

HOUSE BILL No. 4311

February 18, 1999, Introduced by Reps. Cameron Brown, Pappageorge, Jelinek, Mead, Kukuk, Caul, Jellema, Toy, Godchaux, Byl, Geiger, Stamas, Jansen and Scranton 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, 2000; 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 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 bill, the
4 amounts listed in this part are appropriated for the department of
5 state police for the fiscal year ending September 30, 2000, from the

1 funds indicated in this part. The following is a summary of the
2 appropriations 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 . .	3,579.0	
7	GROSS APPROPRIATION	\$	363,263,200
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers		20,533,200
11	ADJUSTED GROSS APPROPRIATION	\$	342,730,000
12	Federal revenues:		
13	Total federal revenues		29,981,400
14	Special revenue funds:		
15	Total local revenues		3,479,800
16	Total private revenues		0
17	Total other state restricted revenues		41,882,200
18	State general fund/general purpose	\$	267,386,600

19 **Sec. 102. EXECUTIVE DIRECTION**

20	Full-time equated unclassified positions . . .	5.0	
21	Full-time equated classified positions	52.0	
22	Unclassified positions	\$	413,700
23	Executive direction--45.0 FTE positions		3,584,900
24	Auto theft prevention program--7.0 FTE		
25	positions		<u>6,510,300</u>
26	GROSS APPROPRIATION	\$	10,508,900

27 Appropriated from:

28	Special revenue funds:		
29	Auto theft prevention fees		6,510,300
30	State general fund/general purpose	\$	3,998,600

31 **Sec. 103. DEPARTMENTWIDE APPROPRIATIONS**

32	Special maintenance and utilities	\$	467,900
33	Rent		3,622,800
34	Worker's compensation		2,123,000
35	Fleet leasing		13,106,600

1	In-service training	850,000
2	Building occupancy charges-property management	
3	services	2,696,200
4	Narcotics investigation funds	<u>265,000</u>
5	GROSS APPROPRIATION	\$ 23,131,500
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDT-Michigan justice training fund	850,000
9	Federal revenues:	
10	Federal narcotics investigation revenues	95,000
11	Special revenue funds:	
12	Narcotics investigation revenues	170,000
13	State general fund/general purpose	\$ 22,016,500
14	Sec. 104. SUPPORT SERVICES	
15	Full-time equated classified positions . . . 132.5	
16	Human resources--28.5 FTE positions	\$ 2,018,300
17	Management services--60.0 FTE positions	3,889,200
18	Training administration--44.0 FTE positions . . .	<u>4,592,900</u>
19	GROSS APPROPRIATION	\$ 10,500,400
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-training academy charges	2,571,400
23	Special revenue funds:	
24	Local-LEIN fees	31,900
25	Auto theft prevention fees	21,000
26	Reimbursements	10,000
27	Precision driving track fees	264,100
28	Narcotics investigation revenues	40,600
29	Motor carrier fees	76,300
30	State general fund/general purpose	\$ 7,485,100
31	Sec. 105. HIGHWAY SAFETY PLANNING	
32	Full-time equated classified positions 26.0	
33	State program planning and administration--14.0 FTE	
34	positions	\$ 1,179,900
35	Grants to local governments and nonprofit	

1	organizations	4,000,000
2	Secondary road patrol administration- 1.0 FTE	
3	positions	83,300
4	Secondary road patrol and traffic accident basic	
5	grants	4,452,100
6	Secondary road patrol and traffic accident enhanced	
7	grants	6,069,000
8	Truck safety program--2.0 FTE positions	2,969,700
9	Field coordination and analysis--8.0 FTE	
10	positions	1,324,600
11	Highway traffic safety--1.0 FTE positions	<u>2,913,800</u>
12	GROSS APPROPRIATION \$	22,992,400
13	Appropriated from:	
14	Federal revenues:	
15	DOT-NHTSA	8,853,900
16	Special revenue funds:	
17	Truck safety fund	2,969,700
18	Secondary road patrol and training fund	6,152,300
19	State general fund/general purpose \$	5,016,500
20	Sec. 106. CENTRAL RECORDS	
21	Full-time equated classified positions 78.5	
22	Central records division--60.0 FTE positions . . . \$	4,301,200
23	Criminal records improvement--1.0 FTE positions .	2,720,100
24	Traffic safety--17.5 FTE positions	<u>1,122,700</u>
25	GROSS APPROPRIATION \$	8,144,000
26	Appropriated from:	
27	Interdepartmental grant revenues:	
28	IDG-MDOS	316,300
29	IDG-MDOT - state trunkline fund	316,300
30	Federal revenues:	
31	DOJ-BJS, national criminal history improvement	
32	program	2,619,900
33	DOJ-BJA, drug control and system improvements,	
34	formula grant	100,200
35	DOT-NHTSA,	136,700

1	Special revenue funds:		
2	Central records service fees		1,761,500
3	State general fund/general purpose	\$	2,893,100
4	Sec. 107. CRIMINAL JUSTICE DATA CENTER		
5	Full-time equated classified positions	69.0	
6	State police-management information systems--24.5		
7	FTE positions	\$	3,149,900
8	Local LEIN services--23.5 FTE positions		5,135,400
9	Automated fingerprint identification system--21.0		
10	FTE positions		2,779,200
11	Computer services		<u>655,600</u>
12	GROSS APPROPRIATION	\$	11,720,100
13	Appropriated from:		
14	Special revenue funds:		
15	Local-LEIN fees		2,026,400
16	Local-AFIS fees		33,000
17	State general fund/general purpose	\$	9,660,700
18	Sec. 108. FORENSIC SCIENCES		
19	Full-time equated classified positions	206.0	
20	Laboratory operations--187.0 FTE positions	\$	14,884,900
21	DNA analysis program--19.0 FTE positions		2,235,600
22	Grant to city of Detroit		<u>921,100</u>
23	GROSS APPROPRIATION	\$	18,041,600
24	Appropriated from:		
25	Federal revenues:		
26	DOJ-BJA, drug control and system improvement,		
27	formula grant		580,200
28	Special revenue funds:		
29	Forensic science reimbursement fees		15,000
30	State forensic laboratory fund		455,000
31	State general fund/general purpose	\$	16,991,400
32	Sec. 109. COMMISSION ON LAW ENFORCEMENT STANDARDS		
33	Full-time equated classified positions	22.5	
34	Standards and training--15.5 FTE positions	\$	1,328,000
35	Community policing coordination--3.0 FTE		

1	positions	160,300
2	Training only to local units	650,400
3	Officer's survivor tuition program	50,000
4	Michigan justice training commission--4.0 FTE	
5	positions	<u>9,010,000</u>
6	GROSS APPROPRIATION \$	11,198,700
7	Appropriated from:	
8	Federal revenues:	
9	DOJ-OJP	360,000
10	Special revenue funds:	
11	Secondary road patrol and training fund	650,400
12	Michigan justice training fund	9,010,000
13	State general fund/general purpose \$	1,178,300
14	Sec. 110. FIRE MARSHAL	
15	Full-time equated classified positions 51.0	
16	Fire marshal programs--44.0 FTE positions \$	3,681,400
17	Fire investigation training to locals	51,500
18	Fire fighters training council--7.0 FTE positions	<u>984,100</u>
19	GROSS APPROPRIATION \$	4,717,000
20	Appropriated from:	
21	Federal revenues:	
22	FEMA-PTED, hazardous material assistance	
23	program	50,000
24	DOT-RSPA, interagency hazardous materials public	
25	training	50,000
26	State general fund/general purpose \$	4,617,000
27	Sec. 111. EMERGENCY MANAGEMENT	
28	Full-time equated classified positions 49.0	
29	Emergency management planning and administration--	
30	18.5 FTE positions \$	1,714,000
31	Grants to local government	2,182,100
32	FEMA program assistance--13.5 FTE positions . . .	1,874,200
33	Nuclear power plant emergency planning--6.0 FTE	
34	positions	1,088,500
35	Hazardous materials transportation--1.0 FTE	

1	positions	610,900
2	Hazardous materials programs--10.0 FTE	
3	positions	<u>1,616,400</u>
4	GROSS APPROPRIATION	\$ 9,086,100
5	Appropriated from:	
6	Federal revenues:	
7	FEMA-PTED, hazardous material assistance	
8	program	4,954,100
9	DOT-RSPA, interagency hazardous materials public	
10	sector training and planning grants	610,900
11	DOJ-BJA, antiterrorism training	249,900
12	Special revenue funds:	
13	Nuclear plant emergency planning reimbursement . .	1,088,500
14	Hazardous materials training center fees	1,035,000
15	State general fund/general purpose	\$ 1,147,700
16	Sec. 112. UNIFORM SERVICES	
17	Full-time equated classified positions . . 2,059.5	
18	Uniform services--610.0 FTE positions	\$ 46,597,800
19	Security guards--35.0 FTE positions	1,387,500
20	Reimbursed services	500,000
21	At-post troopers--1,414.5 FTE positions	<u>103,110,500</u>
22	GROSS APPROPRIATION	\$ 151,595,800
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG-MDOC	102,000
26	IDG-MDMB, building occupancy charges	579,300
27	Federal revenues:	
28	DOL-ETA	150,000
29	Special revenue funds:	
30	Highway safety fund	6,486,900
31	State police service fees	500,000
32	State general fund/general purpose	\$ 143,777,600
33	Sec. 113. SPECIAL OPERATIONS	
34	Full-time equated classified positions . . . 156.5	
35	Operational support--35.0 FTE positions	\$ 2,290,900

1	Traffic services--13.5 FTE positions	3,379,000
2	Aviation program--8.0 FTE positions	1,649,100
3	Communications--100.0 FTE positions	<u>12,020,600</u>
4	GROSS APPROPRIATION	\$ 19,339,600
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG-MDOC, contract	61,500
8	Federal revenues:	
9	DOT-NHTSA	1,935,400
10	Special revenue funds:	
11	Rental of department aircraft	201,300
12	Drunk driving prevention and training fund	790,200
13	State general fund/general purpose	\$ 16,351,200
14	Sec. 114. CRIMINAL INVESTIGATIONS	
15	Full-time equated classified positions . . . 470.5	
16	Criminal investigations-330.5 FTE positions . . .	\$ 30,618,800
17	Federal anti-drug initiatives--72.0 FTE	
18	positions	7,300,200
19	Reimbursed services, materials, and equipment . .	1,696,700
20	Auto theft prevention--10.0 FTE positions	1,051,200
21	Casino gaming oversight--58.0 FTE positions . . .	<u>7,097,800</u>
22	GROSS APPROPRIATION	\$ 47,764,700
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDT-auto theft funds	805,000
26	IDG-MDTR, casino gaming fees	7,097,700
27	IDG-MDCH, tobacco tax	609,800
28	Federal revenues:	
29	Federal investigations-reimbursed services	308,200
30	DOJ-BJA, drug control and system improvement,	
31	formula grant	4,925,300
32	DOJ-BJS	475,000
33	Federal narcotics investigation revenues	371,500
34	Special revenue funds:	
35	Local-reimbursed services	1,388,500

1	Narcotics investigation revenues	508,600
2	Forfeiture funds	269,500
3	Licensing fees	190,400
4	State general fund/general purpose	\$ 30,815,200

5 **Sec. 115. MOTOR CARRIER ENFORCEMENT**

6	Full-time equated classified positions	206.0
7	Motor carrier enforcement--123.0 FTE positions	\$ 8,080,500
8	Truck safety enforcement team operations--15.0 FTE	
9	positions	1,170,800
10	Safety inspections--45.5 FTE positions	3,012,500
11	School bus inspections--16.0 FTE positions	1,437,700
12	Safety projects--6.5 FTE positions	<u>820,900</u>
13	GROSS APPROPRIATION	\$ 14,522,400

14 Appropriated from:

15 Interdepartmental grant revenues:

16	IDT-truck safety fund	1,234,600
17	IDG-MDOT, state trunkline fund	5,989,300

18 Federal revenues:

19	DOT-NHTSA	3,155,200
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20 Special revenue funds:

21	Motor carrier fees	2,705,600
22	State general fund/general purpose	\$ 1,437,700

23 Part 2

24 PROVISIONS CONCERNING APPROPRIATIONS

25 **GENERAL SECTIONS**

26 Sec. 201. (1) Pursuant to section 30 of article IX of the state
27 constitution of 1963, total state spending under part 1 for fiscal year
28 1999-2000 is \$309,268,800.00 and state appropriations to be paid to
29 local units of government are as follows:

30 DEPARTMENT OF STATE POLICE

31	Secondary road patrol and traffic accident basic	
32	grants	\$ 4,452,100
33	Secondary road patrol and traffic accident enhanced	
34	grants	6,069,000
35	Grant to city of Detroit	921,100

1	Training only to local units	650,400
2	Michigan justice training commission	5,624,700
3	Fire fighters training council	273,000
4	Fire investigation training for locals	<u>51,500</u>
5	Total	\$ 18,041,800

(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director.

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

Sec. 203. (1) In addition to the funds appropriated in this bill, 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 bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) In addition to the funds appropriated in this bill, 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 bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in this bill, 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 bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in this bill, 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 bill pursuant

1 to section 393(2) of the management and budget act, 1984 PA 431, MCL
2 18.1393.

3 Sec. 204. The department of civil service shall bill departments
4 and agencies at the end of the first fiscal quarter for the 1% charge
5 authorized by section 5 of article XI of the state constitution of
6 1963. Payments shall be made for the total amount of the billing by the
7 end of the second fiscal quarter.

8 Sec. 205. As used in this bill:

- 9 (a) "AFIS" means the automated fingerprint identification system.
10 (b) "COLES" means the commission on law enforcement standards.
11 (c) "Department" means the Michigan department of state police.
12 (d) "DNA" means deoxyribonucleic acid.
13 (e) "DOJ" means the United States department of justice.
14 (f) "DOJ-BJA" means the DOJ bureau of justice assistance.
15 (g) "DOJ-BJS" means the DOJ bureau of justice statistics.
16 (h) "DOJ-OJP" means the DOJ office of justice programs.
17 (i) "DOL" means the United States department of labor.
18 (j) "DOL-ETA" means the DOL employment and training
19 administration.
20 (k) "DOT" means the United States department of transportation.
21 (l) "DOT-FHWA" means the DOT federal highway administration.
22 (m) "DOT-NHTSA" means DOT national highway traffic safety
23 administration.
24 (n) "DOT-RSPA" means the DOT research and special programs
25 administration.
26 (o) "FEMA" means the federal emergency management agency.
27 (p) "FEMA-PTED" means the FEMA preparedness, training, and
28 exercises directorate.
29 (q) "FTE" means full-time equated position.
30 (r) "IDG" means interdepartmental grant.
31 (s) "IDT" means intradepartmental transfer.
32 (t) "LEIN" means law enforcement information network.
33 (u) "MDCH" means the Michigan department of community health.
34 (v) "MDMB" means the Michigan department of management and budget.
35 (w) "MDOC" means the Michigan department of corrections.
36 (x) "MDOS" means the Michigan department of state.

1 (y) "MDOT" means the Michigan department of transportation.

2 (z) "MDTR" means the Michigan department of treasury.

3 Sec. 206.(1) Beginning October 1, 1999, a hiring freeze is imposed
4 on the state classified civil service. State departments and agencies
5 are prohibited from hiring any new full-time state classified civil
6 service employees and prohibited from filling any vacant state
7 classified civil service positions. This hiring freeze does not apply
8 to internal transfers of classified employees from one position to
9 another within a department or to positions that are funded with 80% or
10 more from federal or restricted funds.

11 (2) The state budget director shall grant exceptions to this hiring
12 freeze when the state budget director believes that the hiring freeze
13 will result in rendering a state department or agency unable to
14 deliver basic services.

15 Sec. 207. Of the state general fund/general purpose revenue
16 appropriated in this bill, \$57,717,000.00 represents a state spending
17 increase over the amount provided to the department of state police for
18 the fiscal year ending September 30, 1994, and may be used to meet
19 state match requirements of programs contained in the federal violent
20 crime control and law enforcement act of 1994, or successor grant
21 programs, so that any additional federal funds received supplements
22 funding provided to the department of state police in this bill.

23 **HIGHWAY SAFETY PLANNING**

24 Sec. 301. In addition to the funds appropriated in section 105,
25 the department may receive and expend state restricted funds for the
26 support of the secondary road patrol and traffic accident enhanced
27 grants program in accordance with section 629e of the Michigan vehicle
28 code, 1949 PA 300, MCL 257.629e. Expenditures for the support of the
29 secondary road patrol and traffic accident enhanced grants program
30 shall not exceed revenues received.

31 **CRIMINAL JUSTICE DATA CENTER**

32 Sec. 401. The funds appropriated in section 107 for computer
33 services shall be funded by LEIN user fees sufficient to pay 1/3 of the
34 service and contract maintenance costs of the LEIN mainframe computer
35 system.

1 **FORENSIC SCIENCES**

2 Sec. 501. The grant to the city of Detroit under section 108
3 shall be allocated by the city to the Detroit crime lab and to the
4 Detroit police special events.

5 **COMMISSION ON LAW ENFORCEMENT STANDARDS**

6 Sec. 601. The funds appropriated to the COLES for maintenance
7 and delivery of training to locals are provided in accordance with a
8 state reimbursement policy in which 100% of the determined state
9 reimbursement rate shall be distributed upon certification by the
10 COLES.

11 Sec. 602. The funds appropriated in section 109 for community
12 policing coordination shall be used by the department to work in
13 conjunction with local criminal justice agencies to identify
14 appropriate curriculum to support community policing. The department
15 shall work as a coordinator to deliver community policing training.

16 **EMERGENCY MANAGEMENT**

17 Sec. 701. (1) The state director of emergency management may
18 expend funds appropriated under this bill to call upon any agency or
19 department of the state or any resource of the state to protect life or
20 property or to provide for the health or safety of the population in
21 any area of the state in which the governor proclaims a state of
22 emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33,
23 or under the emergency management act, 1976 PA 390, MCL 30.401 to
24 30.420. The state director of emergency management may expend the
25 amounts the director considers necessary to accomplish these purposes.
26 The director shall submit to the state budget director as soon as
27 possible a complete report of all actions taken under the authority of
28 this section. The report shall contain, as a separate item, a statement
29 of all funds expended that is not reimbursable from federal revenues.
30 The state budget director shall review the expenditures and submit
31 recommendations to the legislature in regard to any possible need for a
32 supplemental appropriation.

33 (2) In addition to the funds appropriated in this bill, the
34 department may receive and expend funds from local, private, federal,
35 or state sources for the purpose of providing emergency management

1 training to local or private interests and for the purpose of
2 supporting emergency preparedness, response, recovery, and mitigation
3 activity.

4 **UNIFORM SERVICES**

5 Sec. 801. The department shall not expend any portion of the funds
6 appropriated in this bill, including any expenditure made under an
7 executive order, to plan for or to implement a roadblock or check lane
8 system that has as its primary objective the deterrence or detection of
9 intoxicated drivers in this state.

10 Sec. 802. State police enlisted personnel who are employed to
11 enforce traffic laws as provided in section 629e of the Michigan
12 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from
13 responding to crimes in progress or other emergency situations, and are
14 responsible for protecting every citizen of this state from harm.

15 **SPECIAL OPERATIONS**

16 Sec. 901. (1) Funds appropriated under section 113 for the
17 Michigan public safety communications system shall be expended upon
18 approval of an expenditure plan by the state budget director.

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

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

25 (4) The department of state police shall provide a report to the
26 house and senate appropriations committees, house and senate fiscal
27 agencies, and the state budget director on April 15, 2000, and on
28 October 15, 2000, indicating the amount of revenue collected under this
29 section and deposited to the state general fund for the immediately
30 preceding 6-month period.

31 Sec. 902. In addition to the appropriations in section 113 to the
32 department of state police for the aviation program, the department is
33 authorized to sell its aircraft and the proceeds from the sale are
34 appropriated and may be applied to the renovation cost of replacement
35 aircraft.

1 **CRIMINAL INVESTIGATIONS**

2 Sec. 1001. (1) There are sufficient funds appropriated in section
3 113 to criminal investigations to ensure that the citizens in a service
4 area of any state police post in the vicinity of a state prison do not
5 experience a downgrading of state police services in their area.

6 Criminal investigations shall be available by temporary or permanent
7 assignment of a detective when either a temporary or permanent prison
8 facility is opened.

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

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