

Act No. 51
Public Acts of 2001
Approved by the Governor
July 20, 2001
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*Item Vetoes

Sec. 105. HIGHWAY SAFETY PLANNING

Secondary road patrol and traffic accident basic grants \$ 6,523,200 (Page 2)

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**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Senators Hoffman, North, Gougeon, Johnson, McManus and Goschka

ENROLLED SENATE BILL No. 238

AN ACT to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2002; 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, 2002, 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	3.0	
Full-time equated classified positions	3,648.5	
GROSS APPROPRIATION		\$ 415,398,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		19,927,500
ADJUSTED GROSS APPROPRIATION		\$ 395,470,500
Federal revenues:		
Total federal revenues		43,211,000
Special revenue funds:		
Total local revenues		3,913,700
Total private revenues		0
Total state restricted revenues		47,632,600
State general fund/general purpose		\$ 300,713,200

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	36.0	
Unclassified positions.....		\$ 260,400
Executive direction—29.0 FTE positions		3,389,500
Auto theft prevention program—7.0 FTE positions.....		6,539,600
GROSS APPROPRIATION		\$ 10,189,500
Appropriated from:		
Special revenue funds:		
Auto theft prevention fees.....		6,539,600
State general fund/general purpose		\$ 3,649,900

Sec. 103. DEPARTMENTWIDE APPROPRIATIONS

Special maintenance and utilities.....		\$ 479,400
Rent and building occupancy charges.....		7,789,400
Worker's compensation.....		2,553,000
Fleet leasing		14,637,900
In-service training		850,000
Narcotics investigation funds.....		265,000
GROSS APPROPRIATION		\$ 26,574,700
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		\$ 25,459,700

Sec. 104. SUPPORT SERVICES

Full-time equated classified positions.....	267.5	
Human resources—35.5 FTE positions		\$ 2,551,700
Management services—60.0 FTE positions.....		4,002,600
Training administration—44.0 FTE positions		4,838,300
Communications—128.0 FTE positions		19,149,900
GROSS APPROPRIATION		\$ 30,542,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG, training academy charges		2,708,600
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.....		122,000
State general fund/general purpose		\$ 27,344,300

Sec. 105. HIGHWAY SAFETY PLANNING

Full-time equated classified positions.....	26.0	
State program planning and administration—14.0 FTE positions		\$ 1,207,200
Grants to local governments and nonprofit organizations		4,500,000
Secondary road patrol administration—1.0 FTE position		123,800
Secondary road patrol and traffic accident basic grants		6,523,200
Secondary road patrol and traffic accident enhanced grants		6,402,300
Truck safety program—2.0 FTE positions		2,972,700
Field coordination and analysis—8.0 FTE positions.....		1,971,800
Highway traffic safety—1.0 FTE position.....		3,973,800
GROSS APPROPRIATION		\$ 27,674,800

Appropriated from:	
Federal revenues:	
DOT-NHTSA	\$ 10,517,600
DOJ-OJJDP	560,000
Special revenue funds:	
Truck driver safety fund	2,972,700
Secondary road patrol and training fund	6,402,300
State general fund/general purpose	\$ 7,222,200

Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER

Full-time equated classified positions	96.5
Criminal justice information center division—78.0 FTE positions	\$ 8,684,400
Criminal records improvement—1.0 FTE position	4,727,600
Traffic safety—17.5 FTE positions	1,520,300
GROSS APPROPRIATION	\$ 14,932,300

Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOS	315,400
IDG-MDOT, state trunkline fund	338,500
Federal revenues:	
DOJ-BJS, national criminal history improvement program (NCHIP)	4,627,400
DOJ-BJA, drug control and system improvements, formula grants.....	100,200
DOT-NHTSA	386,700
Special revenue funds:	
Criminal justice information center service fees	3,092,500
Concealed weapons enforcement fee.....	140,000
State general fund/general purpose	\$ 5,931,600

Sec. 107. CRIMINAL JUSTICE DATA CENTER

Full-time equated classified positions	53.0
State police - management information systems—19.5 FTE positions	\$ 1,611,700
Local LEIN services—19.5 FTE positions	4,257,600
Automated fingerprint identification system—14.0 FTE positions	2,509,000
Computer services	1,918,000
GROSS APPROPRIATION	\$ 10,296,300

Appropriated from:	
Special revenue funds:	
Local - LEIN fees	2,035,600
Local - AFIS fees	33,000
State general fund/general purpose	\$ 8,227,700

Sec. 108. FORENSIC SCIENCES

Full-time equated classified positions	209.0
Laboratory operations—185.0 FTE positions	\$ 15,961,500
DNA analysis program—24.0 FTE positions	2,716,100
Grant to city of Detroit	721,100
GROSS APPROPRIATION	\$ 19,398,700

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.....	900,000
State general fund/general purpose	\$ 17,903,500

Sec. 109. COMMISSION ON LAW ENFORCEMENT STANDARDS

Full-time equated classified positions	28.0
Standards and training—24.0 FTE positions	\$ 2,208,600

		For Fiscal Year Ending Sept. 30, 2002
Training only to local units	\$	686,400
Officer's survivor tuition program.....		50,000
Michigan justice training commission—4.0 FTE positions		9,026,100
GROSS APPROPRIATION.....	\$	11,971,100
Appropriated from:		
Federal revenues:		
DOJ-OJP.....		360,000
Special revenue funds:		
Secondary road patrol and training fund		686,400
Michigan justice training fund.....		9,026,100
State general fund/general purpose	\$	1,898,600
 Sec. 110. FIRE MARSHAL		
Full-time equated classified positions.....	55.0	
Fire marshal programs—44.0 FTE positions	\$	3,885,200
Fire investigation training to locals		51,500
Fire fighters training council—11.0 FTE positions.....		1,721,200
GROSS APPROPRIATION.....	\$	5,657,900
Appropriated from:		
Federal revenues:		
FEMA-PTED, emergency management planning and assistance		150,000
DOT-RSPA, interagency hazardous materials public sector training and planning grants		85,000
State general fund/general purpose	\$	5,422,900
 Sec. 111. EMERGENCY MANAGEMENT		
Full-time equated classified positions.....	49.0	
Emergency management planning and administration—32.0 FTE positions	\$	2,904,600
Grants to local government		2,182,100
FEMA program assistance—3.0 FTE positions		963,500
Nuclear power plant emergency planning—6.0 FTE positions		1,133,500
Hazardous materials transportation—1.0 FTE position		614,900
Hazardous materials programs—7.0 FTE positions		3,799,900
GROSS APPROPRIATION.....	\$	11,598,500
Appropriated from:		
Federal revenues:		
FEMA-PTED, emergency management planning and assistance		4,652,700
DOT-RSPA, interagency hazardous materials public sector training and planning grants		579,900
DOJ-BJA, antiterrorism training		2,249,900
Special revenue funds:		
Nuclear plant emergency planning reimbursement		1,133,500
Hazardous materials training center fees		1,255,200
State general fund/general purpose	\$	1,727,300
 Sec. 112. UNIFORM SERVICES		
Full-time equated classified positions.....	2,084.5	
Uniform services—610.0 FTE positions.....	\$	50,830,600
Security guards—35.0 FTE positions		1,444,100
Reimbursed services		732,800
At-post troopers—1,439.5 FTE positions.....		114,219,000
State commercial mobile radio service projects		837,000
GROSS APPROPRIATION.....	\$	168,063,500
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		1,500,000
Special revenue funds:		
Highway safety fund		8,516,900
State police service fees		732,800
State general fund/general purpose	\$	155,614,700

Sec. 113. SPECIAL OPERATIONS

Full-time equated classified positions	61.5	
Operational support—40.0 FTE positions	\$	2,886,700
Traffic services—13.5 FTE positions		4,031,400
Aviation program—8.0 FTE positions		1,759,200
GROSS APPROPRIATION	\$	8,677,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDOC, contract		76,000
Federal revenues:		
DOT-NHTSA		2,380,800
Special revenue funds:		
Rental of department aircraft		201,300
Drunk driving prevention and training fund		971,500
State general fund/general purpose	\$	5,047,700

Sec. 114. CRIMINAL INVESTIGATIONS

Full-time equated classified positions	460.5	
Criminal investigations—346.5 FTE positions	\$	33,093,700
Federal antidrug initiatives—72.0 FTE positions		10,027,000
Reimbursed services, materials, and equipment		2,326,800
Auto theft prevention—10.0 FTE positions		1,158,500
Casino gaming oversight—32.0 FTE positions		3,545,900
GROSS APPROPRIATION	\$	50,151,900
Appropriated from:		
Interdepartmental grant revenues:		
IDT, auto theft funds		892,800
IDG-MDTR, casino gaming fees		3,545,900
IDG-MDCH, tobacco tax		656,900
Federal revenues:		
Federal investigations - reimbursed services		513,600
DOJ-BJA, drug control and system improvement, formula grants		7,523,100
Federal narcotics investigation revenues		383,100
Special revenue funds:		
Local - reimbursed services		1,813,200
Narcotics investigation revenues		547,700
Forfeiture funds		269,500
Licensing fees		200,000
State general fund/general purpose	\$	33,806,100

Sec. 115. MOTOR CARRIER ENFORCEMENT

Full-time equated classified positions	222.0	
Motor carrier enforcement—140.0 FTE positions	\$	10,112,400
Truck safety enforcement team operations—15.0 FTE positions		1,048,900
Safety inspections—44.5 FTE positions		5,815,800
School bus inspections—16.0 FTE positions		1,457,000
Safety projects—6.5 FTE positions		1,234,900
GROSS APPROPRIATION	\$	19,669,000
Appropriated from:		
Interdepartmental grant revenues:		
IDT, truck safety fund		1,122,100

		For Fiscal Year Ending Sept. 30, 2002
IDG-MDOT, state trunkline fund	\$	7,872,200
Federal revenues:		
DOT-NHTSA		5,815,800
Special revenue funds:		
Motor carrier fees		3,401,900
State general fund/general purpose	\$	1,457,000

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 2001-2002 is \$348,345,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2001-2002 is \$20,448,200.00. 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	\$	6,523,200
Secondary road patrol and traffic accident enhanced grants		6,402,300

FORENSIC SCIENCES

Grant to city of Detroit	\$	721,100
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COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units	\$	686,400
Michigan justice training commission		5,624,700

FIRE MARSHAL

Fire fighters training council	\$	439,000
Fire investigation training for locals		51,500
Total	\$	20,448,200

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-RSPA" means the DOT research and special programs administration.

- (p) "FEMA" means the federal emergency management agency.
- (q) "FEMA-PTED" means the FEMA preparedness, training, and exercises directorate.
- (r) "FTE" means full-time equated.
- (s) "IDG" means interdepartmental grant.
- (t) "IDT" means intradepartmental transfer.
- (u) "LEIN" means law enforcement information network.
- (v) "MDCH" means the Michigan department of community health.
- (w) "MDMB" means the Michigan department of management and budget.
- (x) "MDOC" means the Michigan department of corrections.
- (y) "MDOS" means the Michigan department of state.
- (z) "MDOT" means the Michigan department of transportation.
- (aa) "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.

(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, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report by the last business day 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, \$89,229,400.00 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. If funds are expended beyond the appropriations for federal or state forfeiture money enacted in part 1, the department shall notify the house and senate subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

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, by December 31, 2001, 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. Whenever feasible, the department shall lease King Air aircraft from the department of transportation for its air transportation needs. 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, 2002, and September 30, 2002, 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 department shall collect and computerize the vehicle identification number (VIN) of all vehicles that are entered into the state accident data collection system and make this and other vehicle information available to the public at cost. For bulk access to the accident records in which the VIN has been collected and computerized, the department shall make those records available to the public at cost, provided that the name and address have been excluded.

Sec. 221. From the funds appropriated in part 1, the department shall maintain 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. It is the intent of the legislature that all reasonable efforts be undertaken to achieve a level of 1,349 at-post troopers.

DEPARTMENTWIDE APPROPRIATIONS

Sec. 251. Of the funds appropriated in section 103 for rent and building occupancy charges, funds shall be used for the necessary rental costs for the state police post in Marshall.

SUPPORT SERVICES

Sec. 301. (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, 2002, and on October 15, 2002, indicating the amount of revenue collected under this section and deposited to the state general fund for the immediately preceding 6-month period.

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. If funds are expended beyond the appropriations for the secondary road patrol and traffic accident enhanced grants program and training to local units enacted in part 1, the department shall notify the house and senate subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

CRIMINAL JUSTICE INFORMATION CENTER

Sec. 501. A portion of the funds appropriated in section 106 for the criminal justice information 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, 2002.

Sec. 502. 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.

CRIMINAL JUSTICE DATA CENTER

Sec. 601. 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. 604. (1) It is the intent of the legislature that the department of state police explore the feasibility of establishing a method by which police officers can easily and readily obtain probation information concerning a person.

(2) The department shall report its findings to the appropriations subcommittees on state police and military affairs of the senate and house of representatives on or before January 15, 2002.

FORENSIC SCIENCES

Sec. 701. It is the intent of the legislature that from the grant to the city of Detroit under section 108 an amount of \$431,400.00 be allocated by the city to supplement the city's appropriations for the Detroit crime lab and an amount of \$289,900.00 be allocated by the city to 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, 2002.

Sec. 702. (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.

Sec. 703. In conjunction with the Wayne County prosecutor's office, the department shall develop recommendations regarding evidence collection by health care providers in sexual assault cases, taking into consideration cases in which evidence has been ruled inadmissible or otherwise unavailable in a court prosecution. The department shall forward those recommendations to the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies by December 31, 2001.

COMMISSION ON LAW ENFORCEMENT STANDARDS

Sec. 801. 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. 802. 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. 803. 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.

FIRE MARSHAL

Sec. 901. (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, 2002.

(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 2001-2002.

EMERGENCY MANAGEMENT

Sec. 1001. (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. If funds are expended beyond the appropriations enacted for these purposes in part 1, the department shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

UNIFORM SERVICES

Sec. 1101. 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. 1102. 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. 1103. 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.

SPECIAL OPERATIONS

Sec. 1201. 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. If funds are expended beyond the appropriation enacted in part 1 for the aviation program, the department shall notify the house and senate subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

Sec. 1202. From the funds appropriated in section 113, the department shall fund 1/3 the cost of an aeronautics safety officer position within the department of transportation to coordinate safety functions between the department, the department of transportation, and the department of natural resources. It is the intent of the legislature that the safety officer position shall be jointly funded by the 3 departments in equal shares.

CRIMINAL INVESTIGATIONS

Sec. 1301. (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.

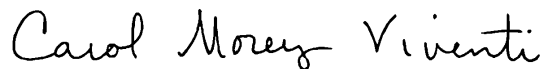
(2) If the department is unable to comply with subsection (1) and there is a prison scheduled to open, the department shall provide troopers to serve as investigators on an interim basis.

Sec. 1302. Funds appropriated under section 114 for private security guard, private detective, burglar alarm contractor and railroad police regulation shall be used in part to develop minimum standards for license holders. Those standards shall be forwarded to the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies by December 31, 2001. In addition to the funds appropriated, the department may receive and expend state restricted funds for the support of this program. Expenditures for the support of the private security guard, private detective, burglar alarm contractor and railroad police regulation unit shall not exceed revenues received. If funds are expended beyond the appropriation for this unit enacted in part 1, the department shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

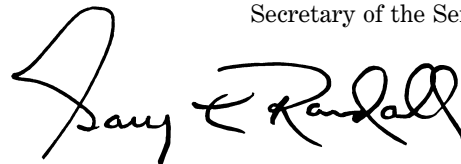
MOTOR CARRIER ENFORCEMENT

Sec. 1401. 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.

This act is ordered to take immediate effect.



Secretary of the Senate.



Clerk of the House of Representatives.

Approved _____

Governor.