

Act No. 196  
Public Acts of 1990  
Approved by the Governor  
July 24, 1990  
Filed with the Secretary of State  
July 25, 1990

**STATE OF MICHIGAN  
85TH LEGISLATURE  
REGULAR SESSION OF 1990**

Introduced by Reps. Jacobetti and Maynard

# ENROLLED HOUSE BILL No. 5480

AN ACT to make appropriations for the department of state police, and certain other state purposes for the fiscal year ending September 30, 1991; 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, 1991, from the funds identified as follows:

## DEPARTMENT OF STATE POLICE

### APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions .....	4.0	
Full-time equated classified positions.....	3,538.5	
GROSS APPROPRIATION .....		\$ 264,783,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		10,055,900
ADJUSTED GROSS APPROPRIATION .....		\$ 254,727,100
Federal revenues:		
Total federal revenues .....		19,798,700
Special revenue funds:		
Total local revenues .....		2,832,000
Total private revenues.....		9,383,600
Total other state restricted revenues .....		25,119,000
State general fund/general purpose .....		\$ 197,593,800

## EXECUTIVE DIRECTION

Full-time equated unclassified positions .....	2.0	
Full-time equated classified positions.....	69.0	
Director .....		\$ 83,100
Administrative assistant.....		44,400
Salaries and wages—62.0 FTE positions .....		2,424,000
Longevity and insurance.....		383,800
Retirement.....		181,400
State police pension fund .....		390,600

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Travel.....	\$	185,200
Equipment.....		28,400
Contractual services, supplies, and materials.....		53,000
Air operations.....		228,900
Patrol vehicle testing.....		5,100
Rental of department aircraft.....		201,300
Auto theft prevention grants.....		7,862,900
Auto theft prevention administration—7.0 FTE positions.....		378,500
GROSS APPROPRIATION .....	\$	12,450,600
Appropriated from:		
Special revenue funds:		
Private-auto theft prevention fees.....		8,307,900
Private reimbursement.....		5,100
Rental of department aircraft.....		201,300
State general fund/general purpose .....	\$	3,936,300

#### DEPARTMENTWIDE APPROPRIATIONS

Full-time equated classified positions.....	10.0	
Special maintenance.....		\$ 124,900
Rent .....		2,648,100
Worker's compensation .....		1,368,000
Fleet leasing.....		9,988,800
Inservice training .....		850,000
Enlisted terminal leave payments .....		2,542,300
Alert response compensation.....		1,519,800
Auto theft prevention programs—10.0 FTE positions.....		837,300
Federal drug forfeiture enhancement.....		509,000
Federal, private and local assistance for police services .....		3,200,000
Narcotics investigation funds.....		510,800
GROSS APPROPRIATION .....		\$ 24,099,000
Appropriated from:		
Federal revenues:		
Federal grants and contracts .....		1,900,000
Federal narcotics investigation revenues.....		509,000
Interdepartmental grant revenues:		
IDT-Auto theft prevention grant funds.....		837,300
IDG from DMB-Michigan justice training fund .....		850,000
Special revenue funds:		
Private funds .....		500,000
Local grants and reimbursements .....		500,000
State restricted reimbursements .....		300,000
Narcotics investigation revenues .....		510,800
State general fund/general purpose .....	\$	18,191,900

#### ADMINISTRATIVE SERVICES

Full-time equated classified positions.....	97.0	
Salaries and wages—97.0 FTE positions .....		\$ 2,946,400
Longevity and insurance .....		436,400
Retirement.....		437,800
State police pension fund .....		75,900
Travel.....		77,200
Equipment.....		24,300
Contractual services, supplies, and materials.....		161,400
Forms reimbursement-local law enforcement agencies.....		75,000
Auction expenditures .....		15,000
GROSS APPROPRIATION .....		\$ 4,249,400
Appropriated from:		
Special revenue funds:		

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Local forms reimbursement revenue.....	\$	75,000
Private-auto theft prevention fees.....		212,000
Auction revenues.....		15,000
State general fund/general purpose .....	\$	3,947,400

#### HIGHWAY SAFETY PLANNING

Full-time equated classified positions.....	27.0	
State program planning and administration—11.0 FTE positions.....	\$	991,600
Grants to local governments and non-profit organizations .....		3,500,000
Secondary Road Patrol Administration—1.0 FTE positions .....		74,000
Secondary Road Patrol and Traffic Accident Grants .....		7,165,500
Truck safety program—2.0 FTE positions .....		2,903,500
Field coordination and analysis—13.0 FTE positions.....		1,176,600
GROSS APPROPRIATION .....	\$	15,811,200
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund .....		495,700
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		4,672,500
DOT-NHTSA/FHWA .....		500,000
Special revenue funds:		
Truck driver safety fund .....		2,903,500
State general fund/general purpose .....	\$	7,239,500

#### CENTRAL RECORDS

Full-time equated classified positions.....	88.0	
Salaries and wages—88.0 FTE positions .....	\$	2,276,900
Longevity and insurance .....		399,100
Retirement.....		301,300
State police pension fund .....		60,500
Travel .....		17,800
Equipment.....		26,500
Contractual services, supplies, and materials.....		150,100
Rent .....		600
GROSS APPROPRIATION .....	\$	3,232,800
Appropriated from:		
Special revenue funds:		
Central records service fees.....		500,000
State general fund/general purpose .....	\$	2,732,800

#### CRIMINAL JUSTICE DATA CENTER

Full-time equated classified positions.....	105.0	
Salaries and wages—83.0 FTE positions .....	\$	2,538,500
Longevity and insurance.....		417,000
Retirement.....		413,500
State police pension fund .....		21,500
Travel .....		27,000
Contractual services, supplies, and materials.....		1,890,100
Equipment-data processing.....		448,000
Vehicle identification number—1.0 FTE position .....		36,800
Local LEIN services.....		502,100
New computer .....		1,823,100
Automated fingerprint identification system—21.0 FTE positions .....		1,766,400
GROSS APPROPRIATION .....	\$	9,884,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of state .....		283,700
IDG from department of social services.....		283,700
IDG from MDOT-state trunkline fund .....		283,700

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Special revenue funds:	
Local-LEIN fees.....	\$ 1,120,700
Federal revenues:	
DOT-NHTSA, State and community highway safety.....	36,800
State general fund/general purpose .....	\$ 7,875,400

#### FORENSIC SCIENCES

Full-time equated classified positions.....	182.0
Salaries and wages—169.0 FTE positions .....	\$ 6,199,000
Longevity and insurance.....	923,500
Retirement.....	488,000
State police pension fund .....	965,700
Travel .....	62,400
Equipment.....	322,000
Rent.....	59,500
DNA analysis program—3.0 FTE positions .....	486,900
Federal anti-drug initiatives—10.0 FTE positions .....	967,100
Contractual services, supplies, and materials.....	789,000
Controlled substance analysis.....	309,000
GROSS APPROPRIATION .....	\$ 11,572,100
Appropriated from:	
Federal revenues:	
DEA, controlled substance .....	309,000
DOJ-state and local narcotics control assistance.....	642,100
Special revenue funds:	
Narcotics investigation revenues .....	325,000
State general fund/general purpose .....	\$ 10,296,000

#### COMMUNICATIONS

Full-time equated classified positions.....	29.0
Salaries and wages—29.0 FTE positions .....	\$ 896,700
Longevity and insurance.....	156,900
Retirement.....	134,100
Travel .....	14,800
Equipment.....	982,300
Contractual services, supplies, and materials.....	1,679,400
Communication systems development.....	335,000
Special maintenance.....	17,700
GROSS APPROPRIATION .....	\$ 4,216,900
Appropriated from:	
State general fund/general purpose .....	\$ 4,216,900

#### TRAINING ADMINISTRATION

Full-time equated classified positions.....	50.0
Salaries and wages—33.0 FTE positions .....	\$ 1,188,300
Longevity and insurance.....	187,600
Retirement.....	80,000
State police pension fund .....	218,000
Travel .....	5,900
Equipment.....	7,300
Contractual services, supplies, and materials.....	57,600
Food.....	29,800
Forensic services and materials to local units .....	25,000
Reimbursed training—11.0 FTE positions .....	312,900
Training Grant.....	35,000
Hazardous materials training center—2.0 FTE positions .....	117,200
Precision driving track—4.0 FTE positions .....	757,000
GROSS APPROPRIATION .....	\$ 3,021,600

Appropriated from:	
Interdepartmental grant revenues:	
IDG-training academy charges .....	\$ 512,500
Federal revenues:	
DOT-NHTSA, State and community highway safety .....	35,000
Special revenue funds:	
Hazardous materials training center fees .....	117,200
Precision driving track fees .....	757,000
Local revenue for forensic services and materials .....	25,000
State general fund/general purpose .....	\$ 1,574,900

#### LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Full-time equated unclassified positions .....	1.0
Full-time equated classified positions .....	15.5
Salaries and wages—15.5 FTE positions .....	\$ 551,300
Longevity and insurance .....	87,900
Executive secretary .....	60,000
Retirement .....	105,400
Travel .....	10,200
Equipment .....	5,200
Contractual services, supplies, and materials .....	78,600
Training only to local units .....	812,500
GROSS APPROPRIATION .....	\$ 1,711,100
Appropriated from:	
State general fund/general purpose .....	\$ 1,711,100

#### FIRE MARSHAL

Full-time equated unclassified positions .....	1.0
Full-time equated classified positions .....	153.0
Salaries and wages—95.0 FTE positions .....	\$ 3,564,900
Longevity and insurance .....	585,100
Retirement .....	177,100
State police pension fund .....	811,000
Travel .....	71,100
Equipment .....	39,900
Contractual services, supplies, and materials .....	214,000
Fire investigation training to locals .....	58,200
Fire alarm regulation—1.0 FTE position .....	59,400
Medicare/medicaid fire inspections—11.0 FTE positions .....	682,500
AIS-ICF/MR fire safety inspections—9.0 FTE positions .....	531,900
Hazardous materials inspection—3.0 FTE positions .....	235,400
Fire fighters training council—6.0 FTE positions .....	883,300
Executive secretary .....	46,600
Fire safety board—2.0 FTE positions .....	140,400
Underground storage tank program—24.0 FTE positions .....	10,209,500
Municipal fire service classification board—2.0 FTE positions .....	140,800
GROSS APPROPRIATION .....	\$ 18,451,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG-DSS, inspection contract .....	130,100
IDG-inspection contract with the department of mental health .....	531,900
Federal revenues:	
Federal Title XVIII .....	113,800
Federal Title XIX .....	438,600
EPA-UST grant .....	162,500
Special revenue funds:	
Hazardous materials inspection fees .....	235,400
Fire alarm regulation fees .....	59,400

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Plan review and inspection fees .....	\$	571,300
Underground storage tank program fees.....		10,047,000
State general fund/general purpose .....	\$	6,161,100
<b>EMERGENCY MANAGEMENT</b>		
Full-time equated classified positions.....	47.0	
State program planning and administration—20.5 FTE positions.....	\$	1,358,900
Emergency management training—1.5 FTE positions.....		309,000
Grants to local government.....		1,782,100
Population protection planning—9.0 FTE positions .....		729,900
Radiological maintenance & calibration control—4.5 FTE positions .....		263,700
Nuclear power plant emergency planning—5.0 FTE positions.....		358,600
Shelter survey—1.5 FTE positions .....		165,200
Hazardous materials title III—5.0 FTE positions.....		261,700
GROSS APPROPRIATION .....	\$	5,229,100
Appropriated from:		
Federal revenues:		
Federal emergency management assistance .....		3,986,900
Special revenue funds:		
Private-nuclear plant emergency planning reimbursement.....		358,600
State general fund/general purpose .....	\$	883,600
<b>UNIFORM SERVICES</b>		
Full-time equated classified positions.....	2,024.5	
Salaries and wages—553.5 FTE positions .....	\$	18,607,000
Longevity and insurance.....		3,728,400
Retirement.....		473,700
State police pension fund .....		4,202,800
Travel.....		475,700
Equipment.....		219,700
Contractual services, supplies, and materials.....		5,041,300
Security guards—44.0 FTE positions.....		1,494,800
Canine drug detection program .....		50,000
Reimbursed services.....		100,000
Highway safety enforcement program—100.0 FTE positions.....		6,000,000
At-post troopers—1,230.0 FTE positions.....		63,510,700
Operation CARE—1.0 FTE position .....		253,400
Operation PRIDE .....		100,000
Project D.A.R.E.—2.0 FTE positions .....		329,600
911/central dispatch—31.0 FTE positions .....		2,354,800
Communication centers—18.0 FTE positions.....		713,200
Operational support—29.0 FTE positions.....		1,488,300
Metro north/south reorganization—16.0 FTE positions.....		1,959,200
GROSS APPROPRIATION .....	\$	111,102,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund .....		137,000
IDG-state police service fees .....		100,000
IDG-corrections-contract .....		50,000
IDG-treasury (enhanced tax law enforcement) .....		300,000
IDG-OSAS .....		75,000
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		252,800
DOE-drug education funds.....		187,600
DOJ-state and local narcotics control assistance .....		75,000
Special revenue funds:		
Highway safety fund .....		6,000,000
Local revenues-communication centers.....		707,600
Local and private D.A.R.E. funds.....		67,000
State general fund/general purpose .....	\$	103,150,600

## INVESTIGATIVE SERVICES

Full-time equated classified positions.....	379.0	
Salaries and wages—348.5 FTE positions .....	\$	12,965,200
Longevity and insurance.....		1,905,200
Retirement.....		156,600
State police pension fund .....		3,520,100
Travel.....		277,800
Equipment.....		75,800
Contractual services, supplies, and materials.....		1,009,500
Federal anti-drug initiatives—30.5 FTE positions .....		5,001,900
Auto theft investigations funds .....		102,400
Reimbursed services, materials, and equipment.....		509,400
GROSS APPROPRIATION .....	\$	25,523,900
Appropriated from:		
Federal revenues:		
Federal reimbursed services .....		254,700
DOJ-state and local narcotics control assistance.....		2,889,500
Special revenue funds:		
Narcotics investigation revenues .....		88,200
Auto theft investigation.....		102,400
Licensing fees .....		138,900
Local reimbursed services .....		254,700
State general fund/general purpose .....	\$	21,795,500

## SAFETY AND TRAFFIC

Full-time equated classified positions.....	62.5	
Salaries and wages—58.5 FTE positions .....	\$	2,295,600
Longevity and insurance.....		373,600
Retirement.....		60,100
State police pension fund .....		571,500
Travel.....		44,200
Equipment.....		64,800
Contractual services, supplies, and materials.....		161,700
State Grant—2.0 FTE positions .....		392,000
Fatality accident reporting system—2.0 FTE positions.....		86,200
Reimbursed breathalyzer inspections .....		2,600
Enhanced traffic speed enforcement.....		204,100
GROSS APPROPRIATION .....	\$	4,256,400
Appropriated from:		
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		768,700
Special revenue funds:		
Local-breathalyzer training fees.....		79,400
Local breathalyzer-inspection fees.....		2,600
State general fund/general purpose .....	\$	3,405,700

## MOTOR CARRIER ENFORCEMENT

Full-time equated classified positions.....	200.0	
Salaries and wages—113.0 FTE positions .....	\$	3,531,000
Longevity and insurance.....		603,600
Retirement.....		578,700
State police pension fund .....		15,400
Contractual services, supplies, and materials.....		375,700
Equipment.....		50,900
Travel.....		595,100
Special maintenance.....		79,200
Truck safety enforcement team operations—15.0 FTE positions.....		779,100
Safety inspections—55.0 FTE positions .....		2,633,300

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Hazardous materials transportation enforcement—6.0 FTE positions .....	\$	256,800
School bus inspections—11.0 FTE positions .....		472,400
GROSS APPROPRIATION .....	\$	9,971,200
Appropriated from:		
Federal revenues:		
DOT, Motor carrier safety .....		2,064,200
Interdepartmental grant revenues:		
IDG from MDOT-state trunkline fund .....		4,406,200
IDT-OHSP, truck safety fund .....		779,100
Special revenue funds:		
Hazardous materials inspection fees .....		256,800
Motor carrier fees .....		1,989,800
State general fund/general purpose .....	\$	475,100

## 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 \$222,712,800.00 and state spending to be paid to local units of government is as follows:

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### OFFICE OF HIGHWAY SAFETY PLANNING

Truck safety program grants .....	\$	2,050,000
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### LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Training only to local units law enforcement officers.....		812,500
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### FIRE MARSHAL

Fire fighters training council.....		290,200
Fire investigation training for locals.....		58,200

### CRIMINAL JUSTICE DATA CENTER

AFIS.....		260,000
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### UNIFORM SERVICES

Consolidated central dispatch grants .....		876,400
Secondary road patrol .....		7,165,500
Total .....	\$	11,512,800

(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) "LEIN" means law enforcement information network.

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

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

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

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

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 the provisions of 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. (1) To avoid the overexpenditure of funds appropriated under this act, the department by June 1, 1991 shall report to the state police subcommittees of the senate and house appropriations committees the current status of the accounts set forth in section 101.

(2) 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 the 30 days.

Sec. 207. (1) It is a goal of the legislature that for the fiscal year ending September 30, 1990, the department shall maintain from the funds appropriated in section 101 a total number of filled enlisted positions of not less than 2,302.0.

(2) To maintain the levels of services mandated in subsection (1), the department shall not transfer enlisted personnel to positions occupied by, or to functions performed by, civilian employees in the 1989-90 fiscal year.

(3) Subsections (1) and (2) do not apply if there is an executive order reduction approved by the legislature pursuant to section 391 of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1391 of the Michigan Compiled Laws.

(4) If there is an executive order reduction approved by the legislature pursuant to section 391 of Act No. 431 of the Public Acts of 1984, any reduction in the staff level of the department shall be proportioned equally between the enlisted personnel and the civilian employees of the department.

(5) To maintain the number of enlisted positions required under subsection (1), the department shall not restrict personnel employed 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, from enforcing the general criminal laws of this state.

(6) To maintain the number of enlisted positions required under subsection (1), the department shall not discharge or lay off a state police academy graduate in the same fiscal year in which he or she graduates from the academy, if that discharge or layoff is for budget considerations only.

Sec. 208. Other than personnel costs, no funds appropriated in section 101 shall be expended for the office on drug agencies.

### **EXECUTIVE DIRECTION**

Sec. 301. 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.

### **DEPARTMENTWIDE APPROPRIATIONS**

Sec. 401. Expenditures of federal, local, state restricted, or private allotments from the amounts appropriated in section 101 for federal, local, and private assistance for state police services shall not be made until after review by the department of management and budget and the state police subcommittees of the senate and house appropriations committees. If a request for review is not acted upon within 45 days after the date of submission from the department of management and budget to the state police subcommittees of the senate and house appropriations committees, the department may expend the allotment.

Sec. 402. The department shall submit a semiannual report on November 1, 1990 and April 1, 1991 on the allocations and expenditures of the \$500,000.00 appropriated in section 101 to departmentwide appropriations for narcotic investigation funds.

Sec. 403. (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, nor shall a candidate 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, 1991 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.

Sec. 404. (1) For the purposes of enhancing job attitude and increasing job performance, and to potentially decrease worker's compensation claims, there is appropriated in section 101 funds to implement a physical fitness and wellness program for all state police personnel. The program shall include, but not be limited to, conducting program planning and coordination meetings, conducting staff informational meetings, training department staff to serve as assistant fitness and wellness instructors, coordinating a physical fitness program for FY 1990-91, and coordinating follow-up medical screening for completing the program. The program shall avoid duplication by taking advantage of available screening services whenever possible.

(2) The funds appropriated in section 101 for uniform services contractual services, supplies, and materials includes \$30,000.00 for the purchase of exercise equipment at the posts, and will require a 50% match from the local post.

(3) The department shall submit a written report to the house and senate appropriations subcommittees regarding the success of this pilot program not later than May 1, 1991.

Sec. 405. (1) Before expending any appropriation in section 101 for new state police recruit candidates, the department shall expand recruitment efforts to attract high quality candidates for the Michigan state police.

(2) Funds shall not be expended to hire applicants with less than 15 credits of postsecondary education or the equivalent as determined by the director of the department.

(3) The department may expend funds to recruit candidates from training academies and educational institutions outside this state in order to ensure the largest possible field of potential qualified recruits.

Sec. 406. The deployment of troopers as authorized in section 101 for southeastern Michigan shall not diminish the existing levels of service at the remaining posts statewide.

Sec. 407. The department shall report quarterly to the senate and house appropriations subcommittees on state police and the senate and house fiscal agencies on authorized position vacancies by appropriation unit and major program area within the department. The enlisted strength reports shall be due 15 days after the last pay period in each quarter.

## **HIGHWAY SAFETY PLANNING**

Sec. 501. (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, 1991, 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, 1991, 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, 1991 status of each project for which appropriations are made. The notification shall be made by the following November 1, 1991, 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. 502. No funds appropriated in section 101 for the truck safety program designated for truck driver safety education programs, grants, or research shall be spent until 30 days after an expenditure plan is submitted to the house and senate state police appropriations subcommittees.

Sec. 503. 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 1991-92.

### **CRIMINAL JUSTICE DATA CENTER**

Sec. 601. In addition to the appropriations contained in section 101, the department may receive funds from local units of government for the purpose of expanding or upgrading 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. 602. The \$1,823,100.00 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. 603. (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 a special work project account for office automation in the department.

(2) The department shall certify to the department of management and budget by November 8, 1990 projected unexpended account balances available for transfer under the authority of subsection (1).

(3) The department of management and budget shall report to the house and senate appropriations committees the listing of all administrative transfers made under the authority of subsection (1).

Sec. 604. For the fiscal year ending September 30, 1991, 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. 605. Expenditures for the purpose of reducing the central record backlog of criminal history files may be charged to the AFIS account from previous years' carryforward.

Sec. 606. (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. 607. (1) The appropriations 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 operations or maintenance of AFIS equipment for local consortiums.

Sec. 608. From the \$1,766,400.00 appropriated in section 101 for AFIS, the amount not to exceed \$260,000.00 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. The state share shall not exceed 75%.

### **FORENSIC SCIENCES**

Sec. 701. It is the intent of the legislature that the department maintain toxicology services to local agencies.

## **LAW ENFORCEMENT OFFICERS TRAINING COUNCIL**

Sec. 801. (1) 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 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.

(2) Immediately following the effective date of this act, from the funds appropriated in section 101, the law enforcement officers training council shall notify local law enforcement agencies of the state's reimbursement policy set forth in subsection (1).

## **FIRE MARSHAL**

Sec. 901. The department may contract with municipalities and private industries for specialized training in hazardous materials fire fighting.

Sec. 902. The department shall deposit fees collected by the fire marshal division and the investigative services division in the general fund. The \$571,300.00 in plan review and inspection fees shall only be used to employ 5.0 FTEs and to expend on plan review and inspection if such fee legislation is enacted into law.

## **EMERGENCY SERVICES**

Sec. 1001. (1) The state director of emergency services may expend funds appropriated under this act to call upon all agencies or departments of the state and all resources of the state for the purpose of protecting life and property and providing for the health and 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 services 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 appropriations contained 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 appropriations contained in section 101, the department may receive or expend funds from local 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 implement a roadblock or check lane system that has as its primary objective either the deterrence or detection of intoxicated drivers in this state.

Sec. 1103. (1) Funds appropriated in section 101 for 9-1-1 consolidated central dispatch shall be for new equipment, continuation funding of existing consolidated central dispatches, new consolidated central dispatches that meet the definition criteria of a consolidated central dispatch established by the department and the June 2, 1988 central dispatch state plan recommendations of the office of criminal justice emergency telephone services committee, and for additional county dispatches that meet that criteria. Funds for new equipment, continuation funding of existing consolidated dispatches, new consolidated central dispatches, and additional county dispatches shall be expended in accordance with the guidelines established by the department and the April 4, 1989 office of criminal justice ad hoc subcommittee recommendations. These funds shall be considered a work project account and shall not lapse at the end of the fiscal year. The funding formula for new 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.

(2) Any county receiving state funds for consolidated central dispatches prior to the effective date of this act may receive funding according to the consolidated central dispatch formula described in subsection (1).

(3) Subject to subsection (4), consolidated central dispatches created after the effective date of this act shall be funded by appropriation, and by revenues collected from monthly surcharge fees on consolidated central dispatch access lines in this state as provided by law.

(4) The revenue collected under subsection (3) shall be used to help offset the general fund costs of funding for consolidated central dispatches appropriated under section 101. The amount of revenue collected under subsection (3) that exceeds \$1,950,000.00 shall not revert to the general fund but shall be retained for expenditure in fiscal year 1991 for office automation and communications.

Sec. 1105. Funds appropriated in section 101 for capitol security guards shall provide for not more than 4.0 service troopers to be allocated to the capitol complex and the governor's residence.

Sec. 1106. (1) The appropriations in section 101 for the deployment of the metro north/south reorganization may be utilized to commence the relocation of the following posts: Detroit expressway, Erie, Pontiac, Northville, and Flat Rock.

(2) It is the intent of the legislature that the department of state police initiate, through the capital outlay request process, actions to purchase each facility to be used by the state police.

(3) No funds appropriated in section 101 may be spent without the approval of the house and senate appropriations committees for the metro north/south reorganization rental costs, unless the rental money is applied directly toward the purchase of the facility.

Sec. 1107. (1) It is the goal of the legislature to increase the number of sergeants and troopers performing law enforcement work. To achieve this increase, it is the intent of the legislature that the department implement the concepts of the role of the shift commander study developed by the department.

(2) Of the money appropriated under section 101 for the uniform services division, \$450,000.00 is provided to hire 20.0 civilian desk dispatchers at the rate of 5.0 positions in each quarter of the fiscal year. The department may consider hiring retired state police personnel for the positions.

## **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) In the event 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 director shall, by September 15, 1990, provide the house and senate appropriations committees with a plan detailing programmatic and FTE reductions needed to fund the 4% civil service pay increase.

Sec. 1203. 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.

## **MOTOR CARRIER ENFORCEMENT**

Sec. 1301. (1) 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.

(2) There are sufficient funds appropriated in section 101 for the department, in an effort to provide greater enforcement of motor carrier laws, to continue on a limited basis the program initiated in the fiscal year ending September 30, 1989 in which troopers are certified as both troopers and motor carrier officers and enforce all laws of the state, including the motor carrier laws and regulations. The department shall maintain logs of its activities in order to continue to evaluate the advantages and disadvantages of this program.

This act is ordered to take immediate effect.

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

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Secretary of the Senate.

Approved.....

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Governor.