

Act No. 152  
Public Acts of 1992  
Approved by the Governor  
July 16, 1992  
Filed with the Secretary of State  
July 16, 1992

**STATE OF MICHIGAN**  
**86TH LEGISLATURE**  
**REGULAR SESSION OF 1992**

Introduced by Reps. Ostling, Oxender, Bender and Allen

# ENROLLED HOUSE BILL No. 5515

AN ACT to make appropriations for the department of state police, and certain other state purposes for the fiscal year ending September 30, 1993; 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 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:*

Sec. 101. There is appropriated for the department of state police, for the fiscal year ending September 30, 1993, from the funds identified as follows:

## DEPARTMENT OF STATE POLICE

### APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions.....	3,414.5	
GROSS APPROPRIATION .....	\$	292,184,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		12,493,700
ADJUSTED GROSS APPROPRIATION .....	\$	279,690,700
Federal revenues:		
Total federal revenues .....		30,132,700
Special revenue funds:		
Total local revenues .....		3,598,300
Total private revenues.....		8,912,400
Total other state restricted revenues .....		33,907,800
State general fund/general purpose .....	\$	203,139,500

## EXECUTIVE DIRECTION

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions.....	55.0	
Director.....	\$	83,100
Other unclassified positions—5.0 FTE positions .....		285,600
Executive direction—48.0 FTE positions.....		3,105,200
Job academy .....		1,000
Auto theft prevention grants.....		7,862,900
Auto theft prevention administration—7.0 FTE positions.....		420,000
GROSS APPROPRIATION .....	\$	11,757,800

For Fiscal Year  
Ending Sept. 30,  
1993

Appropriated from:		
Special revenue funds:		
Private-auto theft prevention fees.....	\$	8,282,900
State general fund/general purpose .....	\$	3,474,900

#### DEPARTMENTWIDE APPROPRIATIONS

Special maintenance.....	\$	84,900
Rent .....		1,307,700
Worker's compensation .....		1,561,200
Fleet leasing .....		12,318,600
Inservice training .....		850,000
Enlisted terminal leave payments .....		2,659,000
Building occupancy charges-property management services.....		2,049,700
Alert response compensation .....		2,691,000
Federal drug forfeiture enhancement .....		509,000
Federal, private and local assistance for police services .....		3,500,000
Narcotics investigation funds .....		710,800
GROSS APPROPRIATION .....	\$	28,241,900

Appropriated from:		
Federal revenues:		
Federal grants and contracts .....		2,500,000
Federal narcotics investigation revenues.....		509,000
Federal title XIX .....		7,300
Federal title XVIII.....		3,600
Interdepartmental grant revenues:		
IDG from DMB-Michigan justice training fund .....		850,000
Special revenue funds:		
Private funds.....		200,000
Local grants and reimbursements .....		200,000
State restricted reimbursements .....		600,000
Narcotics investigation revenues .....		710,800
Hazardous materials inspection fees .....		9,200
Underground storage tank program fees.....		256,100
State general fund/general purpose .....	\$	22,395,900

#### ADMINISTRATIVE SERVICES

Full-time equated classified positions.....	90.5	
Personnel division—26.5 FTE positions.....		\$ 1,506,900
Business administration—64.0 FTE positions.....		3,299,200
Auction expenditures .....		65,000
Forms reimbursement-local law enforcement agencies.....		75,000
Headquarters utilities .....		306,000
GROSS APPROPRIATION .....		\$ 5,252,100

Appropriated from:		
Special revenue funds:		
Local forms reimbursement revenue.....		75,000
Private-auto theft prevention fees.....		19,200
Auction revenues.....		65,000
Local-LEIN fees.....		31,900
Underground storage tank program fees.....		212,600
Narcotics investigation revenues .....		37,100
Motor carrier fees .....		73,000
State general fund/general purpose .....	\$	4,738,300

#### HIGHWAY SAFETY PLANNING

Full-time equated classified positions.....	36.5	
State program planning and administration—12.0 FTE positions.....		\$ 1,072,400
Grants to local governments and non-profit organizations .....		3,500,000
Secondary road patrol administration—1.0 FTE position .....		75,100
Secondary road patrol and traffic accident grants .....		6,713,400

		For Fiscal Year Ending Sept. 30, 1993
Truck safety program—2.0 FTE positions .....	\$	2,960,500
Field coordination and analysis—13.0 FTE positions .....		1,253,100
Traffic safety data—3.5 FTE positions .....		161,900
Fatal accident reporting system—2.0 FTE positions .....		103,200
Occupant protection—1.0 FTE position .....		750,000
Alcohol traffic safety—2.0 FTE positions .....		1,913,700
GROSS APPROPRIATION .....	\$	18,503,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund .....		536,200
Federal revenues:		
DOT-NHTSA, state and community highway safety .....		4,892,500
DOT-NHTSA/FHWA .....		3,163,700
Special revenue funds:		
Truck driver safety fund .....		2,960,500
Secondary road patrol and training fund .....		5,244,500
State general fund/general purpose .....	\$	1,705,900
<b>CENTRAL RECORDS</b>		
Full-time equated classified positions .....		85.0
Central records division—85.0 FTE positions .....	\$	3,409,100
Uniform crime reporting program .....		445,100
Criminal history record improvement .....		331,400
Criminal justice records improvement .....		500,000
GROSS APPROPRIATION .....	\$	4,685,600
Appropriated from:		
Special revenue funds:		
Central records service fees .....		569,900
Federal revenues:		
DOJ-bureau of justice statistics .....		445,100
DOJ-bureau of justice assistance .....		706,400
Federal narcotics investigation revenues .....		125,000
State general fund/general purpose .....	\$	2,839,200
<b>CRIMINAL JUSTICE DATA CENTER</b>		
Full-time equated classified positions .....		105.0
State police-management information systems—28.5 FTE positions .....	\$	1,588,900
Traffic accident records—22.0 FTE positions .....		923,700
Local LEIN services—33.5 FTE positions .....		3,790,200
New computer .....		1,897,200
Automated fingerprint identification system—21.0 FTE positions .....		5,104,800
GROSS APPROPRIATION .....	\$	13,304,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of state .....		307,900
IDG from department of social services .....		307,900
IDG from MDOT-state trunkline fund .....		307,900
Special revenue funds:		
Local-LEIN fees .....		1,131,200
State general fund/general purpose .....	\$	11,249,900
<b>FORENSIC SCIENCES</b>		
Full-time equated classified positions .....		179.0
Laboratory operations—163.0 FTE positions .....	\$	10,520,600
DNA analysis program—3.0 FTE positions .....		271,600
Federal anti-drug initiatives—13.0 FTE positions .....		278,100
Controlled substance analysis .....		309,000
Criminal sexual conduct kit program .....		28,500
GROSS APPROPRIATION .....	\$	11,407,800

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Appropriated from:

Federal revenues:

DEA, controlled substance .....	\$	309,000
Victims of crime act-victims assistance grant.....		28,500
DOJ-state and local narcotics control assistance.....		129,200

Special revenue funds:

Narcotics investigation revenues .....		148,900
State general fund/general purpose .....	\$	10,792,200

TRAINING ADMINISTRATION

Full-time equated classified positions.....	41.0	
Training division—24.0 FTE positions.....		\$ 1,388,100
Reimbursed training—11.0 FTE positions .....		766,600
Training grant .....		35,000
Hazardous materials training center—2.0 FTE positions .....		127,000
Patrol vehicle testing.....		20,000
Precision driving track—4.0 FTE positions .....		833,600
GROSS APPROPRIATION .....		\$ 3,170,300

Appropriated from:

Interdepartmental grant revenues:

IDG-training academy charges .....		988,600
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Federal revenues:

DOT-NHTSA, state and community highway safety .....		35,000
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Special revenue funds:

Private reimbursement.....		20,000
Hazardous materials training center fees.....		127,000
Precision driving track fees.....		833,600
State general fund/general purpose .....	\$	1,166,100

LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Full-time equated classified positions.....	15.5	
Standards and training—15.5 FTE positions.....		\$ 879,300
Training only to local units.....		548,500
Management information-safety belt enhancement.....		100,000
GROSS APPROPRIATION .....		\$ 1,527,800

Appropriated from:

Federal revenues:

DOT-NHTSA, State and community highway safety.....		100,000
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Special revenue funds:

Secondary road patrol and training fund.....		548,500
State general fund/general purpose .....	\$	879,300

FIRE MARSHAL

Full-time equated classified positions.....	175.0	
Fire marshal programs—86.0 FTE positions.....		\$ 4,915,800
Fire investigation training to locals.....		52,800
Fire alarm regulation— 1.0 FTE position .....		85,500
Medicare/medicaid fire inspections—12.0 FTE positions.....		1,125,300
AIS-ICF/MR fire safety inspections—9.0 FTE positions .....		638,100
Hazardous materials inspection—9.0 FTE positions .....		612,500
Fire fighters training council—6.0 FTE positions.....		792,100
Fire safety board—2.0 FTE positions.....		126,700
Underground storage tank program—48.0 FTE positions .....		8,963,700
Municipal fire service classification board—2.0 FTE positions .....		128,100
GROSS APPROPRIATION .....		\$ 17,440,600

Appropriated from:

Interdepartmental grant revenues:

IDG-DSS, inspection contract .....		140,700
IDG-inspection contract with department of public health .....		175,000

Federal revenues:	
Federal title XVIII .....	\$ 446,200
Federal title XIX .....	971,200
EPA-UST grant.....	256,200
Special revenue funds:	
Hazardous materials inspection fees .....	612,500
Fire alarm regulation fees.....	85,500
Underground storage tank program fees.....	8,707,500
State general fund/general purpose .....	\$ 6,045,800

#### EMERGENCY MANAGEMENT

Full-time equated classified positions.....	47.0
State program planning and administration—20.5 FTE positions.....	\$ 1,469,200
Emergency management training—1.5 FTE positions.....	568,000
Grants to local government.....	1,982,100
Population protection planning—9.0 FTE positions.....	778,800
Radiological maintenance and calibration control—4.5 FTE positions.....	312,600
Nuclear power plant emergency planning—5.0 FTE positions.....	390,300
Shelter survey—1.5 FTE positions .....	172,700
Hazardous materials title III—5.0 FTE positions.....	268,900
GROSS APPROPRIATION .....	\$ 5,942,600
Appropriated from:	
Federal revenues:	
Federal emergency management assistance .....	4,612,300
Special revenue funds:	
Private-nuclear plant emergency planning reimbursement.....	390,300
State general fund/general purpose .....	\$ 940,000

#### UNIFORM SERVICES

Full-time equated classified positions.....	1,861.5
Uniform services—578.5 FTE positions.....	\$ 38,611,900
Security guards—44.0 FTE positions.....	1,617,100
Reimbursed services.....	264,300
Highway safety enforcement program—100.0 FTE positions.....	6,913,700
At-post troopers—1,139.0 FTE positions.....	67,081,300
GROSS APPROPRIATION .....	\$ 114,488,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT-Michigan transportation fund .....	64,900
IDG-corrections-contract .....	750,000
IDG-DMB, building occupancy charges for security guard services.....	980,500
Special revenue funds:	
Highway safety fund .....	6,913,700
State police service fees.....	264,300
State general fund/general purpose .....	\$ 105,514,900

#### SPECIAL OPERATIONS

Full-time equated classified positions.....	108.5
Operational support—29.0 FTE positions.....	\$ 1,779,300
Traffic safety programs—10.5 FTE positions .....	723,400
Highway safety programs—2.0 FTE positions.....	612,500
Automated measuring devices—1.0 FTE position .....	250,000
Aviation program—8.0 FTE positions .....	923,000
Rental of department aircraft .....	201,300
Communications—29.0 FTE positions.....	4,150,500
Operation CARE—1.0 FTE position .....	286,100
911/central dispatch—5.0 FTE positions .....	1,717,800
Operation PRIDE .....	416,300
Project DARE—5.0 FTE positions .....	664,800
Communication centers—18.0 FTE positions.....	794,100

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Canine drug detection program .....	\$	56,800
Infrared breath testing program .....		1,000,000
GROSS APPROPRIATION .....	\$	13,575,900

Appropriated from:

Interdepartmental grant revenues:

IDG-corrections contract .....		56,800
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Federal revenues:

DOT-NHTSA, state and community highway safety .....		1,223,400
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DOJ-state and local narcotics assistance .....		834,700
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Special revenue funds:

Rental of department aircraft .....		201,300
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Narcotics investigation revenues .....		137,500
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Drunk driving prevention and training fund .....		700,000
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Local and private D.A.R.E. funds .....		76,400
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Local revenues-communication centers .....		788,500
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Local breathalyzer training fees .....		79,400
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Local breathalyzer inspection fees .....		2,600
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Infrared training fees .....		300,000
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State general fund/general purpose .....	\$	9,175,300
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#### INVESTIGATIVE SERVICES

Full-time equated classified positions.....411.0

Investigative services—304.5 FTE positions .....	\$	19,458,000
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Federal anti-drug initiatives—86.5 FTE positions .....		7,593,000
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Auto theft investigations funds .....		102,400
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Reimbursed services, materials, and equipment .....		1,515,500
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Welfare and food stamp investigation—8.0 FTE positions .....		771,500
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Auto theft prevention—8.0 FTE positions .....		860,800
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Enhanced tax enforcement—4.0 FTE positions .....		270,200
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GROSS APPROPRIATION .....	\$	30,571,400
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Appropriated from:

Interdepartmental grant revenues:

IDG-treasury, enhanced tax law enforcement .....		270,200
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IDT-auto theft prevention grant funds .....		860,800
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Federal revenues:

Federal reimbursed services .....		302,200
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DOJ-state and local narcotics control assistance .....		4,615,000
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DAG-food and nutrition services .....		771,500
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Federal narcotics investigation revenues .....		334,900
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Special revenue funds:

Narcotics investigation revenues .....		479,500
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Auto theft investigation .....		102,400
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Licensing fees .....		138,900
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Local reimbursed services .....		1,213,300
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State general fund/general purpose .....	\$	21,482,700
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#### MOTOR CARRIER ENFORCEMENT

Full-time equated classified positions.....204.0

Motor carrier enforcement—113.0 FTE positions .....	\$	6,950,700
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Grants to local/non-profit organizations .....		500,000
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Truck/bus accident reporting—1.0 FTE position .....		56,600
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Commercial vehicle self inspection—1.0 FTE position .....		26,600
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Truck safety enforcement team operations—15.0 FTE positions .....		859,200
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Safety inspections—55.0 FTE positions .....		2,544,700
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Hazardous materials transportation enforcement—6.0 FTE positions .....		357,300
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School bus inspections—10.0 FTE positions .....		739,100
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Reimbursed services .....		5,000
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Safety awareness and education—1.5 FTE positions .....		175,000
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Safety belt enforcement—1.5 FTE positions .....		100,000
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GROSS APPROPRIATION .....	\$	12,314,200
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Appropriated from:	
Federal revenues:	
DOT, motor carrier safety .....	\$ 2,710,800
DOT-NHTSA, State and community highway safety.....	100,000
Interdepartmental grant revenues:	
IDG from MDOT-state trunkline fund .....	4,980,500
IDT-OHSP, truck safety fund .....	915,800
Special revenue funds:	
Hazardous materials inspection fees .....	357,300
Commercial vehicle self inspection fees .....	26,600
Motor carrier fees .....	2,484,100
State general fund/general purpose .....	\$ 739,100

## **GENERAL SECTIONS**

Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this bill is \$237,047,300.00 and state spending to be paid to local units of government is as follows:

### **OFFICE OF HIGHWAY SAFETY PLANNING**

Secondary road patrol .....	\$ 6,713,400
Truck safety program grants .....	2,050,000

### **LAW ENFORCEMENT OFFICERS TRAINING COUNCIL**

Training only to local units law enforcement officers.....	548,500
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### **FIRE MARSHAL**

Fire fighters training council.....	290,200
Fire investigation training for locals.....	52,800

### **CRIMINAL JUSTICE DATA CENTER**

Automated fingerprint identification system .....	260,000
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### **UNIFORM SERVICES**

Consolidated central dispatch grants .....	1,554,800
Total .....	\$ 11,469,700

(2) When it appears to the principal executive officer of each department that state spending to local units of government will be less than the amount that was projected to be expended for any quarter, the principal executive officer shall immediately give notice of the approximate shortfall to the department of management and budget, the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 202. The appropriations made and the expenditures authorized under this act and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 203. As used in this act:

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

(b) "AIS/ICF/MR" means alternate intermediate services, intermediate care facilities, mentally retarded.

(c) "CARE" means combined accident reduction effort.

(d) "CCD" or "consolidated central dispatch" means an entity consisting of 75% or more of the law enforcement, fire fighting, and emergency service agencies, or those agencies encompassing 75% or more of the population of the service area, joined under a written agreement to operate under a single dispatching operation. The 75% requirements for a CCD may be waived in counties of over 250,000 where other configurations promise effective and efficient services. A CCD must also include all of the following:

- (i) The participation of the county sheriff and the state police.
- (ii) The control of central dispatching by a countywide or regional authority consisting of representatives of participating jurisdictions and agencies and the general public, that selects supervisory staff and oversees operations.
- (iii) One or 2 dispatching points operated by the authority as is determined to be necessary given the size of the county.
- (iv) Dispatch services 24 hours a day, 7 days a week, year-round to all participating jurisdictions and agencies.
- (v) A written agreement including an annual budget by the participants that specifies the nature and amount of service and identifies sources of financing, including the provision of personnel, equipment, supplies, and funds from participants or from dedicated sources.
- (vi) An operational policy based on the concept of the dispatch of the closest unit, of the appropriate type, to the service request.
- (vii) Operation using 9-1-1, or enhanced 9-1-1, under the emergency telephone service enabling act, Act No. 32 of the Public Acts of 1986, being sections 484.1101 to 484.1707 of the Michigan Compiled Laws, where feasible and cost-effective.
- (e) "CCH" means computerized criminal history.
- (f) "Department" means the department of state police.
- (g) "DMB" means the Michigan department of management and budget.
- (h) "DOD" means United States department of defense.
- (i) "DOJ" means the United States department of justice.
- (j) "DOJ-BJS" means the United States department of justice, bureau of justice statistics.
- (k) "DOT" means the United States department of transportation.
- (l) "DOT-NHTSA" means DOT-national highway traffic safety administration.
- (m) "FTE" means full-time equated.
- (n) "IDG" means interdepartmental grant.
- (o) "IDT" means intradepartmental transfer.
- (p) "LEIN" means law enforcement information network.
- (q) "MDOT" means Michigan department of transportation.
- (r) "MDOT-TSF" means Michigan department of transportation truck safety fund.
- (s) "MLEOTC" means the Michigan law enforcement officer training council.
- (t) "OHSP" means office of highway safety planning.
- (u) "Title XVIII" means title XVIII of the social security act of 1935, as amended.

Sec. 204. The appropriations provided in section 101 for salaries and wages, longevity and insurance, retirement, and pension, and for project accounts are approved for expenditure for automated information processing that is relevant to the objectives of the given appropriation unit or project account.

Sec. 205. The amounts appropriated for utilities and that portion of contractual services, supplies, and materials used to pay for utility service to state facilities in section 101 may be expended in a manner consistent with section 253 of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1253 of the Michigan Compiled Laws.

Sec. 206. It is the desire of the legislature that personnel of the department and vendors who request, and are eligible for, reimbursement of expenses related to the operation of the department be reimbursed from the appropriations provided in section 101 within 30 days after submitting a request, or the eligible personnel receive 12% annual interest on the amount not paid within that time period.

Sec. 207. (1) The director 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.

(2) 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.

(3) Each state department shall compile a report to the civil rights commission validating the total contracts in compliance with this section and detailing contracting procedures for the department.



Sec. 208. To avoid the overexpenditure of funds appropriated under this act, the department beginning June 1, 1993 shall report quarterly to the state police subcommittees of the senate and house appropriations committees the current status of the accounts set forth in section 101 on forms prescribed by the house and senate fiscal agencies and the department.

Sec. 209. The department shall, on November 1, 1992, and April 1, 1993, report to the senate and house appropriations subcommittees on state police and to the senate and house fiscal agencies, the number of authorized position vacancies by appropriation unit and major program area within the department. The reports shall be submitted within 15 days after the last pay period in each quarter.

Sec. 210. (1) Beginning October 1, 1992, there shall be a hiring freeze imposed on the state classified civil service. State departments and agencies shall be prohibited from hiring any new full-time state classified civil service employees or prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The director of the department of management and budget shall grant exceptions to this hiring freeze when the director believes that such a hiring freeze will result in rendering a state department or agency unable to deliver basic services. The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations committees the number of exclusions to the hiring freeze approved during the previous month and the reasons to justify the exclusion.

Sec. 211. Funds appropriated in section 101 shall not be used to purchase a foreign good or service when an American good or service is available and competitively priced.

Sec. 212. The department shall establish an FTE position vacancy accumulated funds account. The department shall transfer into the FTE position vacancy accumulated funds account at the end of each quarter any funds remaining unspent for personnel and related costs for vacancies. A report on the amount transferred each quarter into the vacancy accumulated funds account and the cumulative total in the account shall be submitted to the senate and house appropriations committees and the senate and house fiscal agencies 15 days after the last pay period in each quarter.

Sec. 213. (1) The department shall provide to the job academy planning and policy documents, program and fiscal data, and other requested information for the programs that receive funding under this act.

(2) The department shall assign staff to work with the job academy to improve the coordination of employment and training services between departments, to reduce duplication of services, and to begin integrating and consolidating all employment and training services.

(3) To improve the accessibility of Michigan citizens to employment and training programs, the department shall cooperate with the job academy as it develops pilot programs that consolidate and restructure employment and training programs at the local level. The pilot programs shall include, but not be limited to, the testing of a system in which clients receive vouchers that can be used to access the most appropriate employment and training services.

(4) To allow for the implementation of the local pilot programs, funds may be transferred from existing employment and training programs to the job academy line item. The transfers shall be subject to section 393(2) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

## **EXECUTIVE DIRECTION**

Sec. 251. From the \$3,105,200.00 appropriated in section 101 for executive direction, \$76,900.00 shall be for the legislative liaison.

## **DEPARTMENTWIDE APPROPRIATIONS**

Sec. 301. (1) The department may receive and expend federal grant awards, private donations, gifts, and bequests for support of departmental activities, and may receive and expend funds pursuant to agreements with local units of government, other state agencies, and private organizations.

(2) The department shall submit a report of funds received or expended pursuant to subsection (1) to the senate and house appropriations subcommittees on state police and the senate and house fiscal agencies within 10 days after applying for or receiving those funds.

Sec. 302. The department shall submit a semiannual report on November 1, 1992 and April 1, 1993 on the allocations and expenditures of the \$500,000.00 appropriated in section 101 to departmentwide appropriations for narcotic investigation funds.

Sec. 303. (1) Money shall not be expended by the department to hire or train an applicant for employment by the department unless that applicant agrees in writing to submit to a controlled substance test that is supervised by the department.

(2) The department shall not expend funds to hire or train a candidate unless that candidate agrees in writing to submit to a random controlled substance abuse test during training at the state police academy. The department shall not expend funds to hire or train a candidate unless that candidate enters into an agreement with the department that a positive substance abuse test during training at the state police academy or a refusal to take a substance abuse test shall result in the candidate's dismissal from the department. The department shall not expend funds to hire or certify a candidate who tests positive or refuses to submit to the testing while at the academy for a minimum of 2 years following the test or refusal to take the test.

(3) For purposes of this act, all new state police troopers shall be considered to be on probation for their first year of employment. No funds shall be expended on a new trooper unless he or she agrees to random drug testing during his or her first year of employment and agrees that a positive drug test result shall result in the loss of his or her employment.

(4) Funds shall not be expended by MLEOTC for training law enforcement officer candidates, and a candidate shall not be certified by the MLEOTC, unless he or she tests negative on a test prescribed by the MLEOTC that is designed to detect the illegal use of controlled substances. A test shall be conducted prior to basic training and prior to application for certification. A candidate who tests positive or refuses to submit to a test is not eligible for MLEOTC training or certification until the expiration of 2 years after the positive test or the refusal to submit to the test. Funds shall not be expended to employ, train, or certify a candidate who tests positive, or who refuses a test, until the expiration of 2 years after the positive test or the refusal to submit to the test.

(5) From the funds appropriated in section 101, sufficient money is provided to maintain the substance abuse data base as provided for in the MLEOTC substance abuse testing program.

(6) The fire fighters training council shall consider requiring all new fire fighter candidates to submit to a controlled substance abuse test that is supervised by the fire fighters training council and administered at the local level. The fire fighters training council shall not expend funds after April 1, 1993 on a candidate for state certification unless the candidate is able to provide evidence of a negative controlled substance test administered not earlier than 30 days prior to certification. The requirement of the negative controlled substance test may be waived by a resolution adopted by the fire fighters training council. A candidate who tests positive or refuses to provide evidence of a negative test shall not be certified by the fire fighters training council for a minimum of 2 years after the positive test or the refusal to submit to the test. A plan for implementing such a controlled substance program shall be developed by the fire fighters training council and shall be submitted to the house and senate appropriations subcommittees by January 1, 1993.

## **HIGHWAY SAFETY PLANNING**

Sec. 401. (1) The amounts appropriated in section 101 for federal and restricted highway safety planning programs shall be treated as work project accounts and shall not revert to the general fund of the state at the conclusion of the fiscal year ending September 30, 1993, but shall continue to be available for expenditure until the projects for which they were appropriated are completed or otherwise terminated. At the conclusion of the fiscal year ending September 30, 1993, the unencumbered balance for each completed or terminated project shall revert to the general fund and unearned federal funds received for the completed or terminated project shall be returned.

(2) A principal executive officer of a department having an appropriation for highway safety planning funds shall notify the state budget director as to the September 30, 1993 status of each project for which appropriations are made. The notification shall be made by November 1, 1993, and shall be in sufficient detail so that the state budget director can cause the unencumbered balance of the completed or terminated projects to be reverted to the general fund of the state.

Sec. 402. (1) The appropriation in section 101 for secondary road patrol and traffic accident grants shall be considered a work project account and shall not lapse at the end of the fiscal year but remain available for expenditure in fiscal year 1993-94.

(2) If the civil infraction surcharge funds supporting secondary road patrol and training are less than authorized in this act, state general fund/general purpose funds shall be used to make up the difference if those funds are available.

### **CRIMINAL JUSTICE DATA CENTER**

Sec. 501. In addition to the funds appropriated in section 101, the department may receive funds from local units of government to expand or upgrade the law enforcement information network, if the funds do not require state money for matching purposes, or for continuing programs if the funds from local units of government become unavailable.

Sec. 502. The \$1,897,200.00 appropriated in section 101 for a new computer shall be used for the purchase, installation, and contract maintenance of a new mainframe computer which shall be funded by LEIN user fees sufficient to pay 1/3 of the purchase, installation, and contract maintenance costs.

Sec. 503. (1) The state budget director is authorized to make administrative transfers of the unexpended general fund-general purpose amounts available from amounts appropriated in section 101 to special work project accounts for office automation in the department and for equipping each 1-person patrol car with a video incident capture system.

(2) The office automation project described in subsection (1) shall not cost more than \$1,500,000.00, and shall do both of the following:

(a) Replace and enhance existing department owned microcomputers and network that equipment with the department mainframe computer.

(b) Identify old equipment with a history of maintenance problems, and equipment that is no longer capable of performing user needs.

(3) The department shall certify to the department of management and budget by December 1, 1992 projected unexpended account balances available for transfer pursuant to subsection (1).

(4) The department of management and budget shall report to the house and senate appropriations committees all administrative transfers made pursuant to subsection (1).

Sec. 504. For the fiscal year ending September 30, 1993, the department, in conjunction with the departments of social services, transportation, secretary of state, and management and budget, shall determine a cost of maintaining the traffic accident records program based on each department's respective use, and shall enter into written contracts requiring each department to pay its prorated share for using that program.

Sec. 505. (1) The funds appropriated in section 101 for the automated fingerprint identification system shall be considered a work project account that shall not lapse at the end of the fiscal year.

(2) In addition to funds appropriated under section 101, the department may receive and expend funds from local units of government pursuant to section 7 of A.F.I.S. policy council act, Act No. 307 of the Public Acts of 1988, being section 28.157 of the Michigan Compiled Laws, for the purpose of acquiring equipment for the automated fingerprint identification system.

Sec. 506. (1) The funds appropriated in section 101 include funds for the purchase of AFIS equipment.

(2) Funds expended by the department for the purchase of AFIS equipment for local consortiums shall be on a per capita basis.

(3) State funds shall not be used in the operation or maintenance of AFIS equipment for local consortiums.

Sec. 507. From the \$5,104,800.00 appropriated in section 101 for AFIS, not more than \$260,000.00 is appropriated for local AFIS equipment shall be used for the state share of local AFIS equipment. The total state share for this purpose shall not exceed \$1,660,000.00 over the 4-year lease-purchase period. The per capita rate to be established by the AFIS policy council shall not exceed a 4-year total of \$41,000.00 per 100,000 population. State funds shall be limited to the purchase of AFIS terminals that are on a 4-year lease-purchase basis.

## **FORENSIC SCIENCES**

Sec. 601. It is the intent of the legislature that the department provide toxicology services to local agencies.

## **TRAINING DIVISION**

Sec. 701. The funds appropriated in section 101 for the hazardous material training center shall be considered a work project account and shall not lapse at the end of the fiscal year.

## **LAW ENFORCEMENT OFFICERS TRAINING COUNCIL**

Sec. 801. The funds appropriated to the law enforcement officers training council for maintenance and delivery of training to locals is provided in accordance with a state reimbursement policy in which 50% of the determined state reimbursement rate shall be distributed on the first day of enrollment and 50% upon certification by the law enforcement officers training council.

## **FIRE MARSHAL**

Sec. 901. No appropriation for the fire fighters training council in the fire marshal division shall be reduced without a 30-day review period by the house and senate appropriations subcommittees on state police.

## **EMERGENCY MANAGEMENT**

Sec. 1001. (1) The state director of emergency management may expend funds appropriated under this act to call upon any agency or department of the state or any recourse 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 under Act No. 302 of the Public Acts of 1945, being sections 10.31 to 10.33 of the Michigan Compiled Laws, or under the emergency preparedness act, Act No. 390 of the Public Acts of 1976, being sections 30.401 to 30.420 of the Michigan Compiled Laws. 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 funds expended that are not reimbursable from federal funds. 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 funds appropriated in section 101, the department may receive and expend funds from local or private sources for the purpose of providing emergency management training to local or private interests.

(3) In addition to the funds appropriated in section 101, the department may receive or expend funds from local, private, or state sources for the purpose of supporting emergency preparedness response and mitigation activity.

## **UNIFORM SERVICES**

Sec. 1101. The department shall not expend any portion of the funds appropriated in section 101, including any expenditure made pursuant to 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 funds appropriated in section 101.

Sec. 1103. It is the intent of the legislature that the department assist in the implementation of the St. Clair area crime stopper program and a crime stopper program for the law enforcement consortium consisting of Brownstown, Flat Rock, Gibraltar, Grosse Ile, Riverview, Rockwood, Trenton, and Woodhaven as a pilot project. The department shall provide training and staff support through the St. Clair state police post and the law enforcement consortium for the project.

Sec. 1104. Upon service of proper notification by the department of intent to cancel the lease at any post that is subject to consolidation, funds appropriated in section 101 shall not be used for rent expenses at that post beyond the minimum time required for cancellation of the lease.

Sec. 1105. If the civil infraction surcharge supporting the highway safety enforcement program is less than authorized in this act, state general fund/general purpose funds shall be used to make up the difference if those funds are available.

Sec. 1106. The funds appropriated in section 101 for at-post troopers shall be considered a work project account and shall not lapse at the end of the fiscal year. The department shall use the remaining balances in the at-post trooper work project account for a recruit school and for local law enforcement agency D.A.R.E. programs that will be made available on a match basis.

Sec. 1107. State police enlisted personnel who are employed to enforce traffic laws pursuant to section 629e of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.629e of the Michigan Compiled Laws, shall not be prohibited from responding to crimes in progress or other emergency situations, and shall be responsible for protecting every citizen of this state from harm.

## **SPECIAL OPERATIONS**

Sec. 1151. Funds appropriated in section 101 for rental of department aircraft shall be considered a work project account and shall not lapse at the end of the fiscal year.

Sec. 1152. Funds appropriated in section 101 for the infrared breath testing program shall be considered a work project account and shall not lapse at the end of the fiscal year.

Sec. 1153. A county receiving state funds for consolidated central dispatch under this act shall do both of the following:

- (a) Provide full dispatch services to the department of state police.
- (b) Develop an operational policy to dispatch the closest unit, of the appropriate type, to the service request.

Sec. 1154. (1) Funds appropriated in section 101 for 9-1-1 consolidated central dispatch shall be for consolidated central dispatch centers functioning on October 1, 1992 that meet the definition criteria of a consolidated central dispatch as established by the department in accordance with the June 2, 1988 central dispatch state plan recommendations of the office of criminal justice emergency telephone services committee.

(2) The funding formula for eligible consolidated central dispatches shall use a rate not to exceed the state radio dispatcher FTE pay rate exclusively for, and limited to, dispatchers, dispatch supervisors, and center director personnel.

Sec. 1155. (1) The funds appropriated in section 101 for the state police radio/state government network system shall be considered a work project account that shall not lapse at the end of the fiscal year.

(2) Funds appropriated under subsection (1) shall not be expended without joint development of the system with the department of management and budget.

## **INVESTIGATIVE SERVICES**

Sec. 1201. (1) There are sufficient funds appropriated in section 101 to investigative services 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. Investigative services 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. 1202. The funds appropriated in section 101 for federal antidrug initiatives shall be limited to operations that include significant financial and personnel participation from local units of government. State funds may be utilized to maximize federal fund matching for antidrug initiatives.

Sec. 1203. It is the intent of the legislature that the functions and position for child abuse investigative services be maintained for fiscal year 1992-93. Sufficient funds have been appropriated in section 101 to support the position.

#### **MOTOR CARRIER ENFORCEMENT**

Sec. 1301. Greater emphasis and higher priority shall be given to equipment safety checks of commercial vehicles by motor carrier officers in order to reduce accidents on the state's highways and roads.

This act is ordered to take immediate effect.

.....  
Clerk of the House of Representatives.

.....  
Secretary of the Senate.

Approved .....

.....  
Governor.