



HOUSE BILL No. 5282

February 3, 2000, Introduced by Reps. Cameron Brown, Byl, Kukuk, Pappageorge, Stamas, Jelinek, Mortimer, Geiger, Mead, Jellema, Pumford, Caul, LaSata, Scranton, Jansen and Godchaux and referred to the Committee on Appropriations.

EXECUTIVE BUDGET BILL

A bill 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

1 LINE-ITEM APPROPRIATIONS

2 Sec. 101. Subject to the conditions set forth in this bill,
3 the amounts listed in this part are appropriated for the
4 department of state police for the fiscal year ending September
5 30, 2001, from the funds indicated in this part. The following
6 is a summary of the appropriations in this part:

7 **DEPARTMENT OF STATE POLICE**

8 APPROPRIATION SUMMARY:

9 Full-time equated unclassified positions 5.0

10 Full-time equated classified positions 3,600.0

11 GROSS APPROPRIATION \$ 398,599,100

12 Interdepartmental grant revenues:

13 Total interdepartmental grants and intradepartmental

14 transfers 21,719,500

15 ADJUSTED GROSS APPROPRIATION \$ 376,879,600

16 Federal revenues:

17 Total federal revenues 33,949,300

18 Special revenue funds:

19 Total local revenues 3,495,300

20 Total private revenues 0

21 Total other state restricted revenues 43,071,600

22 State general fund/general purpose \$ 296,363,400

23 **Sec. 102. EXECUTIVE DIRECTION**

24 Full-time equated unclassified positions 5.0

25 Full-time equated classified positions . 52.0

26 Unclassified positions \$ 413,700

27 Executive direction--45.0 FTE positions . . . 3,845,500

28 Auto theft prevention program--7.0

29 FTE positions 6,528,200

1	GROSS APPROPRIATION	\$	10,787,400
2	Appropriated from:		
3	Special revenue funds:		
4	Auto theft prevention fees		6,528,200
5	State general fund/general purpose	\$	4,259,200
6	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS		
7	Special maintenance and utilities	\$	467,900
8	Worker's compensation		2,539,000
9	Fleet leasing		13,190,300
10	In-service training		850,000
11	Rent and building occupancy charges		8,814,000
12	Narcotics investigation funds		<u>265,000</u>
13	GROSS APPROPRIATION	\$	26,126,200
14	Appropriated from:		
15	Interdepartmental grant revenues:		
16	IDT-Michigan justice training fund		850,000
17	Federal revenues:		
18	Federal narcotics investigation revenues		95,000
19	Special revenue funds:		
20	Narcotics investigation revenues		170,000
21	State general fund/general purpose	\$	25,011,200
22	Sec. 104. SUPPORT SERVICES		
23	Full-time equated classified positions	132.5	
24	Human resources--28.5 FTE positions	\$	2,133,500
25	Management services--60.0 FTE positions		4,065,600
26	Training administration--44.0 FTE positions		<u>4,823,500</u>
27	GROSS APPROPRIATION	\$	11,022,600
28	Appropriated from:		
29	Interdepartmental grant revenues:		

1	IDG-training academy charges	2,663,600
2	Special revenue funds:	
3	Local-LEIN fees	31,900
4	Auto theft prevention fees	21,000
5	Reimbursements	10,000
6	Precision driving track fees	264,100
7	Narcotics investigation revenues	40,600
8	Motor carrier fees	76,300
9	State general fund/general purpose \$	7,915,100
10	Sec. 105. HIGHWAY SAFETY PLANNING	
11	Full-time equated classified positions . 26.0	
12	State program planning and administration--14.0 FTE	
13	positions \$	1,214,100
14	Grants to local governments and nonprofit	
15	organizations	4,000,000
16	Secondary road patrol administration--1.0 FTE	
17	position	86,200
18	Secondary road patrol and traffic accident basic	
19	grants	5,702,100
20	Secondary road patrol and traffic accident enhanced	
21	grants	6,152,300
22	Truck safety program--2.0 FTE positions . . .	2,971,600
23	Field coordination and analysis--8.0 FTE	
24	positions	1,360,000
25	Highway traffic safety--1.0 FTE position . .	<u>3,113,800</u>
26	GROSS APPROPRIATION \$	24,600,100
27	Appropriated from:	
28	Federal revenues:	
29	DOJ	200,000

1	DOT-NHTSA	8,903,300
2	Special revenue funds:	
3	Truck safety fund	2,971,600
4	Secondary road patrol and training fund . . .	6,152,300
5	State general fund/general purpose \$	6,372,900
6	Sec. 106. CENTRAL RECORDS	
7	Full-time equated classified positions . 78.5	
8	Central records division--60.0 FTE positions \$	4,669,800
9	Criminal records improvement--1.0 FTE	
10	position	2,727,600
11	Traffic safety--17.5 FTE positions	<u>1,513,000</u>
12	GROSS APPROPRIATION \$	8,910,400
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDOS	307,900
16	IDG-MDOT, state trunkline fund	330,900
17	Federal revenues:	
18	DOJ	2,727,600
19	DOT-NHTSA	386,700
20	Special revenue funds:	
21	Central records service fees	2,030,700
22	State general fund/general purpose \$	3,126,600
23	Sec. 107. CRIMINAL JUSTICE DATA CENTER	
24	Full-time equated classified positions . 69.0	
25	State police - management information systems-- 24.5	
26	FTE positions \$	3,146,500
27	Local LEIN services--23.5 FTE positions . . .	5,255,100
28	Automated fingerprint identification system--21.0	
29	FTE positions	2,869,300

1	Computer services		<u>655,600</u>
2	GROSS APPROPRIATION	\$	11,926,500
3	Appropriated from:		
4	Special revenue funds:		
5	Local - LEIN fees		2,026,400
6	Local - AFIS fees		33,000
7	State general fund/general purpose	\$	9,867,100
8	Sec. 108. FORENSIC SCIENCES		
9	Full-time equated classified positions	210.0	
10	Laboratory operations--191.0 FTE positions .	\$	16,121,300
11	DNA analysis program--19.0 FTE positions .		2,307,800
12	Grant to city of Detroit		<u>921,100</u>
13	GROSS APPROPRIATION	\$	19,350,200
14	Appropriated from:		
15	Federal revenues:		
16	DOJ		580,200
17	Special revenue funds:		
18	Forensic science reimbursement fees		15,000
19	State forensic laboratory fund		455,000
20	State general fund/general purpose	\$	18,300,000
21	Sec. 109. COMMISSION ON LAW ENFORCEMENT STANDARDS		
22	Full-time equated classified positions	22.5	
23	Standards and training--18.5 FTE positions .	\$	1,535,400
24	Training only to local units		659,400
25	Officer's survivor tuition program		50,000
26	Michigan justice training commission--4.0 FTE		
27	positions		<u>9,026,100</u>
28	GROSS APPROPRIATION	\$	11,270,900
29	Appropriated from:		

1	Federal revenues:	
2	DOJ	360,000
3	Special revenue funds:	
4	Secondary road patrol and training fund . . .	659,400
5	Michigan justice training fund	9,026,100
6	State general fund/general purpose \$	1,225,400
7	Sec. 110. FIRE MARSHAL	
8	Full-time equated classified positions . 51.0	
9	Fire marshal programs--44.0 FTE positions . . \$	3,925,000
10	Fire investigation training to locals	51,500
11	Fire fighters training council--7.0 FTE	
12	positions	<u>1,505,600</u>
13	GROSS APPROPRIATION \$	5,482,100
14	Appropriated from:	
15	Federal revenues:	
16	FEMA	50,000
17	DOT-RSPA, interagency hazardous materials public	
18	training	50,000
19	Special revenue funds:	
20	State general fund/general purpose \$	5,382,100
21	Sec. 111. EMERGENCY MANAGEMENT	
22	Full-time equated classified positions . 49.0	
23	Emergency management planning and administration--	
24	32.0 FTE positions \$	2,896,700
25	Grants to local government	2,182,100
26	FEMA program assistance--3.0 FTE positions .	954,600
27	Nuclear power plant emergency planning--6.0 FTE	
28	positions	1,124,200
29	Hazardous materials transportation--1.0 FTE	

1	position	613,000
2	Hazardous materials programs--7.0 FTE positions	<u>1,834,200</u>
3	GROSS APPROPRIATION	\$ 9,604,800
4	Appropriated from:	
5	Federal revenues:	
6	FEMA	4,613,900
7	DOT-RSPA, interagency hazardous materials public	
8	sector training planning grants	613,000
9	DOJ	249,900
10	Special revenue funds:	
11	Nuclear plant emergency planning reimbursement	1,124,200
12	Hazardous materials training center fees . .	1,249,100
13	State general fund/general purpose	\$ 1,754,700
14	Sec. 112. UNIFORM SERVICES	
15	Full-time equated classified positions 2,077.5	
16	Uniform services--610.0 FTE positions	\$ 50,124,800
17	Security guards--35.0 FTE positions	1,456,000
18	Reimbursed services	506,900
19	State commercial mobile radio service	
20	projects	837,000
21	At-post troopers--1,432.5 FTE positions . . .	<u>115,347,400</u>
22	GROSS APPROPRIATION	\$ 168,272,100
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG-MDOC	102,000
26	IDG-MDMB, building occupancy charges	610,100
27	IDG-MDTR, emergency telephone fund	837,000
28	Federal revenues:	
29	DOL-ETA	150,000

1	DOJ	500,000
2	Special revenue funds:	
3	Highway safety fund	6,555,600
4	State police service fees	506,900
5	State general fund/general purpose	\$ 159,010,500
6	Sec. 113. SPECIAL OPERATIONS	
7	Full-time equated classified positions 156.5	
8	Operational support--35.0 FTE positions . . .	\$ 2,470,200
9	Traffic services--13.5 FTE positions	3,564,400
10	Aviation program--8.0 FTE positions	1,693,500
11	Communications--100.0 FTE positions	<u>14,727,600</u>
12	GROSS APPROPRIATION	\$ 22,455,700
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDOC, contract	76,000
16	Federal revenues:	
17	DOT-NHTSA	2,040,700
18	Special revenue funds:	
19	Rental of department aircraft	201,300
20	Drunk driving prevention and training fund .	833,600
21	State general fund/general purpose	\$ 19,304,100
22	Sec. 114. CRIMINAL INVESTIGATIONS	
23	Full-time equated classified positions 457.5	
24	Criminal investigations--333.5 FTE positions	\$ 32,857,500
25	Federal anti-drug initiatives--72.0 FTE	
26	positions	9,884,100
27	Reimbursed services, materials, and equipment	1,715,600
28	Auto theft prevention--10.0 FTE positions . .	1,129,300
29	Casino gaming oversight--42.0 FTE positions .	<u>5,309,700</u>

1	GROSS APPROPRIATION	\$ 50,896,200
2	Appropriated from:	
3	Interdepartmental grant revenues:	
4	IDT-auto theft funds	863,600
5	IDG-MDTR, casino gaming fees	5,309,600
6	IDG-MDCH, tobacco tax	656,900
7	Federal revenues:	
8	Federal investigations-reimbursed services .	311,600
9	DOJ	7,396,400
10	Federal narcotics investigation revenues . .	379,700
11	Special revenue funds:	
12	Local-reimbursed services	1,404,000
13	Narcotics investigations revenues	535,100
14	Forfeiture funds	269,500
15	Licensing fees	415,400
16	State general fund/general purpose	\$ 33,354,400
17	Sec. 115. MOTOR CARRIER ENFORCEMENT	
18	Full-time equated classified positions 218.0	
19	Motor carrier enforcement--135.0 FTE	
20	positions	\$ 10,204,500
21	Truck safety enforcement team operations--15.0 FTE	
22	positions	1,022,400
23	Safety inspections--45.5 FTE positions . . .	4,357,400
24	School bus inspections--16.0 FTE positions .	1,480,100
25	Safety projects--6.5 FTE positions	<u>829,500</u>
26	GROSS APPROPRIATION	\$ 17,893,900
27	Appropriated from:	
28	Interdepartmental grant revenues:	
29	IDT-truck safety fund	1,094,100

1	IDG-MDOT, state trunkline fund	8,017,800
2	Federal revenues:	
3	DOT-NHTSA	4,341,300
4	Special revenue funds:	
5	Motor carrier fees	2,960,600
6	State general fund/general purpose \$	1,480,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending under part 1 for fiscal year 2000-2001 is \$339,435,000.00 and state appropriations to be paid to local units of government are as follows:

DEPARTMENT OF STATE POLICE

Secondary road patrol and traffic accident basic

grants	\$	5,702,100
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Secondary road patrol and traffic accident enhanced

grants		6,152,300
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Grant to city of Detroit		921,100
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Training only to local units		659,400
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Michigan justice training commission		5,624,700
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Fire fighters training council		773,000
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Fire investigation training to locals		<u>51,500</u>
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Total	\$	19,884,100
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(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended for any quarter under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state

1 budget director, the senate and house of representatives standing
2 committees on appropriations, and the senate and house fiscal
3 agencies.

4 Sec. 202. The expenditures and funding sources authorized under
5 this bill are subject to the management and budget act, 1984 PA 431,
6 MCL 18.1101 to 18.1594.

7 Sec. 203. (1) In addition to the funds appropriated in part 1,
8 there is appropriated an amount not to exceed \$10,000,000.00 for
9 federal contingency funds. These funds are not available for
10 expenditure until they have been transferred to another line item in
11 this bill pursuant to section 393(2) of the management and budget act,
12 1984 PA 431, MCL 18.1101 to 18.1594.

13 (2) In addition to the funds appropriated in part 1, there is
14 appropriated an amount not to exceed \$3,500,000.00 for state
15 restricted contingency funds. These funds are not available for
16 expenditure until they have been transferred to another line item in
17 this bill pursuant to section 393(2) of the management and budget act,
18 1984 PA 431, MCL 18.1393.

19 (3) In addition to the funds appropriated in part 1, there is
20 appropriated an amount not to exceed \$1,000,000.00 for local
21 contingency funds. These funds are not available for expenditure
22 until they have been transferred to another line item in this bill
23 pursuant to section 393(2) of the management and budget act, 1984 PA
24 431, MCL 18.1393.

25 (4) In addition to the funds appropriated in part 1, there is
26 appropriated an amount not to exceed \$200,000.00 for private
27 contingency funds. These funds are not available for expenditure
28 until they have been transferred to another line item in this bill
29 pursuant to section 393(2) of the management and budget act, 1984 PA
30 431, MCL 18.1393.

1 Sec. 204. The department of civil service shall bill departments
2 and agencies at the end of the first fiscal quarter for the 1% charge
3 authorized by section 5 of article XI of the state constitution of
4 1963. Payments shall be made for the total amount of the billing by
5 the end of the second fiscal quarter.

6 Sec. 205. As used in this bill:

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

8 (b) "COLES" means the commission on law enforcement standards.

9 (c) "Department" means the Michigan department of state police.

10 (d) "DNA" means deoxyribonucleic acid.

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

12 (f) "DOL-ETA" means the DOL employment and training
13 administration.

14 (g) "DOT-NHTSA" means DOT national highway traffic safety
15 administration.

16 (h) "DOT-RSPA" means the DOT research and special programs
17 administration.

18 (i) "FEMA" means the federal emergency management agency.

19 (j) "FTE" means full-time equated.

20 (k) "IDG" means interdepartmental grant.

21 (l) "IDT" means intradepartmental transfer.

22 (m) "LEIN" means law enforcement information network.

23 (n) "MDCH" means the Michigan department of community health.

24 (o) "MDMB" means the Michigan department of management and budget.

25 (p) "MDOC" means the Michigan department of corrections.

26 (q) "MDOS" means the Michigan department of state.

27 (r) "MDOT" means the Michigan department of transportation.

28 (s) "MDTR" means the Michigan department of treasury.

29 Sec. 206. (1) Beginning October 1, a hiring freeze is imposed on
30 the state classified civil service. State departments and agencies

1 are prohibited from hiring any new full-time state classified civil
2 service employees and prohibited from filling any vacant state
3 classified civil service positions. This hiring freeze does not apply
4 to internal transfers of classified employees from one position to
5 another within a department or to positions that are funded with 80%
6 or more federal or restricted funds.

7 (2) The state budget director shall grant exceptions to this
8 hiring freeze when the state budget director believes that the hiring
9 freeze will result in rendering a state department or agency unable to
10 deliver basic services. The state budget director shall report by the
11 30TH of each month to the chairpersons of the senate and house of
12 representatives standing committees on appropriations the number of
13 exceptions to the hiring freeze approved during the previous month and
14 the reasons to justify the exception.

15 Sec. 207. Of the state general fund/general purpose revenue
16 appropriated in this bill, \$86,693,800.00 represents a state spending
17 increase over the amount provided to the department of state police
18 for the fiscal year ending September 30, 1994, and may be used to meet
19 state match requirements of programs contained in the federal violent
20 crime control and law enforcement act of 1994, or successor grant
21 programs, so that any additional federal money received supplements
22 funding provided to the department of state police in this bill.

23 Sec. 208. Sixty days before beginning any effort to privatize,
24 the department shall submit a complete project plan to the appropriate
25 subcommittees of the senate and house of representatives standing
26 committees on appropriations and the senate and house fiscal agencies.
27 The plan shall include the criteria under which the privatization
28 initiative will be evaluated. The evaluation shall be completed and
29 submitted to the appropriate subcommittees of the senate and house of
30 representatives standing committees on appropriations and the senate

1 and house fiscal agencies within 30 months.

2 Sec. 209. The department shall continue to pilot the use of the
3 Internet to fulfill the reporting requirements in this bill. This may
4 include transmission of reports via electronic mail to the recipients
5 identified for each reporting requirement, or it may include placement
6 of reports on the Internet or on the Intranet. The appropriations
7 subcommittee shall be notified in writing of the Internet/Intranet
8 site of any such report.

9 **CRIMINAL JUSTICE DATA CENTER**

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

13 **FORENSIC SCIENCES**

14 Sec. 401. The grant to
15 the city of Detroit under part 1 shall be allocated by the city to the
16 Detroit crime lab and to the Detroit police special events.

17 **COMMISSION ON LAW ENFORCEMENT STANDARDS**

18 Sec. 501. The money appropriated to the COLES for maintenance and
19 delivery of training to locals is provided in accordance with a state
20 reimbursement policy in which 100% of the determined state
21 reimbursement rate shall be distributed upon certification by the
22 COLES.

23 **EMERGENCY MANAGEMENT**

24 Sec. 601. (1) The state director of emergency management may
25 expend money appropriated under this bill to call upon any agency or
26 department of the state or any resource of the state to protect life
27 or property or to provide for the health or safety of the population
28 in any area of the state in which the governor proclaims a state of
29 emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33,
30 or under the emergency management act, 1976 PA 390, MCL 30.401 to

1 30.420. The state director of emergency management may expend the
2 amounts the director considers necessary to accomplish these purposes.
3 The director shall submit to the state budget director as soon as
4 possible a complete report of all actions taken under the authority of
5 this section. The report shall contain, as a separate item, a
6 statement of all money expended that is not reimbursable from federal
7 money. The state budget director shall review the expenditures and
8 submit recommendations to the legislature in regard to any possible
9 need for a supplemental appropriation.

10 (2) In addition to the money appropriated in this bill, the
11 department may receive and expend money from local, private, federal,
12 or state sources for the purpose of providing emergency management
13 training to local or private interests and for the purpose of
14 supporting emergency preparedness, response, recovery, and mitigation
15 activity.

16 **UNIFORM SERVICES**

17 Sec. 701. The department shall not expend any portion of
18 the money appropriated in this bill, including any expenditure made
19 under an executive order, to plan for or to implement a roadblock or
20 check lane system that has as its primary objective the deterrence or
21 detection of intoxicated drivers in this state.

22 Sec. 702. State police enlisted personnel who are employed to
23 enforce traffic laws as provided in section 629e of the Michigan
24 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from
25 responding to crimes in progress or other emergency situations, and
26 are responsible for protecting every citizen of this state from harm.

27 **SPECIAL OPERATIONS**

28 Sec. 801. (1) Money appropriated under part 1 for the Michigan
29 public safety communications system shall be expended upon approval of
30 an expenditure plan by the state budget director.

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

4 (3) All money received by the department of state police under
5 this section shall be deposited to the state general fund pursuant to
6 section 443 of the management and budget act, 1984 PA 431, MCL
7 18.1443.

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

14 Sec. 802. In addition to the appropriations in part 1
15 to the department of state police for the aviation program, the
16 department is authorized to sell its aircraft and the proceeds from
17 the sale are appropriated and may be applied to the renovation cost of
18 replacement aircraft.