

Act No. 179
Public Acts of 1993
Approved by the Governor
September 29, 1993
Filed with the Secretary of State
September 29, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Senators Cisky and McManus

ENROLLED SENATE BILL No. 533

AN ACT to make appropriations for the department of state police, and certain other state purposes for the fiscal year ending September 30, 1994; 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, 1994, from the funds identified as follows:

DEPARTMENT OF STATE POLICE

Full-time equated unclassified positions	3.0		
Full-time equated classified positions	3,433.0		
GROSS APPROPRIATION		\$	314,276,400
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers		\$	12,310,100
ADJUSTED GROSS APPROPRIATION		\$	301,966,300
Total federal revenues			42,775,900
Total local revenues			4,055,400
Total private revenues			9,018,100
Total other state restricted revenues			42,194,900
State general fund/general purpose		\$	203,922,000

EXECUTIVE DIRECTION

Full-time equated unclassified positions	3.0		
Full-time equated classified positions	54.0		
Director		\$	87,300
Other unclassified positions			111,900
Executive direction—47.0 FTE positions			2,979,900
Auto theft prevention grants			7,862,900
Auto theft prevention administration—7.0 FTE positions			432,600
Anti-car theft grants			3,900,000
GROSS APPROPRIATION		\$	15,374,600

For Fiscal Year
Ending Sept. 30,
1994

Appropriated from:	
Federal revenues:	
DOJ-bureau of justice assistance	\$ 3,900,000
Special revenue funds:	
Private-auto theft prevention fees	8,295,500
State general fund/general purpose	\$ 3,179,100
DEPARTMENTWIDE APPROPRIATIONS	
Special maintenance	\$ 84,900
Rent.....	1,340,500
Worker's compensation.....	1,888,300
Fleet leasing	10,786,500
Inservice training	850,000
Enlisted terminal leave payments.....	2,475,900
Building occupancy charges-property management services.....	1,863,900
Alert response compensation	2,489,700
Federal drug forfeiture enhancement.....	509,000
Federal, private and local assistance for police services.....	3,500,000
Narcotics investigation funds.....	800,000
GROSS APPROPRIATION.....	\$ 26,588,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from DMB-Michigan justice training fund.....	850,000
Federal revenues:	
Federal grants and contracts	2,500,000
Federal narcotics investigation revenues	509,000
Special revenue funds:	
Private funds	200,000
Local grants and reimbursements.....	200,000
State restricted reimbursements.....	600,000
Narcotics investigation revenues.....	800,000
State general fund/general purpose	\$ 20,929,700
ADMINISTRATIVE SERVICES	
Full-time equated classified positions.....	90.5
Personnel division—26.5 FTE positions.....	\$ 1,530,200
Management services—64.0 FTE positions.....	3,347,800
Auction expenditures.....	65,000
Forms reimbursement-local law enforcement agencies.....	75,000
Headquarters utilities.....	320,000
GROSS APPROPRIATION.....	\$ 5,338,000
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	\$ 4,824,200
HIGHWAY SAFETY PLANNING	
Full-time equated classified positions.....	36.5
State program planning and administration—12.0 FTE positions	\$ 1,105,100
Grants to local governments and non-profit organization.....	4,000,000
Secondary road patrol administration—1.0 FTE positions	75,700
Secondary road patrol and traffic accident basic grants.....	1,468,900

		For Fiscal Year Ending Sept. 30, 1994
Secondary road patrol and traffic accident enhanced grants	\$	5,244,500
Truck safety program—2.0 FTE positions		2,963,300
Field coordination and analysis—13.0 FTE positions		1,271,100
Traffic safety data—3.5 FTE positions		163,700
Fatal accident reporting system—2.0 FTE positions		106,700
Occupant protection—1.0 FTE positions		1,000,000
Alcohol Traffic Safety—2.0 FTE positions		1,913,700
GROSS APPROPRIATION	\$	19,312,700
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund		536,200
Federal revenues:		
DOT-NHTSA, State and community highway safety		4,946,700
DOT-NHTSA/FHWA		3,913,700
Special revenue funds:		
Truck driver safety fund		2,963,300
Secondary road patrol and training fund		5,244,500
State general fund/general purpose	\$	1,708,300
CENTRAL RECORDS		
Full-time equated classified positions	78.0	
Central records division—78.0 FTE positions	\$	3,356,300
Uniform crime reporting program		445,100
Criminal history record improvement		331,400
Criminal justice records improvement		500,000
GROSS APPROPRIATION	\$	4,632,800
Appropriated from:		
Federal revenues:		
DOJ-Bureau of justice statistics		445,100
DOJ-Bureau of justice assistance		706,400
Federal narcotics investigation revenues		125,000
Special revenue funds:		
Central records service fees		569,900
State general fund/general purpose	\$	2,786,400
CRIMINAL JUSTICE DATA CENTER		
Full-time equated classified positions	105.0	
State police-management information systems—28.5 FTE positions	\$	1,584,200
Traffic accident records—22.0 FTE positions		923,700
Local LEIN services—33.5 FTE positions		3,781,100
New computer		989,400
Automated fingerprint identification system—21.0 FTE positions		3,241,700
GROSS APPROPRIATION	\$	10,520,100
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		842,400
State general fund/general purpose	\$	8,754,000
FORENSIC SCIENCES		
Full-time equated classified positions	179.0	
Laboratory operations—163.0 FTE positions	\$	10,682,900
DNA analysis program—3.0 FTE positions		277,800
Federal anti-drug initiatives—13.0 FTE positions		278,100
Controlled substance analysis		309,000

		For Fiscal Year Ending Sept. 30, 1994
Criminal sexual conduct kit program.....	\$	28,500
Reimbursed services		15,000
GROSS APPROPRIATION	\$	11,591,300
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
Forensic science reimbursement fees		15,000
State general fund/general purpose	\$	10,960,700
TRAINING ADMINISTRATION		
Full-time equated classified positions.....	39.0	
Training division—21.0 FTE positions	\$	1,342,900
Reimbursed training—11.0 FTE positions		780,100
Patrol vehicle testing.....		20,000
Precision driving track—7.0 FTE positions		1,189,000
GROSS APPROPRIATION	\$	3,332,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG-training academy charges		1,002,100
Special revenue funds:		
Precision driving track fees.....		835,700
Private reimbursement.....		20,000
State general fund/general purpose	\$	1,474,200
LAW ENFORCEMENT OFFICERS TRAINING COUNCIL		
Full-time equated classified positions.....	17.5	
Standards and training—15.5 FTE positions	\$	870,100
Training only to local units		548,500
Management information-safety belt enhancement		100,000
Michigan justice training commission—2.0 FTE positions		9,000,000
GROSS APPROPRIATION	\$	10,518,600
Appropriated from:		
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		100,000
Special revenue funds:		
Secondary road patrol and training fund		548,500
Michigan justice training fund.....		9,000,000
State general fund/general purpose	\$	870,100
FIRE MARSHAL		
Full-time equated classified positions.....	173.0	
Fire marshal programs—86.0 FTE positions	\$	4,980,000
Fire investigation training to locals		51,500
Fire alarm and suppression system—1.0 FTE positions		88,900
Federal fire safety inspections—21.0 FTE positions		1,753,600
Hazardous materials inspection—9.0 FTE positions		628,800
Fire fighters training council—6.0 FTE positions.....		762,600
Fire safety board—2.0 FTE positions		111,400
Underground storage tank program—48.0 FTE positions		8,930,300
GROSS APPROPRIATION	\$	17,307,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG-DSS, inspection contract		94,000
IDG-inspection contract with the department of public health		175,000

Federal revenues:	
Federal title XVIII	\$ 324,800
Federal title XIX	889,300
EPA-UST grant	256,200
Special revenue funds:	
Hazardous materials inspection fees	628,800
Fire alarm regulation fees	88,900
Underground storage tank program fees	8,674,100
State general fund/general purpose	\$ 6,176,000
EMERGENCY MANAGEMENT	
Full-time equated classified positions	53.0
State program planning and administration—20.5 FTE positions	\$ 1,551,800
Emergency management training—1.5 FTE positions	571,200
Grants to local government	1,982,100
Population protection planning—9.0 FTE positions	793,400
Radiological maintenance & calibration control—4.5 FTE positions	322,100
Nuclear power plant emergency planning—6.0 FTE positions	483,400
Survivable crisis management—1.5 FTE positions	175,100
Hazardous materials title III—5.0 FTE positions	273,600
Hazardous materials transportation—3.0 FTE positions	656,500
Hazardous materials training center—2.0 FTE positions	180,000
GROSS APPROPRIATION	\$ 6,989,200
Appropriated from:	
Federal revenues:	
Federal emergency management assistance	4,669,300
DOT-HMTUSA	656,500
Special revenue funds:	
Private-nuclear plant emergency planning reimbursement	483,400
Hazardous materials training center fees	180,000
State general fund/general purpose	\$ 1,000,000
UNIFORM SERVICES	
Full-time equated classified positions	1,893.0
Uniform services—575.5 FTE positions	\$ 39,259,100
Security guards—44.0 FTE positions	1,660,400
Reimbursed services	500,000
Highway safety enforcement program—78.0 FTE positions	6,000,000
At-post troopers—1,177.5 FTE positions	66,914,000
Communication centers—18.0 FTE positions	1,530,300
GROSS APPROPRIATION	\$ 115,863,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT-Michigan transportation fund	64,900
IDG-management and budget, building occupancy charges	980,500
Special revenue funds:	
Local revenues-communication centers	1,524,700
Highway safety fund	6,000,000
State police service fees	500,000
State general fund/general purpose	\$ 106,793,700
SPECIAL OPERATIONS	
Full-time equated classified positions	85.5
Operational support—29.0 FTE positions	\$ 1,828,100
Field support—11.5 FTE positions	773,500
Highway safety programs—3.0 FTE positions	910,800
Aviation program—8.0 FTE positions	932,200
Rental of department aircraft	201,300

Grants to 911 consolidated central dispatch centers/ communications—29.0 FTE positions	\$	6,864,300
Operation PRIDE.....		421,900
Project DARE—5.0 FTE positions.....		664,800
Canine drug detection program.....		56,800
Alcohol breath testing program.....		1,000,000
GROSS APPROPRIATION.....	\$	13,653,700
Appropriated from:		
Interdepartmental grant revenues:		
IDG-corrections-contract.....		56,800
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		985,600
DOJ-state and local narcotics control assistance		834,700
Special revenue funds:		
Rental of department aircraft		201,300
Narcotics investigation revenues.....		137,500
Drunk driving prevention and training fund.....		700,000
Local and private D.A.R.E. funds		76,400
Local breathalyzer training fees		79,400
Local breathalyzer inspection fees		2,600
Infrared training fees.....		300,000
State general fund/general purpose	\$	10,279,400

INVESTIGATIVE SERVICES

Full-time equated classified positions.....	425.0		
Investigative services—332.5 FTE positions		\$	21,752,800
Federal anti-drug initiatives—75.5 FTE positions.....			7,097,300
Auto theft investigations funds.....			102,400
Reimbursed services, materials, and equipment			1,525,200
Welfare and food stamp investigation—8.0 FTE positions			789,300
Auto theft prevention—8.0 FTE positions			869,900
MUSTFA enforcement—1.0 FTE positions			93,000
GROSS APPROPRIATION.....		\$	32,229,900
Appropriated from:			
Interdepartmental grant revenues:			
IDT-Auto theft prevention grant funds			645,800
IDG-DMB MUSTFA.....			93,000
Federal revenues:			
Federal investigations-reimbursed services.....			302,200
DOJ-state and local narcotics control assistance			4,683,800
DAG-Food and nutrition services.....			789,300
Federal narcotics investigation revenues			334,900
Special revenue funds:			
Narcotics investigation revenues.....			479,500
Auto theft investigation			102,400
Licensing fees.....			138,900
Local reimbursed services			1,223,000
State general fund/general purpose		\$	23,437,100

MOTOR CARRIER ENFORCEMENT

Full-time equated classified positions.....	204.0		
Motor carrier enforcement—112.0 FTE positions.....		\$	7,935,600
Grants to local/non profit organizations			500,000
Truck/bus accident reporting—1.0 FTE positions.....			58,900
Commercial vehicle self inspection—1.0 FTE positions			27,400
Truck safety enforcement team operations—15.0 FTE positions			885,200
Safety inspections—53.5 FTE positions			2,810,800
Hazardous materials transportation enforcement—6.0 FTE positions			368,900

	For Fiscal Year Ending Sept. 30, 1994
School bus inspections—11.0 FTE positions.....	\$ 749,100
Safety awareness and education—1.5 FTE positions	178,700
Safety projects—3.0 FTE positions	509,300
GROSS APPROPRIATION.....	\$ 14,023,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT-state trunkline fund	5,944,000
IDT-OHSP, truck safety fund	944,100
Federal revenues:	
DOT-FHWA	3,436,700
Special revenue funds:	
Hazardous materials inspection fees	368,900
Commercial vehicle self inspection fees	27,400
Motor carrier fees	2,553,700
State general fund/general purpose	\$ 749,100
FEDERAL CONTINGENCY FUNDS	
Federal contingency funds.....	\$ 7,000,000
GROSS APPROPRIATION.....	\$ 7,000,000
Appropriated from:	
Federal revenues:	
Federal revenues	7,000,000
State general fund/general purpose	\$ 0

GENERAL SECTIONS FOR FISCAL YEAR 1993-94

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 \$246,116,900.00 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
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
UNIFORM SERVICES	
Consolidated central dispatch grants.....	1,546,000
Total	\$ 11,460,900

(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-HMTUSA" means DOT-hazardous materials transportation uniform safety act.

(m) "DOT-NHTSA" means DOT-national highway traffic safety administration.

(n) "FTE" means full-time equated.

(o) "IDG" means interdepartmental grant.

(p) "IDT" means intradepartmental transfer.

(q) "LEIN" means law enforcement information network.

(r) "MDOT" means Michigan department of transportation.

(s) "MDOT-TSF" means Michigan department of transportation truck safety fund.

(t) "MLEOTC" means the Michigan law enforcement officer training council.

(u) "OHSP" means office of highway safety planning.

(v) "Title XVIII" means title XVIII of the social security act of 1935, as amended.

Sec. 204. 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. 205. 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 shall be paid an additional amount equal to 0.75% of the payment due as provided in section 4 of Act No. 279 of the Public Acts of 1984, being section 17.54 of the Michigan Compiled Laws. 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 as provided in section 4 of Act No. 279 of the Public Acts of 1984.

Sec. 206. (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.

Sec. 207. To avoid the overexpenditure of funds appropriated under this act, the department beginning June 1, 1994 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. 208. The department shall, on November 1, 1993, and April 1, 1994, 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. 209. (1) Beginning October 1, 1993, 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 the 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 exceptions to the hiring freeze approved during the previous month and the reasons to justify the exception.

Sec. 210. Funds appropriated in section 101 shall not be used for the purchase of foreign goods and/or services when competitively priced and of comparable quality American goods and/or services are available.

Sec. 211. 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. 212. At the same time as a privatization, elimination, retention, or modification analysis is submitted to the civil service commission for approval of a contract that will result in the loss of employment by classified state employees or otherwise substantially alters the delivery of a service central to the mission of the department, the department shall submit a copy of the analysis to the house and senate appropriations committees. If a collective bargaining agreement covering state employees described in this section requires prior notification, the department shall submit the analysis to the appropriations committees on or before the date specified in that agreement. The analysis shall include all of the following:

- (a) The justification for privatizing or contracting the function or service.
- (b) The estimated number of classified state employees potentially affected by the contract.
- (c) The civil service criteria used to justify privatization.
- (d) The projected cost savings from privatization, if any, including:
 - (i) Documentation that the savings meet the minimum criteria established by the civil service commission.
 - (ii) The cost of contract monitoring.
 - (iii) The conversion cost associated with termination of state employees.
 - (iv) The conversion revenue associated with the sale of an asset or service to the contractor.
 - (v) Estimated net revenue lost to the state by privatizing the service or function.

(vi) A demonstration that the service would be performed at substantial long-term savings to the state when compared with the cost of performance of the service or function by classified state employees. The demonstration of substantial long-term savings shall be consistent with criteria developed by the department of civil service.

Sec. 213. None of the funds appropriated in section 101 in the line item identified as "Federal contingency funds" are available for expenditure until they have been transferred to another line item in this act pursuant to section 393 of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

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. (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) Funds shall not be expended by MLEOTC for training a law enforcement officer candidate, and a candidate shall not be certified by the MLEOTC, unless the candidate 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 before basic training and before 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.

HIGHWAY SAFETY PLANNING

Sec. 401. (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 1994-95.

(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 \$989,400.00 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. For the fiscal year ending September 30, 1994, 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.

Sec. 504. (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. 505. (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.

(4) 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 the 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. From the funds 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.

LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Sec. 801. The funds appropriated to the law enforcement officers training council for 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 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 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 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 its 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. 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. 1106. 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.

Sec. 1108. From the amount appropriated in section 101 for at-post troopers, funds shall be expended to establish 2 Michigan state police recruit schools in fiscal year 1993-94 to ensure a department at-post trooper strength level of not less than 1,088 troopers as of October 1, 1994. The state police recruit schools shall consist of the following:

(a) A 109th state police recruit school, to be conducted with a starting date of not later than April 24, 1994, with a beginning enrollment of not less than 70 recruits.

(b) A 110th state police recruit school, to be conducted with a starting date of not later than September 11, 1994, with a beginning enrollment of not less than 70 recruits.

SPECIAL OPERATIONS

Sec. 1151. 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. 1152. (1) Funds appropriated in section 101 for grants to 9-1-1 consolidated central dispatch centers shall be for consolidated central dispatch centers functioning on October 1, 1993 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. 1153. Funds appropriated under section 101 for the state police radio/state government network system shall be expended upon approval of an expenditure plan by the department of management and budget.

Sec. 1154. Of the \$6,864,300.00 appropriated in section 101 for grants to 9-1-1 consolidated central dispatch centers/communications, \$5,318,300.00 shall be allocated for communications.

Sec. 1155. It is the intent of the legislature that fiscal year 1993-94 payments for grants to 9-1-1 consolidated central dispatch centers shall constitute the final payment of these grants by the state.

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.

This act is ordered to take immediate effect.

Secretary of the Senate.

Co-Clerk of the House of Representatives.

Approved -----

Governor.