

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

## HB5593, As Passed House, March 31, 1998

Sub. H.B. 5593 (H-1) as amended March 31, 1998  
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For Fiscal Year Ending  
September 30, 1999

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

### 3 DEPARTMENT OF STATE POLICE

#### 4 APPROPRIATION SUMMARY:

5	Full-time equated unclassified positions.....	5.0	
6	Full-time equated classified positions.....	3,564.0	
7	GROSS APPROPRIATION.....	\$	[ 350,753,500 ]
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers.....		18,325,500
11	ADJUSTED GROSS APPROPRIATION.....	\$	[ 332,428,000 ]
12	Federal revenues:		
13	Total federal revenues.....		29,021,400
14	Special revenue funds:		
15	Total local revenues.....		3,453,400
16	Total private revenues.....		0
17	Total other state restricted revenues.....		40,930,200
18	State general fund/general purpose.....	\$	[ 259,023,000 ]
19	<b>Sec. 102. EXECUTIVE DIRECTION</b>		
20	Full-time equated unclassified positions.....	5.0	
21	Full-time equated classified positions.....	51.0	
22	Director.....		102,000
23	Executive secretary, Michigan law enforcement offi-		
24	cers training council.....		72,600
25	Executive secretary, fire fighters training council..		52,800
26	Chief information officer.....		82,600

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1	Assistant to the director.....	80,200
2	Executive direction--44.0 FTE positions.....	3,216,700
3	Auto theft prevention program--7.0 FTE positions.....	6,494,900
4	GROSS APPROPRIATION..... \$	10,101,800
5	Appropriated from:	
6	Special revenue funds:	
7	Auto theft prevention fees.....	6,494,900
8	State general fund/general purpose..... \$	3,606,900
9	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>	
10	Rent.....	3,074,800
11	Worker's compensation.....	2,482,600
12	Fleet leasing.....	13,030,200
13	Inservice training.....	850,000
14	Building occupancy charges-property management	
15	services.....	2,761,000
16	Special maintenance and utilities.....	459,300
17	Narcotics investigation funds.....	265,000
18	GROSS APPROPRIATION..... \$	22,922,900
19	Appropriated from:	
20	Intradepartmental transfer revenues:	
21	IDT-Michigan justice training fund.....	850,000
22	Federal revenues:	
23	Federal narcotics investigation revenues.....	95,000
24	Special revenue funds:	
25	Narcotics investigation revenues.....	170,000
26	State general fund/general purpose..... \$	21,807,900

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1	<b>Sec. 104. SUPPORT SERVICES</b>	
2	Full-time equated classified positions.....	132.5
3	Human resources--28.5 FTE positions.....	1,948,100
4	Management services--60.0 FTE positions.....	3,747,200
5	Training administration--44.0 FTE positions.....	4,231,700
6	GROSS APPROPRIATION.....	\$ 9,927,000
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG-training academy charges.....	2,326,900
10	Special revenue funds:	
11	Local-LEIN fees.....	31,900
12	Auto theft prevention fees.....	21,000
13	Narcotics investigation revenues.....	40,600
14	Motor carrier fees.....	76,300
15	Reimbursements.....	10,000
16	Precision driving track fees.....	208,500
17	State general fund/general purpose.....	\$ 7,211,800
18	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
19	Full-time equated classified positions.....	30.5
20	State program planning and administration--14.0 FTE	
21	positions.....	1,148,600
22	Grants to local governments and non-profit	
23	organizations.....	4,000,000
24	Secondary road patrol administration--1.0 FTE	
25	positions.....	80,500
26	Secondary road patrol and traffic accident basic	
27	grants.....	5,059,700

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1	Secondary road patrol and traffic accident enhanced	
2	grants.....	5,701,300
3	Truck safety program--2.0 FTE positions.....	2,967,600
4	Field coordination and analysis--8.0 FTE positions...	1,303,300
5	Traffic safety data--2.5 FTE positions.....	121,500
6	Fatal accident reporting system--2.0 FTE positions...	131,900
7	Highway traffic safety--1.0 FTE positions.....	2,913,800
8	GROSS APPROPRIATION.....	\$ 23,428,200
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG from MDOT-Michigan transportation fund.....	547,200
12	Federal revenues:	
13	DOT-NHTSA.....	8,950,400
14	Special revenue funds:	
15	Truck driver safety fund.....	2,967,600
16	Secondary road patrol and training fund.....	5,701,300
17	State general fund/general purpose.....	\$ 5,261,700
18	<b>Sec. 106. CENTRAL RECORDS</b>	
19	Full-time equated classified positions.....61.0	
20	Central records division--60.0 FTE positions.....	4,151,800
21	Criminal records improvement--1.0 FTE positions.....	2,714,500
22	GROSS APPROPRIATION.....	\$ 6,866,300
23	Appropriated from:	
24	Federal revenues:	
25	DOJ-BJS, national criminal history improvement	
26	program (NCHIP).....	2,614,500

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1	DOJ-BJA, drug control and system improvements,	
2	formula grants.....	100,000
3	Special revenue funds:	
4	Central records service fees.....	1,700,300
5	State general fund/general purpose..... \$	2,451,500
6	<b>Sec. 107. CRIMINAL JUSTICE DATA CENTER</b>	
7	Full-time equated classified positions.....82.0	
8	State police-management information systems--24.5 FTE	
9	positions.....	1,920,200
10	Traffic accident records--13.0 FTE positions.....	822,300
11	Local LEIN services--23.5 FTE positions.....	5,060,400
12	Computer services.....	655,600
13	Automated fingerprint identification system--21.0 FTE	
14	positions.....	2,732,700
15	GROSS APPROPRIATION..... \$	11,191,200
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG from department of state.....	302,400
19	IDG from MDOT-state trunkline fund.....	302,400
20	Federal revenues:	
21	Special revenue funds:	
22	Local-LEIN fees.....	2,000,000
23	Local-AFIS fees.....	33,000
24	State general fund/general purpose..... \$	8,553,400
25	<b>Sec. 108. FORENSIC SCIENCES</b>	
26	Full-time equated classified positions.....197.0	

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1	Laboratory operations--178.0 FTE positions.....	13,695,100
2	DNA analysis program--19.0 FTE positions.....	2,170,400
3	Grant to city of Detroit.....	894,300
4	GROSS APPROPRIATION..... \$	16,759,800
5	Appropriated from:	
6	Federal revenues:	
7	DOJ-BJA, drug control and system improvement, formula	
8	grant.....	580,200
9	DOD-CVSA research grant.....	40,000
10	Special revenue funds:	
11	State forensic laboratory fund.....	455,000
12	Forensic science reimbursement fees.....	15,000
13	State general fund/general purpose..... \$	15,669,600
14	<b>Sec. 109. LAW ENFORCEMENT OFFICERS TRAINING COUNCIL</b>	
15	Full-time equated classified positions.....22.5	
16	Standards and training--15.5 FTE positions.....	1,291,200
17	Community policing coordination--3.0 FTE positions...	154,100
18	Training only to local units.....	619,400
19	Officer's survivor tuition program.....	50,000
20	Michigan justice training commission--4.0 FTE	
21	positions.....	9,010,000
22	GROSS APPROPRIATION..... \$	11,124,700
23	Appropriated from:	
24	Federal revenues:	
25	DOJ-OJP.....	360,000
26	Special revenue funds:	

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1	Secondary road patrol and training fund.....	619,400
2	Michigan justice training fund.....	9,010,000
3	State general fund/general purpose..... \$	1,135,300
4	<b>Sec. 110. FIRE MARSHAL</b>	
5	Full-time equated classified positions.....51.0	
6	Fire marshal programs--44.0 FTE positions.....	3,572,400
7	Fire investigation training to locals.....	51,500
8	Fire fighters training council--7.0 FTE positions....	964,500
9	GROSS APPROPRIATION..... \$	4,588,400
10	Appropriated from:	
11	Federal revenues:	
12	FEMA-PTED, hazardous material assistance program.....	50,000
13	DOT-RSPA, interagency hazardous materials public	
14	sector training and planning grants.....	50,000
15	Special revenue funds:	
16	State general fund/general purpose..... \$	4,488,400
17	<b>Sec. 111. EMERGENCY MANAGEMENT</b>	
18	Full-time equated classified positions.....49.0	
19	Emergency management planning and	
20	administration--18.5 FTE positions.....	1,662,500
21	Grants to local government.....	2,182,100
22	FEMA program assistance--13.5 FTE positions.....	1,998,200
23	Nuclear power plant emergency planning--6.0 FTE	
24	positions.....	1,070,800
25	Hazardous materials programs--10.0 FTE positions.....	1,598,200
26	Hazardous materials transportation--1.0 FTE positions	609,800

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1	GROSS APPROPRIATION.....	\$	9,121,600
2	Appropriated from:		
3	Federal revenues:		
4	FEMA-PTED, hazardous material assistance program.....		4,900,100
5	DOT-RSPA, interagency hazardous materials public		
6	sector training and planning grants.....		609,800
7	DOJ, antiterrorism training.....		249,900
8	EPA-OSWER, superfund innovative technology evaluation		
9	program.....		151,000
10	Special revenue funds:		
11	Nuclear plant emergency planning reimbursement.....		1,070,800
12	Hazardous materials training center fees.....		1,021,400
13	State general fund/general purpose.....	\$	1,118,600
14	<b>Sec. 112. UNIFORM SERVICES</b>		
15	Full-time equated classified positions.....	2,080.5	
16	Uniform services--610.0 FTE positions.....		45,372,300
17	Security guards--40.0 FTE positions.....		1,397,500
18	Reimbursed services.....		500,000
19	At-post troopers--1,430.5 FTE positions.....		101,467,700
20	[		]
21	GROSS APPROPRIATION.....	\$	[ 148,737,500 ]
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG from MDOT-Michigan transportation fund.....		66,500
25	IDG-department of corrections.....		94,700
26	IDG-department of management and budget, building		
27	occupancy charges.....		579,300

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1	Federal revenues:	
2	DOL-ETA.....	150,000
3	DOJ-OJP.....	200,000
4	Special revenue funds:	
5	Highway safety fund.....	6,300,000
6	State police service fees.....	500,000
7	State general fund/general purpose.....	\$ [140,847,000]
8	<b>Sec. 113. SPECIAL OPERATIONS</b>	
9	Full-time equated classified positions.....	156.5
10	Operational support--35.0 FTE positions.....	2,227,200
11	Traffic safety--13.5 FTE positions.....	3,321,500
12	Aviation program--8.0 FTE positions.....	1,213,800
13	Communications--100.0 FTE positions.....	[13,034,300]
14	GROSS APPROPRIATION.....	\$ [19,796,800]
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG-department of corrections, contract.....	61,500
18	Federal revenues:	
19	DOT-NHTSA.....	1,902,500
20	Special revenue funds:	
21	Rental of department aircraft.....	201,300
22	Drunk driving prevention and training fund.....	776,700
23	State general fund/general purpose.....	\$ [16,854,800]
24	<b>Sec. 114. CRIMINAL INVESTIGATIONS</b>	
25	Full-time equated classified positions.....	444.5
26	Criminal investigations--315.5 FTE positions.....	27,979,500

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1	Federal anti-drug initiatives--72.0 FTE positions....	7,132,900
2	Reimbursed services, materials, and equipment.....	1,696,700
3	Auto theft prevention--9.0 FTE positions.....	1,020,700
4	Casino gaming oversight--48.0 FTE positions.....	4,845,400
5	GROSS APPROPRIATION..... \$	42,675,200
6	Appropriated from:	
7	Interdepartmental grant and intradepartmental	
8	transfer revenues:	
9	IDT-auto theft funds.....	781,700
10	IDG-MDTR, casino gaming fees.....	4,845,400
11	IDG-MDCH, tobacco tax.....	593,200
12	Federal revenues:	
13	Federal investigations-reimbursed services.....	308,200
14	DOJ-BJA, drug control and system improvement, formula	
15	grants.....	4,812,400
16	Federal narcotics investigation revenues.....	368,600
17	Special revenue funds:	
18	Local-reimbursed services.....	1,388,500
19	Narcotics investigation revenues.....	496,900
20	Forfeiture funds.....	269,500
21	Licensing fees.....	190,400
22	State general fund/general purpose..... \$	28,620,400
23	<b>Sec. 115. MOTOR CARRIER ENFORCEMENT</b>	
24	Full-time equated classified positions.....206.0	
25	Motor carrier enforcement--123.0 FTE positions.....	7,804,200
26	Truck safety enforcement team operations--15.0 FTE	
27	positions.....	1,125,800

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1	Safety inspections--45.5 FTE positions.....	2,913,800
2	School bus inspections--16.0 FTE positions.....	1,395,700
3	Safety projects--6.5 FTE positions.....	272,600
4	GROSS APPROPRIATION..... \$	13,512,100
5	Appropriated from:	
6	Intradepartmental transfer and interdepartmental	
7	grant revenues:	
8	IDG from MDOT-state trunkline fund.....	5,785,100
9	IDT, truck driver safety fund.....	1,189,200
10	Federal revenues:	
11	DOT-FHWA.....	2,528,800
12	Special revenue funds:	
13	Motor carrier fees.....	2,613,300
14	State general fund/general purpose..... \$	1,395,700

15

16

### PART 2

17

### PROVISIONS CONCERNING APPROPRIATIONS

#### 18 GENERAL SECTIONS

19 Sec. 201. (1) Pursuant to section 30 of article IX of the state  
20 constitution of 1963, total state spending from state sources for fiscal  
21 year 1998-99 is estimated at [\$299,953,200.00] in this act from state  
22 sources and state spending paid to local units of government for fiscal  
23 year 1998-99 is estimated at \$18,306,900.00. The itemized statement  
24 below identifies appropriations from which spending to units of local  
25 government will occur:

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1 DEPARTMENT OF STATE POLICE

2 OFFICE OF HIGHWAY SAFETY PLANNING

3 Secondary road patrol and traffic accident basic

4 grants..... \$ 5,059,700

5 Secondary road patrol and traffic accident enhanced

6 grants..... 5,701,300

7 FORENSIC SCIENCES

8 Grant to city of Detroit..... \$ 894,300

9 LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

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

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

12 FIRE MARSHAL

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

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

15 Total..... \$ 18,306,900

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

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

25 Sec. 203. (1) In addition to the funds appropriated in this act,  
26 there is appropriated an amount not to exceed \$4,500,000.00 for federal  
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, MCL 18.1101  
3 to 18.1594.

4 (2) In addition to the funds appropriated in this act, there is  
5 appropriated an amount not to exceed \$3,500,000.00 for state restricted  
6 contingency funds. These funds are not available for expenditure until  
7 they have 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 (3) In addition to the funds appropriated in this act, there is  
11 appropriated an amount not to exceed \$1,000,000.00 for local 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  
14 section 393(2) of the management and budget act, 1984 PA 431,  
15 MCL 18.1393.

16 (4) In addition to the funds appropriated in this act, there is  
17 appropriated an amount not to exceed \$200,000.00 for private contingency  
18 funds. These funds are not available for expenditure until they have  
19 been transferred to another line item in this act pursuant to section  
20 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

26 Sec. 205. As used in this act:

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- 1 (a) "AFIS" means the automated fingerprint identification system.
- 2 (b) "Department" means the department of state police.
- 3 (c) "DNA" means deoxyribonucleic acid.
- 4 (d) "DOD" means the United States department of defense.
- 5 (e) "DOD-CVSA" means the DOD computerized voice stress analyzer.
- 6 (f) "DOJ" means the United States department of justice.
- 7 (g) "DOJ-BJA" means the DOJ bureau of justice assistance.
- 8 (h) "DOJ-BJS" means the United States DOJ bureau of justice
- 9 statistics.
- 10 (i) "DOJ-OJP" means the DOJ office of justice programs.
- 11 (j) "DOL" means the United States department of labor.
- 12 (k) "DOL-ETA" means the DOL employment and training administration.
- 13 (l) "DOT" means the United States department of transportation.
- 14 (m) "DOT-NHTSA" means DOT national highway traffic safety
- 15 administration.
- 16 (n) "DOT-FHWA" means the DOT federal highway administration.
- 17 (o) "DOT-RSPA" means the DOT research and special programs
- 18 administration.
- 19 (p) "EPA" means environmental protection agency.
- 20 (q) "EPA-OSWER" means the EPA office of solid waste and emergency
- 21 response.
- 22 (r) "FEMA" means the federal emergency management agency.
- 23 (s) "FEMA-PTED" means the FEMA preparedness, training, and
- 24 exercises directorate.
- 25 (t) "FTE" means full-time equated.
- 26 (u) "IDG" means interdepartmental grant.

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- 1 (v) "IDT" means intradepartmental transfer.  
2 (w) "LEIN" means law enforcement information network.  
3 (x) "MDCH" means the Michigan department of community health.  
4 (y) "MDOC" means the Michigan department of corrections.  
5 (z) "MDOS" means the Michigan department of state.  
6 (aa) "MDOT" means the Michigan department of transportation.  
7 (bb) "MDTR" means the Michigan department of treasury.  
8 (cc) "MLEOTC" means the Michigan law enforcement officers training  
9 council.

10 Sec. 206. It is the intent of the legislature that personnel of the  
11 department who request and are eligible for reimbursement of expenses  
12 related to the operation of the department be reimbursed from the appro-  
13 priations provided in this act within 30 days after submitting a request,  
14 or the eligible personnel shall be paid an additional amount equal to  
15 0.75% of the payment due. The department shall pay an additional amount  
16 equal to 0.75% of the payment due for the first month and each succeeding  
17 month or portion of a month the payment remains past due.

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

25 (2) The state budget director shall grant exceptions to this hiring  
26 freeze when the state budget director believes that the hiring freeze  
27 will result in the state department or agency being unable to deliver

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1 basic services. The state budget director shall report by the fifteenth  
2 of each month to the chairpersons of the senate and house appropriations  
3 committees the number of exclusions to the hiring freeze approved during  
4 the previous month and the reasons for the exclusions.

5       Sec. 208. Money appropriated in this act shall not be used for the  
6 purchase of foreign goods or services when competitively priced and com-  
7 parable quality American goods or services are available. By May 1,  
8 1999, the department of state police shall submit a report to the depart-  
9 ment of management and budget, the speaker and minority leaders of the  
10 house of representatives, the majority and minority leaders of the  
11 senate, and the chairpersons of the house and senate appropriations com-  
12 mittees on efforts to comply with this section.

13       Sec. 209. Of the state general fund/general purpose revenue appro-  
14 priated in this act, [\$56,233,700.00] represents a state spending increase  
15 over the amount provided to the department of state police for the fiscal  
16 year ending September 30, 1994, and may be used to meet state match  
17 requirements of programs contained in the federal violent crime control  
18 and law enforcement act of 1994, or successor grant programs, so that any  
19 additional federal money received supplements funding provided to the  
20 department of state police in this act.

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

25       (2) The director of the department shall strongly encourage firms  
26 with which the department contracts to subcontract with businesses

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1 certified by the department of civil rights in depressed and deprived  
2 communities for services or supplies, or both.

3       Sec. 211. (1) The department shall submit to the department of man-  
4 agement and budget, the house and senate appropriations committees, the  
5 house and senate fiscal agencies, and the house and senate standing com-  
6 mittees having jurisdiction over technology issues, periodic reports on  
7 the department's efforts to change the department's computer software and  
8 hardware as necessary to perform properly in the year 2000 and beyond.  
9 These reports shall identify actual progress in comparison to the  
10 department's approved work plan for these efforts.

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

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

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

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

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

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

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Sub. H.B. 5593 (H-1) as amended March 31, 1998

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- 1 (e) The number of enlisted and civilian positions.  
2 (f) The duties and responsibilities of the assigned employees.  
3 (g) The immediate past position of the enlisted employees assigned.  
4 Sec. 213. The department is authorized to receive and to expend  
5 upon receipt any federal or state forfeiture money. Each quarter, the  
6 department shall notify the state police appropriations subcommittees of  
7 the house and senate and the house and senate fiscal agencies of the  
8 receipt of any federal or state forfeiture money.  
9 Sec. 214. Any law enforcement entity receiving GF/GP funds from  
10 this act shall not evaluate an employee or consider an employee for pro-  
11 motion or assignment on the basis of motor vehicle citations issued.

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

### 12 DEPARTMENTWIDE APPROPRIATIONS

- 13 Sec. 301. Money appropriated under this act shall not be expended  
14 by the department to hire or train an applicant for employment by the  
15 department unless that applicant agrees in writing to submit to a con-  
16 trolled substance test that is supervised by the department.

### 17 HIGHWAY SAFETY PLANNING

- 18 Sec. 401. In addition to the money appropriated in section 105, the  
19 department may receive and expend state restricted funds for the support  
20 of the secondary road patrol and traffic accident enhanced grants program  
21 in accordance with section 629e of the Michigan vehicle code, 1949  
22 PA 300, MCL 257.629e. Expenditures for the support of the secondary road

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1 patrol and traffic accident enhanced grants program shall not exceed  
2 revenues received.

## 3 CRIMINAL JUSTICE DATA CENTER

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

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

13       Sec. 503. A portion of the funds appropriated in section 107 for  
14 the criminal justice data center shall be used by the department to  
15 produce a written report detailing departmental policies regarding access  
16 to and use of information from the law enforcement information network.  
17 The report shall include a description of departmental measures to pro-  
18 tect the security of information in the law enforcement information net-  
19 work including safeguards that would prevent unauthorized persons from  
20 obtaining information from the law enforcement information network. The  
21 department shall deliver a copy of this report to the senate and house  
22 appropriations committees no later than April 1, 1999.

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## 1 FORENSIC SCIENCES

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

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

9       (2) The department shall report to the house and senate appropria-  
10 tions subcommittees on state police and the house and senate fiscal agen-  
11 cies whenever any changes to the department's DNA protocol are made.

## 12 LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

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

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

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1 to employ, train, or certify a candidate who tests positive or who  
2 refuses a test, until the expiration of 2 years after the positive test  
3 or the refusal to submit to the test.

4       Sec. 702. The money appropriated in section 109 for community  
5 policing coordination shall be used by the department to work in conjunc-  
6 tion with local criminal justice agencies to identify appropriate curric-  
7 ulum to support community policing. The department shall work as a coor-  
8 dinator to deliver community policing training.

### 9 EMERGENCY MANAGEMENT

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

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1       (2) In addition to the money appropriated in this act, the  
2 department may receive and expend money from local, private, federal, or  
3 state sources for the purpose of providing emergency management training  
4 to local or private interests and for the purpose of supporting emergency  
5 preparedness, response, recovery, and mitigation activity.

6       Sec. 802. (1) The emergency management division shall study the  
7 impact of extreme weather conditions, such as snow or ice storms that  
8 cause road closures, on local emergency services. Emergency service  
9 shall include services that affect health, safety, or human welfare, but  
10 not be limited to ambulance, police and fire, and rescue services.

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

### 13 UNIFORM SERVICES

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

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

22       Sec. 903. Upon service of proper notification by the department of  
23 its intent to cancel the lease at any post that is subject to consolida-  
24 tion, money appropriated in this act shall not be used for rent expenses

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1 at that post beyond the minimum time required for cancellation of the  
2 lease.

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

**8 SPECIAL OPERATIONS**

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

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

15       (3) All money received by the department of state police under this  
16 section shall be deposited to the state general fund pursuant to section  
17 443 of the management and budget act, 1984 PA 431, MCL 18.1443.

18       (4) The department of state police shall provide a report to the  
19 house and senate appropriations committees, house and senate fiscal agen-  
20 cies, and the state budget director on April 15, 1999, and on October 15,  
21 1999, indicating the amount of revenue collected under this section and  
22 deposited to the state general fund for the immediately preceding 6-month  
23 period.

24       Sec. 1002. In addition to the appropriations in section 113 to the  
25 department of state police for the aviation program, the department is

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1 authorized to sell its aircraft and the proceeds from the sale are  
2 appropriated and may be applied to the renovation cost of replacement  
3 aircraft.

## **4 CRIMINAL INVESTIGATIONS**

5       Sec. 1101. (1) There is sufficient money appropriated in  
6 section 113 to criminal investigations to ensure that the citizens in a  
7 service area of any state police post in the vicinity of a state prison  
8 do not experience a downgrading of state police services in their area.  
9 Criminal investigations shall be available by temporary or permanent  
10 assignment of a detective when either a temporary or permanent prison  
11 facility is opened.

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

## **15 FIRE MARSHAL**

16       Sec. 1201. The fire fighters training council shall report any pro-  
17 posed changes in educational and/or training requirements for volunteer  
18 fire fighters to the house and senate appropriations subcommittees on  
19 state police and military affairs 30 days prior to implementing the pro-  
20 posed changes.

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

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

3 (a) Michigan fire chiefs association.

4 (b) Michigan state fireman's association.

5 (c) Michigan firefighter's union.

6 (d) Michigan fire service instructors association.

7 (e) Michigan fire inspectors society.

8 (f) Michigan chapter of the international association of arson  
9 investigators.

10 (3) The report shall contain information about the quality and ade-  
11 quacy of service from the state fire safety inspections, enforcement,  
12 investigation, and education and training under the proposed reorganiza-  
13 tion of the fire marshal division responsibilities. The report shall be  
14 based on the performance of the fire marshal division in the performance  
15 of its fire safety duties during the first 6 months of fiscal year  
16 1998-99.

17 **MOTOR CARRIER ENFORCEMENT**

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