

SENATE BILL No. 1116

February 13, 2002, Introduced by Senators Hoffman and North 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, 2003; 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 bill,
the amounts listed in this part are appropriated for the
department of state police for the fiscal year ending September
30, 2003, from the funds indicated in this part. The following is
a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	3,440.5	
GROSS APPROPRIATION		\$ 416,444,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental		
transfers		16,750,700
ADJUSTED GROSS APPROPRIATION		\$ 399,693,900
Federal revenues:		
Total federal revenues		45,570,500
Special revenue funds:		
Total local revenues		3,913,700
Total private revenues		0
Total other state restricted revenues		60,262,900
State general fund/general purpose		\$ 289,946,800

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions	3.0	
Full-time equated classified positions .	36.0	
Unclassified positions		\$ 265,600
Executive direction--29.0 FTE positions		3,414,500

1	Auto theft prevention program--7.0 FTE	
2	positions	<u>7,065,000</u>
3	GROSS APPROPRIATION	\$ 10,745,100
4	Appropriated from:	
5	Special revenue funds:	
6	Auto theft prevention fund	7,065,000
7	State general fund/general purpose	\$ 3,680,100
8	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS	
9	Special maintenance and utilities	\$ 479,400
10	Rent and building occupancy charges	8,556,000
11	Worker's compensation	2,864,000
12	Fleet leasing	14,637,900
13	In-service training	850,000
14	Narcotics investigation funds	<u>265,000</u>
15	GROSS APPROPRIATION	\$ 27,652,300
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDT-Michigan justice training fund	850,000
19	Federal revenues:	
20	Federal narcotics investigation revenues	95,000
21	Special revenue funds:	
22	Narcotics investigation revenues	170,000
23	State general fund/general purpose	\$ 26,537,300
24	Sec. 104. SUPPORT SERVICES	
25	Full-time equated classified positions 159.5	
26	Human resources--35.5 FTE positions	\$ 2,645,000
27	Management services--60.0 FTE positions	4,019,600
28	Training administration--44.0 FTE positions	4,871,900

1	Communications--20.0 FTE positions	<u>6,586,600</u>
2	GROSS APPROPRIATION	\$ 18,123,100
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDT-auto theft funds	21,000
6	IDG-training academy charges	2,726,400
7	Special revenue funds:	
8	Local-LEIN fees	31,900
9	Precision driving track fees	264,100
10	Narcotics investigation revenues	40,600
11	Motor carrier fees	125,500
12	State general fund/general purpose	\$ 14,913,600
13	Sec. 105. HIGHWAY SAFETY PLANNING	
14	Full-time equated classified positions . 26.0	
15	State program planning and administration--14.0 FTE	
16	positions	\$ 1,206,200
17	Grants to local governments and nonprofit	
18	organizations	4,500,000
19	Secondary road patrol program--1.0 FTE	
20	position	12,506,600
21	Truck safety program--2.0 FTE positions	1,851,700
22	Field coordination and analysis--8.0 FTE	
23	positions	1,975,900
24	Highway traffic safety--1.0 FTE position . . .	<u>3,973,800</u>
25	GROSS APPROPRIATION	\$ 26,014,200
26	Appropriated from:	
27	Federal revenues:	
28	DOT	10,521,600

1	DOJ	560,000
2	Special revenue funds:	
3	Truck driver safety fund	1,851,700
4	Secondary road patrol and training fund	12,506,600
5	State general fund/general purpose \$	574,300
6	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER	
7	Full-time equated classified positions . 96.5	
8	Criminal justice information center division--78.0	
9	FTE positions \$	7,618,200
10	Criminal records improvement--1.0 FTE	
11	position	4,726,200
12	Traffic safety--17.5 FTE positions	<u>1,518,900</u>
13	GROSS APPROPRIATION \$	13,863,300
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG-MDOS	313,600
17	IDG-MDOT, state trunkline fund	336,900
18	Federal revenues:	
19	DOJ	4,726,200
20	DOT	388,500
21	Special revenue funds:	
22	Criminal justice information center service	
23	fees	5,954,300
24	State general fund/general purpose \$	2,143,800
25	Sec. 107. FORENSIC SCIENCES	
26	Full-time equated classified positions 215.0	
27	Laboratory operations--191.0 FTE positions . . \$	16,775,300
28	DNA analysis program--24.0 FTE positions . . .	<u>4,336,800</u>

1	GROSS APPROPRIATION	\$ 21,112,100
2	Appropriated from:	
3	Federal revenues:	
4	DOJ	442,900
5	Special revenue funds:	
6	Forensic science reimbursement fees	1,626,400
7	State forensic laboratory fund	1,100,000
8	State general fund/general purpose	\$ 17,942,800
9	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS	
10	Full-time equated classified positions . 28.0	
11	Standards and training--26.0 FTE positions . .	\$ 11,262,000
12	Training only to local units--2.0 FTE	
13	positions	830,000
14	Officer's survivor tuition program	<u>50,000</u>
15	GROSS APPROPRIATION	\$ 12,142,000
16	Appropriated from:	
17	Federal revenues:	
18	DOJ	360,000
19	Special revenue funds:	
20	Secondary road patrol and training fund	690,000
21	Concealed weapons enforcement fee	140,000
22	Michigan justice training fund	9,032,000
23	State general fund/general purpose	\$ 1,920,000
24	Sec. 109. FIRE MARSHAL	
25	Full-time equated classified positions . 55.0	
26	Fire marshal programs--44.0 FTE positions . . .	\$ 3,929,400
27	Fire investigation training to locals	51,500
28	Fire fighters training council--11.0 FTE	

1	positions	<u>1,728,400</u>
2	GROSS APPROPRIATION	\$ 5,709,300
3	Appropriated from:	
4	Federal revenues:	
5	FEMA	150,000
6	DOT	85,000
7	Special revenue funds:	
8	State general fund/general purpose	\$ 5,474,300
9	Sec. 110. EMERGENCY MANAGEMENT	
10	Full-time equated classified positions . 49.0	
11	Emergency management planning and administration--	
12	32.0 FTE positions	\$ 2,930,000
13	Grants to local government	2,182,100
14	FEMA program assistance--3.0 FTE positions . .	962,300
15	Nuclear power plant emergency planning--6.0 FTE	
16	positions	1,209,200
17	Hazardous materials transportation--1.0 FTE	
18	position	579,200
19	Hazardous materials programs--7.0 FTE positions	<u>6,586,500</u>
20	GROSS APPROPRIATION	\$ 14,449,300
21	Appropriated from:	
22	Federal revenues:	
23	FEMA	4,664,100
24	DOT	579,200
25	DOJ	5,000,000
26	Special revenue funds:	
27	Nuclear plant emergency planning reimbursement	1,209,200
28	Hazardous materials training center fees . . .	1,253,800

1	State general fund/general purpose	\$ 1,743,000
2	Sec. 111. UNIFORM SERVICES	
3	Full-time equated classified positions 2,049.5	
4	Uniform services--610.0 FTE positions	\$ 51,259,500
5	Security guards--29.0 FTE positions	1,039,900
6	Reimbursed services	1,598,000
7	At-post troopers--1,410.5 FTE positions	<u>113,221,300</u>
8	GROSS APPROPRIATION	\$ 167,118,700
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG-MDMB, building occupancy charges	610,100
12	Federal revenues:	
13	DOJ	1,500,000
14	Special revenue funds:	
15	Highway safety fund	8,448,200
16	State police service fees	1,598,000
17	State general fund/general purpose	\$ 154,962,400
18	Sec. 112. SPECIAL OPERATIONS	
19	Full-time equated classified positions . 61.5	
20	Operational support--40.0 FTE positions	\$ 2,921,800
21	Traffic services--13.5 FTE positions	2,671,100
22	Aviation program--8.0 FTE positions	<u>1,739,700</u>
23	GROSS APPROPRIATION	\$ 7,332,600
24	Appropriated from:	
25	Interdepartmental grant revenues:	
26	IDG-MDOC, contract	77,200
27	Federal revenues:	
28	DOT	1,378,200

1	Special revenue funds:	
2	Rental of department aircraft	180,300
3	Drunk driving prevention and training fund . .	969,700
4	State general fund/general purpose	\$ 4,727,200
5	Sec. 113. CRIMINAL INVESTIGATIONS	
6	Full-time equated classified positions 455.5	
7	Criminal investigations--341.5 FTE positions .	\$ 32,949,500
8	Federal anti-drug initiatives--72.0 FTE	
9	positions	10,124,200
10	Reimbursed services, materials, and equipment .	2,332,900
11	Auto theft prevention--10.0 FTE positions . . .	1,372,100
12	Casino gaming oversight--32.0 FTE positions . .	<u>3,585,100</u>
13	GROSS APPROPRIATION	\$ 50,363,800
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDT-auto theft funds	1,104,000
17	IDG-MDTR, casino gaming fees	3,585,100
18	IDG-MDCH, tobacco tax	610,000
19	Federal revenues:	
20	Federal investigations-reimbursed services . .	519,700
21	DOJ	7,506,700
22	Federal narcotics investigation revenues . . .	380,800
23	Special revenue funds:	
24	Local-reimbursed services	1,813,200
25	Narcotics investigation revenues	543,000
26	Forfeiture funds	269,500
27	Licensing fees	450,000
28	State general fund/general purpose	\$ 33,581,800

Full-time equated classified positions	209.0
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positions	\$ 8,773,300
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positions . . . . . 1,060,000
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School bus inspections--16.0 FTE positions	. .	1,475,300
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Safety projects--5.0 FTE positions	1,242,200
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GROSS APPROPRIATION	\$ 19,479,300
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Interdepartmental grant revenues:

IDG-MDOT, state trunkline fund	6,516,400
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DOT 6,712,600

Motor carrier fees	3,642,900
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Truck driver safety fund	1,132,100
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State general fund/general purpose	\$ 1,475,300
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Information technology services and projects	\$ 22,339,500
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GROSS APPROPRIATION	\$ 22,339,500
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Special revenue funds:

Local-LEIN fees	2,035,600
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Local-AFIS fees	33,000
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State general fund/general purpose	\$ 20,270,900
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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 2002-2003 is \$350,209,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2002-2003 is \$19,968,100.00. 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 program	\$	12,381,500
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Standards and training	\$	6,471,200
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Training only to local units		624,900
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FIRE MARSHAL

Fire investigation training to locals	\$	51,500
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Fire fighters training council		439,000
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Total	\$	19,968,100
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Sec. 202. The appropriations authorized under this bill are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this bill:

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

(b) "Department" means the department of state police.

(c) "DNA" means deoxyribonucleic acid.

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

1 (e) "DOT" means the United States department of
2 transportation.

3 (f) "FEMA" means the federal emergency management agency.

4 (g) "FTE" means full-time equated.

5 (h) "IDG" means interdepartmental grant.

6 (i) "IDT" means intradepartmental transfer.

7 (j) "LEIN" means law enforcement information network.

8 (k) "MCOLES" means the Michigan commission on law enforcement
9 standards.

10 (l) "MDCH" means the Michigan department of community health.

11 (m) "MDMB" means the Michigan department of management and
12 budget.

13 (n) "MDOC" means the Michigan department of corrections.

14 (o) "MDOS" means the Michigan department of state.

15 (p) "MDOT" means the Michigan department of transportation.

16 (q) "MDTR" means the Michigan department of treasury.

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

22 Sec. 205. (1) A hiring freeze is imposed on the state
23 classified civil service. State departments and agencies are
24 prohibited from hiring any new full-time state classified civil
25 service employees and prohibited from filling any vacant state
26 classified civil service positions. This hiring freeze does not
27 apply to internal transfers of classified employees from one
28 position to another within a department.

1 (2) The state budget director shall grant exceptions to this
2 hiring freeze when the state budget director believes that the
3 hiring freeze will result in rendering a state department or
4 agency unable to deliver basic services, cause loss of revenue to
5 the state, result in the inability of the state to receive federal
6 funds, or would necessitate additional expenditures that exceed
7 any savings from maintaining a vacancy. The state budget director
8 shall report quarterly to the chairpersons of the senate and house
9 standing committees on appropriations the number of exceptions to
10 the hiring freeze approved during the previous quarter and the
11 reasons to justify the exception.

12 Sec. 206. (1) In addition to the funds appropriated in part 1,
13 there is appropriated an amount not to exceed \$10,000,000.00 for
14 federal contingency funds. These funds are not available for
15 expenditure until they have been transferred to another line item
16 in this bill under section 393(2) of the management and budget
17 act, 1984 PA 431, MCL 18.1393.

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

24 (3) In addition to the funds appropriated in part 1, there is
25 appropriated an amount not to exceed \$1,000,000.00 for local
26 contingency funds. These funds are not available for expenditure
27 until they have been transferred to another line item in this bill
28 under section 393(2) of the management and budget act, 1984 PA

1 431, MCL 18.1393.

2 (4) In addition to the funds appropriated in part 1, there is
3 appropriated an amount not to exceed \$200,000.00 for private
4 contingency funds. These funds are not available for expenditure
5 until they have been transferred to another line item in this bill
6 under section 393(2) of the management and budget act, 1984 PA
7 431, MCL 18.1393.

8 Sec. 208. Unless otherwise specified, the department shall use
9 the Internet to fulfill the reporting requirements of this bill.
10 This may include transmission of reports via electronic mail to
11 the recipients identified for each reporting requirement or it may
12 include placement of reports on an Internet or Intranet site.

13 Sec. 212. Of the state general fund/general purpose revenue
14 appropriated in this bill, \$78,463,000.00 represents a state
15 spending increase over the amount provided to the department of
16 state police for the fiscal year ending September 30, 1994, and
17 may be used to meet state match requirements of programs contained
18 in the violent crime control and law enforcement act of 1994,
19 Public Law 103-322, 108 Stat. 1796, or successor grant programs,
20 so that any additional federal money received supplements funding
21 provided to the department of state police in this bill.

22 Sec. 259. From the funds appropriated in part 1 for
23 information technology, the department shall pay user fees to the
24 department of information technology for technology related
25 services and projects. Such user fees shall be subject to
26 provisions of an interagency agreement between the department and
27 the department of information technology.

28 Sec. 260. Amounts appropriated in part 1 for information

1 technology may be designated as work projects and carried forward
2 to support technology projects under the direction of the
3 department of information technology. Funds designated in this
4 manner are not available for expenditure until approved as work
5 projects under section 451a of the management and budget act, 1984
6 PA 431, MCL 18.1451a.

7 **INFORMATION TECHNOLOGY**

8 Sec. 301. (1) Money appropriated under part 1 for the Michigan
9 public safety communications system shall be expended upon
10 approval of an expenditure plan by the state budget director.

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

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

18 (4) The department of state police shall provide a report to
19 the house and senate appropriations committees, house and senate
20 fiscal agencies, and the state budget director on April 15, 2003,
21 and on October 15, 2003, indicating the amount of revenue
22 collected under this section and deposited to the state general
23 fund for the immediately preceding 6-month period.

24 Sec. 601. The money appropriated in part 1 for computer
25 services shall be funded by LEIN user fees sufficient to pay 1/3
26 of the service and contract maintenance costs of the LEIN
27 mainframe computer system.

28 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

1 Sec. 801. The money appropriated to the MCOLES for maintenance
2 and delivery of training to locals is provided in accordance with
3 a state reimbursement policy in which 100% of the determined state
4 reimbursement rate shall be distributed upon certification by the
5 MCOLES.

6 **EMERGENCY MANAGEMENT**

7 Sec. 1001. (1) The state director of emergency management may
8 expend money appropriated under this bill to call upon any agency
9 or department of the state or any resource of the state to protect
10 life or property or to provide for the health or safety of the
11 population in any area of the state in which the governor
12 proclaims a state of emergency or state of disaster under 1945 PA
13 302, MCL 10.31 to 10.33, or under the emergency management act,
14 1976 PA 390, MCL 30.401 to 30.420. The state director of
15 emergency management may expend the amounts the director considers
16 necessary to accomplish these purposes. The director shall submit
17 to the state budget director as soon as possible a complete report
18 of all actions taken under the authority of this section. The
19 report shall contain, as a separate item, a statement of all money
20 expended that is not reimbursable from federal money. The state
21 budget director shall review the expenditures and submit
22 recommendations to the legislature in regard to any possible need
23 for a supplemental appropriation.

24 (2) In addition to the money appropriated in this bill, the
25 department may receive and expend money from local, private,
26 federal, or state sources for the purpose of providing emergency
27 management training to local or private interests and for the
28 purpose of supporting emergency preparedness, response, recovery,

1 and mitigation activity. If funds are expended beyond the
2 appropriations enacted for these purposes in part 1, the
3 department shall notify the house and senate appropriations
4 subcommittees on state police and military and veterans affairs,
5 the house and senate fiscal agencies, and the state budget
6 director within 30 days concerning the additional expenditures.

7 **UNIFORM SERVICES**

8 Sec. 1103. State police enlisted personnel who are employed to
9 enforce traffic laws as provided in section 629e of the Michigan
10 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited
11 from responding to crimes in progress or other emergency
12 situations, and are responsible for protecting every citizen of
13 this state from harm.

14 **SPECIAL OPERATIONS**

15 Sec. 1201. In addition to the appropriations in part 1 to the
16 department of state police for the aviation program, the
17 department is authorized to sell its aircraft and the proceeds
18 from the sale are appropriated and may be applied to the
19 renovation cost of replacement aircraft. If funds are expended
20 beyond the appropriation enacted in part 1 for the aviation
21 program, the department shall notify the house and senate
22 subcommittees on state police and military and veterans affairs,
23 the house and senate fiscal agencies, and the state budget office
24 within 30 days concerning the additional expenditures.