

Act No. 269
Public Acts of 2000
Approved by the Governor
July 6, 2000
Filed with the Secretary of State
July 6, 2000
EFFECTIVE DATE: July 6, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

**Introduced by Reps. Cameron Brown, Byl, Kukuk, Pappageorge, Stamas, Jelinek, Mortimer, Geiger,
Mead, Jellema, Pumford, Caul, LaSata, Scranton, Jansen and Godchaux**

ENROLLED HOUSE BILL No. 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

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

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

		For Fiscal Year Ending Sept. 30, 2001
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
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
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
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
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

		For Fiscal Year Ending Sept. 30, 2001
Secondary road patrol and training fund	\$	6,152,300
State general fund/general purpose	\$	6,993,100
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 (NCHIP)		2,627,400
DOJ-BJA, drug control and system improvements, formula 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
Sec. 107. CRIMINAL JUSTICE DATA CENTER		
Full-time equated classified positions	69.0	
State police - management information systems—24.5 FTE positions	\$	3,146,500
Local LEIN services—23.5 FTE positions.....		5,255,100
Automated fingerprint identification system—21.0 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
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
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

		For Fiscal Year Ending Sept. 30, 2001
Michigan justice training fund.....	\$	9,026,100
State general fund/general purpose	\$	1,725,400
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 planning grants.....		50,000
State general fund/general purpose	\$	5,382,100
Sec. 111. EMERGENCY MANAGEMENT		
Full-time equated classified positions.....	49.0	
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	\$	9,604,800
Appropriated from:		
Federal revenues:		
FEMA-PTED, hazardous material assistance program.....		4,613,900
DOT-RSPA, interagency hazardous materials public sector 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
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	\$	170,532,100
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
Sec. 113. SPECIAL OPERATIONS		
Full-time equated classified positions.....	156.5	
Operational support—35.0 FTE positions.....	\$	2,470,200

		For Fiscal Year Ending Sept. 30, 2001
Traffic services—13.5 FTE positions.....	\$	3,564,400
Aviation program—8.0 FTE positions.....		1,693,500
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

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 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

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
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

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
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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

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.

Sec. 203. As used in this act:

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

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.

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 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.

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.

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.

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.

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.

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 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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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

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

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.

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 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

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.

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.

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

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.

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

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.

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.

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

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 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

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.

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.

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.

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.

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

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.

(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.

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

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.

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.

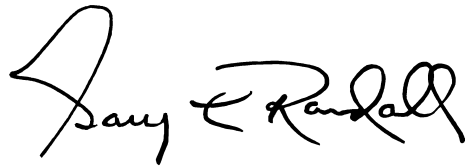
MOTOR CARRIER ENFORCEMENT

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.

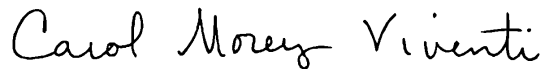
CENTRAL RECORDS

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.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.