

Act No. 179
Public Acts of 1989
Approved by the Governor
August 23, 1989
Filed with the Secretary of State
August 23, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Senator Gast

ENROLLED SENATE BILL No. 233

AN ACT to make appropriations for the department of state police, and certain other state purposes for the fiscal year ending September 30, 1990; 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, 1990, from the funds identified as follows:

DEPARTMENT OF STATE POLICE

APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions	3.0	
Full-time equated classified positions.....	3,460.0	
GROSS APPROPRIATION		\$ 243,629,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		9,110,700
ADJUSTED GROSS APPROPRIATION		\$ 234,518,500
Federal revenues:		
Total federal revenues		18,090,700
Special revenue funds:		
Total local revenues		3,024,300
Total private revenues.....		9,366,500
Total other state restricted revenues		20,628,900
State general fund/general purpose		\$ 183,408,100

EXECUTIVE DIRECTION

Full-time equated unclassified positions	2.0	
Full-time equated classified positions.....	69.0	
Director.....		\$ 80,300
Administrative assistant.....		42,900
Salaries and wages—62.0 FTE positions		2,489,200
Longevity and insurance.....		358,000

For Fiscal Year
Ending Sept. 30,
1990

Retirement.....	\$	173,500
State police pension fund		341,200
Travel.....		189,900
Equipment.....		29,100
Contractual services, supplies, and materials.....		53,800
Air operations.....		232,000
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.....		369,300
GROSS APPROPRIATION	\$	12,428,500
Appropriated from:		
Special revenue funds:		
Private-auto theft prevention fees.....		8,298,700
Private reimbursement.....		5,100
Rental of department aircraft.....		201,300
State general fund/general purpose	\$	3,923,400

DEPARTMENTWIDE APPROPRIATIONS

Full-time equated classified positions.....	120.0	
Special maintenance.....		\$ 128,100
Rent.....		2,669,000
Worker's compensation		1,278,300
Fleet leasing		8,299,200
Inservice training		850,000
FTE position vacancy accumulated funds account.....		100
Enlisted terminal leave payments		1,588,700
General police services—110.0 FTE positions		5,602,100
Alert response compensation.....		1,204,500
Auto theft prevention programs—10.0 FTE positions.....		818,200
Federal drug forfeiture enhancement.....		509,000
Federal, private and local assistance for police services		3,200,000
Narcotics investigation funds		510,500
GROSS APPROPRIATION		\$ 26,657,700
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.....		818,200
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		510,500
State general fund/general purpose	\$	20,770,000

ADMINISTRATIVE SERVICES

Full-time equated classified positions.....	97.0	
Salaries and wages—97.0 FTE positions		\$ 3,017,900
Longevity and insurance.....		407,700
Retirement.....		418,200
State police pension fund		66,400
Travel.....		79,100
Equipment.....		24,900
Contractual services, supplies, and materials.....		163,500
Forms reimbursement-local law enforcement agencies.....		75,000

		For Fiscal Year Ending Sept. 30, 1990
Auction expenditures	\$	15,000
GROSS APPROPRIATION	\$	4,267,700
Appropriated from:		
Special revenue funds:		
Local forms reimbursement revenue.....		75,000
Private-auto theft prevention fees.....		212,000
Auction revenues.....		15,000
State general fund/general purpose	\$	3,965,700
HIGHWAY SAFETY PLANNING		
Full-time equated classified positions.....	27.0	
State program planning and administration—11.0 FTE positions.....	\$	977,900
Grants to local governments and non-profit organizations		3,500,000
Secondary Road Patrol Administration—1.0 FTE Positions.....		74,700
Secondary Road Patrol and Traffic Accident Grants.....		7,349,200
Truck safety program—2.0 FTE positions		2,901,500
Field coordination and analysis—13.0 FTE positions.....		1,161,700
GROSS APPROPRIATION	\$	15,965,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT-Michigan transportation fund		485,500
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		4,654,100
DOT-NHTSA/FHWA		500,000
Special revenue funds:		
Truck driver safety fund.....		2,901,500
State general fund/general purpose	\$	7,423,900
CENTRAL RECORDS		
Full-time equated classified positions.....	109.0	
Salaries and wages—88.0 FTE positions	\$	2,325,900
Longevity and insurance.....		371,200
Retirement.....		290,800
State police pension fund		53,600
Travel.....		18,200
Equipment.....		32,500
Contractual services, supplies, and materials.....		148,500
A.F.I.S.—21.0 FTE positions.....		1,783,300
GROSS APPROPRIATION	\$	5,024,000
Appropriated from:		
Special revenue funds:		
Central records service fees.....		500,000
State general fund/general purpose	\$	4,524,000
CRIMINAL JUSTICE DATA CENTER		
Full-time equated classified positions.....	84.0	
Salaries and wages—83.0 FTE positions	\$	2,603,600
Longevity and insurance.....		387,300
Retirement.....		389,900
State police pension fund		18,700
Travel.....		27,700
Contractual services, supplies, and materials.....		1,909,900
Equipment-data processing.....		459,500
Vehicle identification number—1.0 FTE position		35,900
Local LEIN services.....		502,100
New computer		1,854,000
GROSS APPROPRIATION	\$	8,188,600
Appropriated from:		
Special revenue funds:		

		For Fiscal Year Ending Sept. 30, 1990
Local-LEIN fees.....	\$	1,120,700
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		35,900
State general fund/general purpose	\$	7,032,000
FORENSIC SCIENCES		
Full-time equated classified positions.....	176.0	
Salaries and wages—169.0 FTE positions	\$	6,358,000
Longevity and insurance.....		860,000
Retirement.....		467,100
State police pension fund		843,200
Travel.....		64,000
Equipment.....		330,200
DNA analysis program—3.0 FTE positions		186,500
Federal anti-drug initiatives—4.0 FTE positions		323,600
Contractual services, supplies, and materials.....		849,300
Controlled substance analysis.....		309,000
Forensic services and materials to local units		25,000
GROSS APPROPRIATION	\$	10,615,900
Appropriated from:		
Federal revenues:		
DEA, controlled substance		309,000
DOJ-state and local narcotics control assistance.....		161,800
Special revenue funds:		
Local revenue-forensic services and materials		25,000
Narcotics investigation revenues		161,800
State general fund/general purpose	\$	9,958,300
COMMUNICATIONS		
Full-time equated classified positions.....	29.0	
Salaries and wages—29.0 FTE positions	\$	919,700
Longevity and insurance.....		146,300
Retirement.....		128,900
Travel.....		8,000
Equipment.....		1,014,700
Contractual services, supplies, and materials.....		1,722,300
Special maintenance.....		18,200
GROSS APPROPRIATION	\$	3,958,100
Appropriated from:		
State general fund/general purpose	\$	3,958,100
TRAINING ADMINISTRATION		
Full-time equated classified positions.....	49.0	
Salaries and wages—32.0 FTE positions	\$	1,208,600
Longevity and insurance.....		173,000
Retirement.....		74,300
State police pension fund		190,500
Travel.....		6,000
Equipment.....		7,400
Contractual services, supplies, and materials.....		58,600
Food.....		28,900
Reimbursed training—11.0 FTE positions		314,500
Training Grant.....		35,000
Hazardous materials training center—2.0 FTE positions		115,300
Precision driving track—4.0 FTE positions		750,000
GROSS APPROPRIATION	\$	2,962,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG-training academy charges.....		512,500

For Fiscal Year
Ending Sept. 30,
1990

Federal revenues:		
DOT-NHTSA, State and community highway safety.....	\$	35,000
Special revenue funds:		
Hazardous materials training center fees.....		115,300
Precision driving track fees.....		750,000
State general fund/general purpose	\$	1,549,300

LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Full-time equated classified positions.....	16.5	
Salaries and wages—16.5 FTE positions	\$	627,000
Longevity and insurance.....		81,700
Retirement.....		100,800
Travel.....		10,500
Equipment.....		5,300
Contractual services, supplies, and materials.....		80,600
Training only to local units.....		1,000,000
Precision driving training program		55,000
Management information services.....		35,000
GROSS APPROPRIATION	\$	1,995,900
Appropriated from:		
Federal revenues:		
DOT-NHTSA, State and community highway safety.....		90,000
State general fund/general purpose	\$	1,905,900

FIRE MARSHAL

Full-time equated unclassified positions	1.0	
Full-time equated classified positions.....	149.0	
Salaries and wages—95.0 FTE positions	\$	3,645,000
Longevity and insurance.....		544,000
Retirement.....		166,400
State police pension fund		710,200
Travel.....		72,700
Equipment.....		40,800
Contractual services, supplies, and materials.....		218,500
Fire investigation training to locals.....		59,700
Fire alarm regulation—1.0 FTE position		58,500
Medicare/medicaid fire inspections—11.0 FTE positions.....		684,200
AIS-ICF/MR fire safety inspections—9.0 FTE positions.....		520,700
Hazardous materials inspection—3.0 FTE positions.....		231,500
Fire fighters training council—6.0 FTE positions.....		899,200
Executive secretary.....		45,000
Fire safety board—2.0 FTE positions.....		142,000
Underground storage tank program—20.0 FTE positions		6,262,500
Municipal fire service classification board—2.0 FTE positions		142,600
GROSS APPROPRIATION	\$	14,443,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG-DSS, inspection contract		146,200
IDG-inspection contract with the department of mental health.....		520,700
Federal revenues:		
Federal Title XVIII.....		106,600
Federal Title XIX.....		431,400
EPA-UST grant.....		262,500
Special revenue funds:		
Hazardous materials inspection fees		231,500
Fire alarm regulation fees.....		58,500
Plan review and inspection fees		571,300
Underground storage tank program fees.....		6,000,000
State general fund/general purpose	\$	6,114,800

EMERGENCY SERVICES

Full-time equated classified positions.....	45.0	
State program planning and administration—18.5 FTE positions.....	\$	1,233,500
Local emergency preparedness directors seminar—1.5 FTE positions.....		306,700
Grants to local government.....		1,782,100
Population protection planning—9.0 FTE positions.....		721,600
Radiological maintenance & calibration control—4.5 FTE positions.....		258,900
Nuclear power plant emergency planning—5.0 FTE positions.....		350,700
Shelter survey—1.5 FTE positions.....		163,600
Hazardous materials title III—5.0 FTE positions.....		261,000
GROSS APPROPRIATION.....	\$	5,078,100
Appropriated from:		
Federal revenues:		
Federal emergency management assistance.....		3,849,500
Special revenue funds:		
Private-nuclear plant emergency planning reimbursement.....		350,700
State general fund/general purpose.....	\$	877,900

UNIFORM SERVICES

Full-time equated classified positions.....	1,859.0	
Salaries and wages—1,614.0 FTE positions.....	\$	54,953,300
Longevity and insurance.....		8,636,200
Retirement.....		277,900
State police pension fund.....		12,958,700
Travel.....		447,100
Equipment.....		201,900
Contractual services, supplies, and materials.....		4,520,300
Purchase firearms and training.....		183,600
Security guards—44.0 FTE positions.....		1,501,700
Canine drug detection program.....		50,000
Reimbursed services.....		100,000
Highway safety enforcement program—120.0 FTE positions.....		6,000,000
Operation CARE—1.0 FTE position.....		247,300
Project D.A.R.E.—2.0 FTE positions.....		327,100
911/central dispatch—31.0 FTE positions.....		2,000,000
Communication centers—18.0 FTE positions.....		705,700
Operational support—29.0 FTE positions.....		1,480,200
GROSS APPROPRIATION.....	\$	94,591,000
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.....		246,700
DOE-drug education funds.....		185,100
Special revenue funds:		
Highway safety fund.....		6,000,000
Local revenues-communication centers.....		700,000
Local and private D.A.R.E. funds.....		67,000
State general fund/general purpose.....	\$	86,730,200

INVESTIGATIVE SERVICES

Full-time equated classified positions.....	366.0	
Salaries and wages—348.5 FTE positions.....	\$	13,294,800
Longevity and insurance.....		1,779,100
Retirement.....		141,500

		For Fiscal Year Ending Sept. 30, 1990
State police pension fund	\$	3,076,900
Travel		284,900
Equipment		77,700
Contractual services, supplies, and materials		1,032,900
Federal anti-drug initiatives—17.5 FTE positions		3,056,400
Auto theft investigations funds		102,400
Reimbursed services, materials, and equipment		506,800
GROSS APPROPRIATION	\$	23,353,400
Appropriated from:		
Federal revenues:		
Federal reimbursed services		253,400
DOJ-state and local narcotics control assistance		1,689,500
Special revenue funds:		
Narcotics investigation revenues		88,200
Auto theft investigation		102,400
Licensing fees		138,900
Local reimbursed services		253,400
State general fund/general purpose	\$	20,827,600
SAFETY AND TRAFFIC		
Full-time equated classified positions	64.5	
Salaries and wages—59.5 FTE positions	\$	2,351,100
Longevity and insurance		348,300
Retirement		57,700
State police pension fund		499,500
Travel		45,300
Equipment		66,400
Contractual services, supplies, and materials		171,000
State Grant—3.0 FTE positions		414,900
Fatality accident reporting system—2.0 FTE positions		84,800
Reimbursed breathalyzer inspections		2,500
Enhanced traffic speed enforcement		200,000
OHSP programs		29,000
GROSS APPROPRIATION	\$	4,270,500
Appropriated from:		
Federal revenues:		
DOT-NHTSA, State and community highway safety		819,000
Special revenue funds:		
Local-breathalyzer training fees		79,400
Local breathalyzer-inspection fees		2,500
State general fund/general purpose	\$	3,369,600
MOTOR CARRIER ENFORCEMENT		
Full-time equated classified positions	200.0	
Salaries and wages—113.0 FTE positions	\$	3,531,000
Longevity and insurance		549,100
Retirement		542,600
State police pension fund		13,600
Contractual services, supplies, and materials		374,400
Equipment		50,900
Travel		595,100
Special maintenance		79,200
Truck safety enforcement team operations—15.0 FTE positions		766,900
Safety inspections—55.0 FTE positions		2,597,700
Hazardous materials transportation enforcement—6.0 FTE positions		252,200
School bus inspections—11.0 FTE positions		476,500
GROSS APPROPRIATION	\$	9,829,200
Appropriated from:		
Federal revenues:		

	For Fiscal Year Ending Sept. 30, 1990
DOT, Motor carrier safety	\$ 2,052,200
Interdepartmental grant revenues:	
IDG from MDOT-state trunkline fund	4,348,700
IDT-OHSP, truck safety fund	766,900
Special revenue funds:	
Hazardous materials inspection fees	252,200
Motor carrier fees	1,931,800
State general fund/general purpose	\$ 477,400

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 \$204,037,000.00 and state spending to be paid to local units of government is as follows:

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.....	1,000,000
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FIRE MARSHAL

Fire fighters training council.....	297,600
Fire investigation training for locals.....	59,200

CENTRAL RECORDS

AFIS.....	350,000
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UNIFORM SERVICES

Consolidated central dispatch grants	876,400
Secondary road patrol	7,349,200
Total	\$ 11,982,400

(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, 1990 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. 208. The department shall provide not more than 1/3 of the amount needed to reduce the accident records backlog. The department may receive funds from the state transportation department, department of state, and department of social services for reducing the accident records backlog.

Sec. 209. 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. No additional funds will be provided for the increased cost of additional civilian dispatchers.

Sec. 210. 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 FTEs and to expend on plan review and inspection if such fee legislation is enacted into law.

Sec. 211. 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 and shall maintain the number of filled sergeant and trooper positions assigned to the fire marshal, uniform services, and investigative services division at a level of not less than 119.5 positions above the level established in the April 7, 1984 pay period.

Sec. 212. (1) It is a goal of the legislature that the department shall use the funds appropriated in section 101 to maintain or exceed the levels of service and staff funded in the 1988-89 fiscal year. In the event the services mandated by law cannot be maintained at the 1988-89 level with the number of positions appropriated, the department shall contract with appropriate persons and organizations in order to maintain the mandated service levels.

(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 1988-89 fiscal year.

(3) 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, subsections (1) and (2) are void.

(4) 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, any reduction in the staff level of the department shall be proportioned equally between the enlisted personnel and the civilian employees of the department.

Sec. 213. (1) There is appropriated in section 101 sufficient funds to provide 100 new troopers for highway patrol, criminal investigation, and crime prevention. It is the intent of the legislature that these new troopers be general service troopers distributed statewide to replace those positions that have been reallocated for highway safety enforcement. Priority shall be given, when feasible, to filling the vacant trooper positions first in areas of the state where local law enforcement agencies have not been supplemented by general police services troopers or highway safety troopers.

(2) The distribution of highway safety fund troopers for additional road patrol shall be allocated based upon the number of miles of highway within a post's jurisdiction upon which the speed limit has been increased to 65 miles per hour.

(3) The department shall notify the house and senate appropriations subcommittees on state police by December 31, 1989 of the number and locations of new troopers the department can effectively and efficiently employ for the amount appropriated for new troopers.

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.

Sec. 302. In addition to the appropriations in section 101 to the department for aircraft operations, the department may sell its aircraft and the proceeds from the sale are appropriated and may be applied to the purchase of a new aircraft. Amounts derived from the sale shall be treated as 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 to the state police subcommittees of the senate and house appropriations committees, the department may expend the allotment.

Sec. 402. (1) The \$5,602,100.00 and 110.0 full-time equated positions appropriated in section 101 for general police services are intended to be used for enhanced crime prevention, crime detection, criminal investigations, and traffic enforcement in Wayne county, Oakland county, Macomb county, Genesee county, Ingham county,

and Kent county. The director of the department may allocate these positions to the uniform services division, investigative services division, or forensic sciences division.

(2) Any increase in the staff of the department pursuant to this section shall not be used by county or other local units of government to reduce their general financial commitment to law enforcement efforts.

Sec. 403. The department shall submit a semiannual report on November 1, 1989 and April 1, 1990 on the allocations and expenditures of the \$500,000.00 appropriated in section 101 to departmentwide appropriations for narcotic investigation funds.

Sec. 404. (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. 405. (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 the MLEOTC to train or certify a candidate, unless that candidate tests negative on a test designed to detect the illicit use of a controlled substance. The test shall be conducted prior to basic training and application for certification. 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 test or refusal.

(5) From the funds available 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. Funds shall not be expended to certify a candidate who tests positive or refuses to submit to the testing for a minimum of 2 years following the date of the test or refusal to take the test. At the discretion of the fire fighters training council, the applicant may be required to pay the cost of the required test.

Sec. 406. There is created within the department 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 house and senate appropriations subcommittees on state police and the house and senate fiscal agencies 15 days after the last pay period in each quarter. The state budget director is authorized to make administrative transfers from this account to provide amounts needed for staffing, recruit school, salary, retirement, and fringe benefits accounts.

Sec. 407. The department shall report monthly 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 position vacancy reports shall be due 15 days after the last pay period in each month.

Sec. 408. In order to avoid overexpenditures, no funds shall be deposited into the FTE position vacancy accumulated funds account from personnel and related cost accounts that are projected to close with negative closing balances. Transfers made out of the position vacancy accumulated funds account must first be made to satisfy any account projected to be overexpended at the end of the fiscal year.

HIGHWAY SAFETY PLANNING

Sec. 501. (1) The amounts appropriated in section 101 for 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, 1990, 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, 1990, 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, 1990, status of each project for which appropriations are made. This notification shall be made by the following November 1, 1990, 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, and research shall be spent until 30 days after an expenditure plan is submitted to the house and senate state police appropriations subcommittees.

CENTRAL RECORDS

Sec. 601. (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 appropriations contained in 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. 602. (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. 603. From the \$1,738,200.00 appropriated in section 101 for AFIS, the amount not to exceed \$191,000.00 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%.

CRIMINAL JUSTICE DATA CENTER

Sec. 701. 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. 702. The \$1,350,000.00 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. 703. (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).

LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Sec. 801. (1) The increased appropriation to the law enforcement officers training council training to locals from \$612,700.00 during the fiscal year ending September 30, 1989 to \$1,000,000.00 during the fiscal year ending September 30, 1990 is provided in accordance with a state reimbursement policy which shall not exceed 50% of the determined state reimbursement rate based on the first day of enrollment and 50% based on the number of graduates successfully completing the law enforcement officer training course.

(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 concerning the state's reimbursement policy as provided in subsection (1).

(3) The law enforcement officers training council shall negotiate with local law enforcement agencies and law enforcement officer training providers ways to best facilitate the state reimbursement policy as provided in subsection (1). As a result of these negotiations, the director of the department shall determine whether the state reimbursement shall be made to the training providers or directly to the local law enforcement agencies.

(4) The law enforcement officers training council and the department of management and budget shall review community college contracts relative to law enforcement officer training in an effort to develop alternatives for providing local training in order to ensure the best utilization of state resources.

EMERGENCY SERVICES

Sec. 901. (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 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. 1001. Pending final court action on the legality of a sobriety roadblock or check lane system, 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. 1002. (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 \$2,000,000.00 shall not revert to the general fund but shall be retained for expenditure in fiscal year 1991 for office automation and communications.

Sec. 1003. (1) Funds appropriated in section 101 for capitol security guards shall provide for not more than 4 service troopers to be allocated to the capitol complex and the governor's residence.

(2) The department, in conjunction with the capitol security guards, shall develop a plan to more efficiently and effectively use the resources appropriated in section 101 for security in the capitol complex and secondary complex. The plan shall be submitted to the house and senate state police appropriations subcommittees by February 15, 1990.

INVESTIGATIVE SERVICES

Sec. 1101. 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.

Sec. 1102. The funds appropriated in section 101 for federal anti-drug 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. 1201. (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.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved.....

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Governor.