 |
| 25 | Safety projects--6.5 FTE positions..... | <u>815,600</u> |
| 26 | GROSS APPROPRIATION..... \$ | 14,055,100 |

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1 Appropriated from:

2 Interdepartmental grant revenues:

3 IDT, truck safety fund..... 1,189,200

4 IDG-department of transportation-state trunkline fund 5,785,100

5 Federal revenues:

6 DOT-NHTSA, federal highway administration..... 3,071,800

7 Special revenue funds:

8 Motor carrier fees..... 2,613,300

9 State general fund/general purpose..... \$ 1,395,700

10

11

12 PART 2

13 PROVISIONS CONCERNING APPROPRIATIONS

14 GENERAL SECTIONS

15 Sec. 201. (1) Pursuant to section 30 of article IX of the state
16 constitution of 1963, total state spending from state sources for fiscal
17 year 1998-99 is estimated at \$300,284,000.00 in this act from state
18 sources and state spending paid to local units of government for fiscal
19 year 1998-99 is estimated at \$18,412,500.00. The itemized statement
20 below identifies appropriations from which spending to units of local
21 government will occur:

22 DEPARTMENT OF STATE POLICE

23 OFFICE OF HIGHWAY SAFETY PLANNING

24 Secondary road patrol and traffic accident basic

25 grants..... \$ 5,059,800

26 Secondary road patrol and traffic accident enhanced

27 grants..... 5,780,000

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1 FORENSIC SCIENCES

2 Grant to city of Detroit..... \$ 921,100

3 LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

4 Training only to local units..... \$ 619,400

5 Michigan justice training commission..... 5,624,700

6 FIRE MARSHAL

7 Fire fighters training council..... \$ 356,000

8 Fire investigation training for locals..... 51,500

9 Total..... \$ 18,412,500

10 (2) If it appears to the principal executive officer of the depart-
11 ment or branch that state spending to local units of government will be
12 less than the amount that was projected to be expended under
13 subsection (1), the director shall immediately give notice of the approx-
14 imate shortfall to the state budget director, the senate and house appro-
15 priations committees, and the senate and house fiscal agencies.

16 Sec. 202. The expenditures and funding sources authorized under
17 this act are subject to the management and budget act, 1984 PA 431,
18 MCL 18.1101 to 18.1594.

19 Sec. 203. (1) In addition to the funds appropriated in this act,
20 there is appropriated an amount not to exceed \$10,000,000.00 for federal
21 contingency funds. These funds are not available for expenditure until
22 they have been transferred to another line item in this act pursuant to
23 section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1101
24 to 18.1594.

25 (2) In addition to the funds appropriated in this act, there is
26 appropriated an amount not to exceed \$3,500,000.00 for state restricted
27 contingency funds. These funds are not available for expenditure until

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1 they have been transferred to another line item in this act pursuant to
2 section 393(2) of the management and budget act, 1984 PA 431,
3 MCL 18.1393.

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

10 (4) In addition to the funds appropriated in this act, there is
11 appropriated an amount not to exceed \$200,000.00 for private contingency
12 funds. These funds are not available for expenditure until they have
13 been transferred to another line item in this act pursuant to section
14 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

15 Sec. 204. The department of civil service shall bill departments or
16 agencies at the end of the first fiscal quarter for the 1% charges autho-
17 rized by section 5 of article XI of the state constitution of 1963.
18 Payments shall be made for the total amount of the billing by the end of
19 the second fiscal quarter.

20 Sec. 205. As used in this act:

- 21 (a) "AFIS" means the automated fingerprint identification system.
22 (b) "Department" means the department of state police.
23 (c) "DNA" means deoxyribonucleic acid.
24 (d) "DOD" means the United States department of defense.
25 (e) "DOD-CVSA" means the DOD computerized voice stress analyzer.
26 (f) "DOJ" means the United States department of justice.

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- 1 (g) "DOJ-BJA" means the DOJ bureau of justice assistance.
- 2 (h) "DOJ-BJS" means the United States DOJ bureau of justice
3 statistics.
- 4 (i) "DOJ-OJP" means the DOJ office of justice programs.
- 5 (j) "DOL" means the United States department of labor.
- 6 (k) "DOL-ETA" means the DOL employment and training administration.
- 7 (l) "DOT" means the United States department of transportation.
- 8 (m) "DOT-NHTSA" means DOT national highway traffic safety
9 administration.
- 10 (n) "DOT-FHWA" means the DOT federal highway administration.
- 11 (o) "DOT-RSPA" means the DOT research and special programs
12 administration.
- 13 (p) "EPA" means environmental protection agency.
- 14 (q) "EPA-OSWER" means the EPA office of solid waste and emergency
15 response.
- 16 (r) "FEMA" means the federal emergency management agency.
- 17 (s) "FEMA-PTED" means the FEMA preparedness, training, and
18 exercises directorate.
- 19 (t) "FTE" means full-time equated.
- 20 (u) "IDG" means interdepartmental grant.
- 21 (v) "IDT" means intradepartmental transfer.
- 22 (w) "LEIN" means law enforcement information network.
- 23 (x) "MDCH" means the Michigan department of community health.
- 24 (y) "MDOC" means the Michigan department of corrections.
- 25 (z) "MDOS" means the Michigan department of state.
- 26 (aa) "MDOT" means the Michigan department of transportation.

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1 (bb) "MDTR" means the Michigan department of treasury.

2 (cc) "MLEOTC" means the Michigan law enforcement officers training
3 council.

4 Sec. 206. It is the intent of the legislature that personnel of the
5 department who request and are eligible for reimbursement of expenses
6 related to the operation of the department be reimbursed from the appro-
7 priations provided in this act within 30 days after submitting a request,
8 or the eligible personnel shall be paid an additional amount equal to
9 0.75% of the payment due. The department shall pay an additional amount
10 equal to 0.75% of the payment due for the first month and each succeeding
11 month or portion of a month the payment remains past due.

12 Sec. 207. (1) Beginning October 1, 1998, there is a hiring freeze
13 imposed on the state classified civil service. State departments and
14 agencies are prohibited from hiring any new full-time state classified
15 civil service employees and prohibited from filling any vacant state
16 classified civil service positions. This hiring freeze does not apply to
17 internal transfers from 1 position to another within a department or to
18 positions that are funded 80% or more from federal or restricted money.

19 (2) The state budget director shall grant exceptions to this hiring
20 freeze when the state budget director believes that the hiring freeze
21 will result in the state department or agency being unable to deliver
22 basic services. The state budget director shall report by the fifteenth
23 of each month to the chairpersons of the senate and house appropriations
24 committees the number of exclusions to the hiring freeze approved during
25 the previous month and the reasons for the exclusions.

26 Sec. 208. Money appropriated in this act shall not be used for the
27 purchase of foreign goods or services when competitively priced and

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1 comparable quality American goods or services are available. By May 1,
2 1999, the department of state police shall submit a report to the depart-
3 ment of management and budget, the speaker and minority leaders of the
4 house of representatives, the majority and minority leaders of the
5 senate, and the chairpersons of the house and senate appropriations com-
6 mittees on efforts to comply with this section.

7 Sec. 209. Of the state general fund/general purpose revenue appro-
8 priated in this act, \$56,299,000.00 represents a state spending increase
9 over the amount provided to the department of state police for the fiscal
10 year ending September 30, 1994, and may be used to meet state match
11 requirements of programs contained in the federal violent crime control
12 and law enforcement act of 1994, or successor grant programs, so that any
13 additional federal money received supplements funding provided to the
14 department of state police in this act.

15 Sec. 210. (1) The director of the department shall take all reason-
16 able steps to ensure that businesses in depressed and deprived communi-
17 ties compete for and perform contracts to provide services or supplies,
18 or both, for the department.

19 (2) The director of the department shall strongly encourage firms
20 with which the department contracts to subcontract with businesses certi-
21 fied by the department of civil rights in depressed and deprived communi-
22 ties for services or supplies, or both.

23 Sec. 211. (1) The department shall submit to the department of man-
24 agement and budget, the house and senate appropriations committees, the
25 house and senate fiscal agencies, and the house and senate standing com-
26 mittees having jurisdiction over technology issues, periodic reports on
27 the department's efforts to change the department's computer software and

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1 hardware as necessary to perform properly in the year 2000 and beyond.
2 These reports shall identify actual progress in comparison to the
3 department's approved work plan for these efforts.

4 (2) The department may present progress billings to the department
5 of management and budget for the costs incurred in changing computer
6 software and hardware as necessary to perform properly in the year 2000
7 and beyond. At the time progress billings are presented for reimburse-
8 ment, the department shall identify and forward as appropriate the fund-
9 ing sources that should support the work performed.

10 Sec. 212. Not later than March 15, 1999 and September 30, 1999, the
11 department shall report to the state police appropriations subcommittees
12 of the house and senate and the house and senate fiscal agencies. The
13 report shall contain the following information regarding the department's
14 activities related to casino gaming oversight:

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

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

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

18 (d) The number of full-time and part-time employees and the aggre-
19 gate number of FTEs.

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

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

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

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

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

4 Sec. 215. Within 10 working days of the formal presentation of the
5 executive budget, each principal department/agency shall identify and
6 report to the house and senate standing committees on appropriations and
7 to the house and senate fiscal agencies the source of all federal funds
8 and restricted funds that the principal department/agency received as a
9 grant or transferred to another principal department/agency.

10 Sec. 216. Money appropriated under this act shall be used to estab-
11 lish a sex offenders registry website on the Internet. The website shall
12 be capable of being linked to and immediately be accessible from the web-
13 sites of public officials, including legislators. The sex offenders reg-
14 istry website shall contain a listing of all those persons in the state
15 convicted of a sex offense and required to be registered with the state
16 under the sex offenders registration act, 1994 PA 295, MCL 28.721 to
17 28.732. Persons listed on the sex offenders registry website shall have
18 information listed about them including, but not limited to, their name,
19 aliases, date of birth, address, physical description, including a photo-
20 graph, and a list of sex offenses of which they were convicted.

21 DEPARTMENTWIDE APPROPRIATIONS

22 Sec. 301. Money appropriated under this act shall not be expended
23 by the department to hire or train an applicant for employment by the
24 department unless that applicant agrees in writing to submit to a
25 controlled substance test that is supervised by the department.

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1 HIGHWAY SAFETY PLANNING

2 Sec. 401. In addition to the money appropriated in section 105, the
3 department may receive and expend state restricted funds for the support
4 of the secondary road patrol and traffic accident enhanced grants program
5 in accordance with section 629e of the Michigan vehicle code, 1949
6 PA 300, MCL 257.629e. Expenditures for the support of the secondary road
7 patrol and traffic accident enhanced grants program shall not exceed rev-
8 enues received.

9 CRIMINAL JUSTICE DATA CENTER

10 Sec. 501. The money appropriated in section 107 for computer serv-
11 ices shall be funded by LEIN user fees sufficient to pay 1/3 of the serv-
12 ice and contract maintenance costs of the LEIN mainframe computer
13 system.

14 Sec. 502. For the fiscal year ending September 30, 1999, the
15 department, in conjunction with the departments of transportation and
16 state and the state budget director, shall determine the cost of main-
17 taining the traffic accident records program based on each department's
18 respective use.

19 Sec. 503. A portion of the funds appropriated in section 107 for
20 the criminal justice data center shall be used by the department to
21 produce a written report detailing departmental policies regarding access
22 to and use of information from the law enforcement information network.
23 The report shall include a description of departmental measures to pro-
24 tect the security of information in the law enforcement information
25 network including safeguards that would prevent unauthorized persons from

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1 obtaining information from the law enforcement information network. The
2 department shall deliver a copy of this report to the senate and house
3 appropriations committees no later than April 1, 1999.

4 Sec. 504. The criminal justice information systems policy council
5 shall encourage members of the law enforcement agencies in the state to
6 be sensitive to, and note when necessary, activities or circumstances
7 that may suggest the unauthorized access or misuse of information from
8 the law enforcement information network. The criminal justice informa-
9 tion systems policy council shall advise LEIN auditors, as a part of
10 their audit of law enforcement agencies, to investigate in depth all sus-
11 pected incidents of improper access or improper use of information from
12 the law enforcement information network and determine whether or not
13 those incidents were illegal. In those incidents which may be determined
14 to be illegal, the executive secretary for the council shall determine
15 whether those incidents were of a negligent or criminal nature. When an
16 incident is determined to be an illegal act, the council shall inform the
17 chairs of both the senate and house appropriations committees. If a forensic
laboratory operated by this department receives a request for technical or other
assistance from the Detroit crime lab, the department of Michigan state police
shall comply with the request in a thorough and timely manner.

18 FORENSIC SCIENCES

19 Sec. 601. It is the intent of the legislature that the grant to the
20 city of Detroit under section 108 be allocated by the city to supplement
21 the city's appropriations for the Detroit crime lab and the Detroit
22 police special events account.

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

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

5 LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

6 Sec. 701. (1) The money appropriated to the MLEOTC for maintenance
7 and delivery of training to locals is provided in accordance with a state
8 reimbursement policy in which 100% of the determined state reimbursement
9 rate shall be distributed upon certification by the MLEOTC.

10 (2) Money appropriated under this act shall not be expended by the
11 MLEOTC for training a law enforcement officer candidate, and a candidate
12 shall not be certified by the MLEOTC, unless the candidate tests negative
13 on a test prescribed by the MLEOTC that is designed to detect the illegal
14 use of controlled substances. A test shall be conducted before basic
15 training and before application for certification. A candidate who tests
16 positive or refuses to submit to a test is not eligible for MLEOTC train-
17 ing or certification until the expiration of 2 years after the positive
18 test or the refusal to submit to the test. Money shall not be expended
19 to employ, train, or certify a candidate who tests positive or who
20 refuses a test, until the expiration of 2 years after the positive test
21 or the refusal to submit to the test.

22 Sec. 702. The money appropriated in section 109 for community
23 policing coordination shall be used by the department to work in conjunc-
24 tion with local criminal justice agencies to identify appropriate

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1 curriculum to support community policing. The department shall work as a
2 coordinator to deliver community policing training.

3 EMERGENCY MANAGEMENT

4 Sec. 801. (1) The state director of emergency management may expend
5 money appropriated under this act to call upon any agency or department
6 of the state or any resource of the state to protect life or property or
7 to provide for the health or safety of the population in any area of the
8 state in which the governor proclaims a state of emergency or state of
9 disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency
10 management act, 1976 PA 390, MCL 30.401 to 30.420. The state director of
11 emergency management may expend the amounts the director considers neces-
12 sary to accomplish these purposes. The director shall submit to the
13 state budget director as soon as possible a complete report of all
14 actions taken under the authority of this section. The report shall con-
15 tain, as a separate item, a statement of all money expended that is not
16 reimbursable from federal money. The state budget director shall review
17 the expenditures and submit recommendations to the legislature in regard
18 to any possible need for a supplemental appropriation.

19 (2) In addition to the money appropriated in this act, the depart-
20 ment may receive and expend money from local, private, federal, or state
21 sources for the purpose of providing emergency management training to
22 local or private interests and for the purpose of supporting emergency
23 preparedness, response, recovery, and mitigation activity.

24 Sec. 802. (1) The emergency management division shall study the
25 impact of extreme weather conditions, such as snow or ice storms that

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1 cause road closures, on local emergency services. Emergency service
2 shall include services that affect health, safety, or human welfare, but
3 not be limited to ambulance, police and fire, and rescue services.

4 (2) The emergency management division, in accordance with subsection
5 (1), shall issue a formal report to the legislature by June 1, 1999.

6 UNIFORM SERVICES

7 Sec. 901. The department shall not expend any portion of the money
8 appropriated in this act, including any expenditure made under an execu-
9 tive order, to plan for or to implement a roadblock or check lane system
10 that has as its primary objective the deterrence or detection of intoxi-
11 cated drivers in this state.

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

15 Sec. 903. Upon service of proper notification by the department of
16 its intent to cancel the lease at any post that is subject to consolida-
17 tion, money appropriated in this act shall not be used for rent expenses
18 at that post beyond the minimum time required for cancellation of the
19 lease.

20 Sec. 904. State police enlisted personnel who are employed to
21 enforce traffic laws as provided in section 629e of the Michigan vehicle
22 code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding
23 to crimes in progress or other emergency situations, and are responsible
24 for protecting every citizen of this state from harm.

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1 SPECIAL OPERATIONS

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

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

8 (3) All money received by the department of state police under this
9 section shall be deposited to the state general fund pursuant to section
10 443 of the management and budget act, 1984 PA 431, MCL 18.1443.

11 (4) The department of state police shall provide a report to the
12 house and senate appropriations committees, house and senate fiscal agen-
13 cies, and the state budget director on April 15, 1999, and on October 15,
14 1999, indicating the amount of revenue collected under this section and
15 deposited to the state general fund for the immediately preceding 6-month
16 period.

17 Sec. 1002. In addition to the appropriations in section 113 to the
18 department of state police for the aviation program, the department is
19 authorized to sell its aircraft and the proceeds from the sale are appro-
20 priated and may be applied to the renovation cost of replacement
21 aircraft.

22 CRIMINAL INVESTIGATIONS

23 Sec. 1101. (1) There is sufficient money appropriated in
24 section 113 to criminal investigations to ensure that the citizens in a
25 service area of any state police post in the vicinity of a state prison

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

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

8 **FIRE MARSHAL**

9 Sec. 1201. The fire fighters training council shall report any pro-
10 posed changes in educational and/or training requirements for volunteer
11 fire fighters to the house and senate appropriations subcommittees on
12 state police and military affairs 30 days prior to implementing the pro-
13 posed changes.

14 Sec. 1203. (1) The department shall prepare a detailed report and
15 deliver it to the senate and house subcommittees on the state police not
16 later than May 15, 1999.

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

19 (a) Michigan fire chiefs association.

20 (b) Michigan state fireman's association.

21 (c) Michigan firefighter's union.

22 (d) Michigan fire service instructors association.

23 (e) Michigan fire inspectors society.

24 (f) Michigan chapter of the international association of arson
25 investigators.

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1 (3) The report shall contain information about the quality and
2 adequacy of service from the state fire safety inspections, enforcement,
3 investigation, and education and training under the proposed reorganiza-
4 tion of the fire marshal division responsibilities. The report shall be
5 based on the performance of the fire marshal division in the performance
6 of its fire safety duties during the first 6 months of fiscal year
7 1998-99.

8 MOTOR CARRIER ENFORCEMENT

9 Sec. 1301. The appropriation in section 115 for school bus inspec-
10 tions shall be used by the department of state police to inspect each
11 school bus and pupil transportation vehicle annually, as required under
12 section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and
13 section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839.