Act No. 298
Public Acts of 1996
Approved by the Governor
June 19, 1996
Filed with the Secretary of State
June 19, 1996

STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996

Introduced by Reps. McBryde, Oxender, Geiger, Gilmer, Johnson, Bobier, Dolan, McNutt and Jellema
Reps. Alley, Bodem, Brackenridge, Brewer, Bush, Crissman, Dalman, DeMars, Freeman, Gagliardi, Galloway, Gernaat, Gnodtke, Gustafson, Hill, Jersevic, Kukuk, Law, Llewellyn, Middaugh, Middleton, Olshove, Owen, Palamara, Profit, Rhead, Schroer, Scott, Sikkema, Vaughn, Weeks and Wetters named co-sponsors

ENROLLED HOUSE BILL No. 5593

AN ACT to make appropriations for the department of state police and certain other state purposes for the fiscal years ending September 30, 1996 and September 30, 1997; 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, 1997, from the funds identified as follows:

DEPARTMENT OF STATE POLICE

Full-time equated unclassified positions 3.0		
Full-time equated classified positions 3,486.0		
GROSS APPROPRIATION	$	348,637,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	$	13,841,200
ADJUSTED GROSS APPROPRIATION	$	334,796,600
Federal revenues:		
Total federal revenues		31,398,400
Special revenue funds:		
Total local revenues		3,483,400
Total private revenues		0
Total other state restricted revenues		44,200,600
State general fund/general purpose	$	255,714,200

EXECUTIVE DIRECTION

Full-time equated unclassified positions 3.0		
Full-time equated classified positions 52.0		
Unclassified positions	$	215,000

		For Fiscal Year Ending Sept. 30, 1997
Executive direction—45.0 FTE positions		3,216,400
Auto theft prevention program—7.0 FTE positions		8,894,400
GROSS APPROPRIATION	$	12,325,800
Appropriated from:		
Special revenue funds:		
Auto theft prevention fees		8,894,400
State general fund/general purpose	$	3,431,400
DEPARTMENTWIDE APPROPRIATIONS		
Special maintenance	$	84,900
Rent		2,838,900
Retirement adjustment		2,000,000
Worker's compensation		2,233,500
Fleet leasing		12,524,200
Inservice training		850,000
Building occupancy charges-property management services		2,424,700
Emergency response compensation		2,969,700
Narcotics investigation funds		265,000
GROSS APPROPRIATION	$	26,190,900
Appropriated from:		
Interdepartmental grant revenues:		
IDT-Michigan justice training fund		850,000
Federal revenues:		
Federal narcotics investigation revenues		95,000
Special revenue funds:		
Narcotics investigation revenues		170,000
State general fund/general purpose	$	25,075,900
SUPPORT SERVICES		
Full-time equated classified positions 138.5		
Personnel division—26.5 FTE positions	$	1,714,700
Management services—67.0 FTE positions		3,720,900
Training administration—45.0 FTE positions		4,185,900
Headquarters utilities		320,000
GROSS APPROPRIATION	$	9,941,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG-training academy charges		2,273,900
Special revenue funds:		
Local-LEIN fees		31,900
Auto theft prevention fees		19,200
Reimbursements		10,000
Precision driving track fees		207,700
Narcotics investigation revenues		37,100
Motor carrier fees		73,000
State general fund/general purpose	$	7,288,700
HIGHWAY SAFETY PLANNING		
Full-time equated classified positions 33.5		
State program planning and administration—16.0 FTE positions	$	1,136,900
Grants to local governments and non-profit organizations		4,000,000
Secondary road patrol administration—1.0 FTE positions		77,600
Secondary road patrol and traffic accident basic grants		2,970,600
Secondary road patrol and traffic accident enhanced grants		5,535,200
Truck safety program—2.0 FTE positions		2,966,800
Field coordination and analysis—8.0 FTE positions		1,296,600
Traffic safety data—3.5 FTE positions		170,500
Fatal accident reporting system—2.0 FTE positions		110,500

		For Fiscal Year Ending Sept. 30, 1997
Highway traffic safety—1.0 FTE positions		2,913,700
GROSS APPROPRIATION	$	21,178,400
Appropriated from:		
Interdepartmental grant revenues:		
IDG-department of transportation-Michigan transportation fund		541,600
Federal revenues:		
DOT-NHTSA, federal highway administration		8,916,100
Special revenue funds:		
Truck driver safety fund		2,966,800
Secondary road patrol and training fund		5,535,200
State general fund/general purpose	$	3,218,700
CENTRAL RECORDS		
Full-time equated classified positions 71.0		
Central records division—70.0 FTE positions	$	4,532,100
Criminal records improvement—1.0 FTE positions		2,713,900
GROSS APPROPRIATION	$	7,246,000
Appropriated from:		
Federal revenues:		
DOJ-BJS, national criminal history improvement program (NCHIP)		2,713,900
Special revenue funds:		
Central records service fees		1,669,300
State general fund/general purpose	$	2,862,800
CRIMINAL JUSTICE DATA CENTER		
Full-time equated classified positions 93.0		
State police-management information systems—26.5 FTE positions	$	1,623,400
Traffic accident records—17.0 FTE positions		1,236,000
Local LEIN services—28.5 FTE positions		5,591,400
Automated fingerprint identification system—21.0 FTE positions		2,740,000
Computer services		655,600
GROSS APPROPRIATION	$	11,846,400
Appropriated from:		
Interdepartmental grant revenues:		
IDG-department of state		312,000
IDG-family independence agency		50,600
IDG-department of transportation-state trunkline fund		312,000
Federal revenues:		
DOT-NHTSA, federal highway administration		300,000
Special revenue funds:		
Local-LEIN fees		2,031,600
Local-AFIS fees		33,000
State general fund/general purpose	$	8,807,200
FORENSIC SCIENCES		
Full-time equated classified positions 176.0		
Laboratory operations—165.0 FTE positions	$	11,923,400
DNA analysis program—11.0 FTE positions		1,223,100
Grant to city of Detroit		894,300
GROSS APPROPRIATION	$	14,040,800
Appropriated from:		
Federal revenues:		
DOJ-DEA, controlled substance analysis		125,000
DOJ-BJA, drug control and system improvement, formula grants		51,200
Special revenue funds:		
Forensic science reimbursement fees		15,000
State forensic laboratory fund		205,000
State general fund/general purpose	$	13,644,600

		For Fiscal Year Ending Sept. 30, 1997
LAW ENFORCEMENT OFFICERS TRAINING COUNCIL		
Full-time equated classified positions 19.5		
Standards and training—15.5 FTE positions	$	908,500
Training only to local units		601,400
Officer's survivor tuition program		300,000
Michigan justice training commission—4.0 FTE positions		9,010,000
GROSS APPROPRIATION	$	10,819,900
Appropriated from:		
Special revenue funds:		
Secondary road patrol and training fund		601,400
Michigan justice training fund		9,010,000
State general fund/general purpose	$	1,208,500
FIRE MARSHAL		
Full-time equated classified positions 111.0		
Fire marshal programs—72.0 FTE positions	$	5,682,700
Fire investigation training to locals		51,500
Fire alarm and suppression system—1.0 FTE positions		158,700
Federal fire safety inspections—21.0 FTE positions		1,904,000
Hazardous materials inspection—9.0 FTE positions		684,900
Fire fighters training council—6.0 FTE positions		1,043,800
Fire safety board—2.0 FTE positions		173,200
GROSS APPROPRIATION	$	9,698,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG-department of community health, inspection contract		105,300
IDG-department of consumer and industry services, inspection contract		187,000
Federal revenues:		
HHS-HCFA, medicare-supplementary medical insurance		369,500
HHS-HCFA, state survey and certification of health care providers and suppliers, medicaid		922,600
FEMA-PTED, hazardous material assistance program		50,000
DOT-RSPA, interagency hazardous materials public training		50,000
Special revenue funds:		
Hazardous materials inspection fees		684,900
Fire alarm regulation fees		158,700
Fire service fees		1,367,800
State general fund/general purpose	$	5,803,000
EMERGENCY MANAGEMENT		
Full-time equated classified positions 48.0		
Emergency management planning and administration—18.5 FTE positions	$	1,672,800
Grants to local government		2,482,100
FEMA program assistance—13.5 FTE positions		1,994,400
Nuclear power plant emergency planning—6.0 FTE positions		513,500
Hazardous materials title III—5.0 FTE positions		276,700
Hazardous materials transportation—1.0 FTE positions		609,000
Hazardous materials training center—4.0 FTE positions		1,020,500
GROSS APPROPRIATION	$	8,569,000
Appropriated from:		
Federal revenues:		
FEMA-PTED, hazardous material assistance program		4,901,200
DOT-RSPA, interagency hazardous materials public sector training and planning grants		608,800
EPA-OSWER, superfund innovative technology evaluation program		451,000
Special revenue funds:		
Nuclear plant emergency planning reimbursement		513,500
Hazardous materials training center fees		1,020,700
State general fund/general purpose	$	1,073,800

		For Fiscal Year Ending Sept. 30, 1997
UNIFORM SERVICES		
Full-time equated classified positions	2,013.5	
Uniform services—620.0 FTE positions		$ 45,722,700
Security guards—44.0 FTE positions		1,842,700
Reimbursed services		500,000
At-post troopers—1,349.5 FTE positions		100,761,500
GROSS APPROPRIATION		$ 148,826,900
Appropriated from:		
Interdepartmental grant revenues:		
IDG-department of management and budget, building occupancy charges		996,200
IDG-department of corrections		93,900
IDG-department of transportation-Michigan transportation fund		66,000
Federal revenues:		
DOL, job training partnership act		250,000
Special revenue funds:		
Highway safety fund		6,000,000
State police service fees		500,000
State general fund/general purpose		$ 140,920,800
SPECIAL OPERATIONS		
Full-time equated classified positions	125.5	
Operational support—30.0 FTE positions		$ 2,198,600
Traffic safety—14.5 FTE positions		3,444,500
Aviation program—8.0 FTE positions		1,219,000
Communications—68.0 FTE positions		9,557,000
Project DARE—5.0 FTE positions		655,700
GROSS APPROPRIATION		$ 17,074,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG-department of corrections, contract		61,500
Federal revenues:		
DOT-NHTSA, federal highway administration		1,957,200
DOJ-BJA, drug control and system improvement, formula grants		491,800
Special revenue funds:		
Local-DARE funds		163,900
Rental of department aircraft		201,300
Drunk driving prevention and training fund		782,200
State general fund/general purpose		$ 13,416,900
CRIMINAL INVESTIGATIONS		
Full-time equated classified positions	400.5	
Criminal investigations—312.5 FTE positions		$ 27,742,600
Federal anti-drug initiatives—72.0 FTE positions		7,206,900
Reimbursed services, materials, and equipment		1,525,200
Food stamp investigation—8.0 FTE positions		638,700
Auto theft prevention—8.0 FTE positions		949,600
GROSS APPROPRIATION		$ 38,063,000
Appropriated from:		
Interdepartmental grant revenues:		
IDT-Auto theft funds		705,600
IDG-department of environmental quality, MUSTFA		112,000
IDG-department of environmental quality, UST		96,600
IDG-department of community health, tobacco tax		609,100
Federal revenues:		
Federal investigations-reimbursed services		302,200
DOJ-BJA, drug control and system improvement, formula grants		5,432,900
DAG-FNS, state administrative matching grants for food stamp program		319,500

		For Fiscal Year Ending Sept. 30, 1997
Federal narcotics investigation revenues		125,200
Special revenue funds:		
Local-reimbursed services		1,223,000
Narcotics investigation revenues		505,300
Forfeiture funds		276,600
Licensing fees		180,000
State general fund/general purpose	$	28,175,000
MOTOR CARRIER ENFORCEMENT		
Full-time equated classified positions 204.0		
Motor carrier enforcement—125.0 FTE positions	$	7,512,300
Grants to local/non profit organizations		500,000
Truck safety enforcement team operations—15.0 FTE positions		908,200
Safety inspections—46.5 FTE positions		2,907,100
School bus inspections—11.0 FTE positions		786,900
Safety projects—6.5 FTE positions		201,100
GROSS APPROPRIATION	$	12,815,600
Appropriated from:		
Interdepartmental grant revenues:		
IDT, truck safety fund		969,800
IDG-department of transportation-state trunkline fund		5,498,100
Federal revenues:		
DOT-NHTSA, federal highway administration		2,965,300
Special revenue funds:		
Motor carrier fees		2,595,500
State general fund/general purpose	$	786,900

Sec. 102. There is appropriated for the department of state police, for the fiscal year ending September 30, 1996, from the funds identified as follows:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY:		
GROSS APPROPRIATION	$	11,263,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		49,600
ADJUSTED GROSS APPROPRIATION	$	11,213,500
Federal revenues:		
Total federal revenues		53,100
Special revenue funds:		
Total local revenues		3,900
Total private revenues		0
Total other state restricted revenues		76,100
State general fund/general purpose	$	11,080,400
EXECUTIVE DIRECTION		
Executive direction	$	78,100
GROSS APPROPRIATION	$	78,100
Appropriated from:		
Special revenue funds:		
State general fund/general purpose	$	78,100
ADMINISTRATIVE SERVICES		
Personnel division	$	81,200
GROSS APPROPRIATION	$	81,200
Appropriated from:		
State general fund/general purpose	$	81,200

		For Fiscal Year Ending Sept. 30, 1996
CRIMINAL JUSTICE DATA CENTER		
Local LEIN services	$	18,600
Automated fingerprint identification system		35,800
GROSS APPROPRIATION	$	54,400
Appropriated from:		
State general fund/general purpose	$	54,400
FORENSIC SCIENCES		
Laboratory operations	$	278,200
GROSS APPROPRIATION	$	278,200
Appropriated from:		
State general fund/general purpose	$	278,200
TRAINING ADMINISTRATION		
Training division	$	92,100
Precision driving track		25,500
GROSS APPROPRIATION	$	117,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG-training academy charges		30,600
Special revenue funds:		
State general fund/general purpose	$	87,000
FIRE MARSHAL		
Fire marshal programs	$	202,300
Fire alarm and suppression system		3,700
Federal fire safety inspections		64,500
Hazardous materials inspection		24,200
GROSS APPROPRIATION	$	294,700
Appropriated from:		
Special revenue funds:		
Hazardous materials inspection fees		24,200
Fire alarm regulation fees		3,700
State general fund/general purpose	$	266,800
EMERGENCY MANAGEMENT		
Hazardous materials training center	$	20,800
GROSS APPROPRIATION	$	20,800
Appropriated from:		
Special revenue funds:		
Hazardous materials training center fees		20,800
State general fund/general purpose	$	0
UNIFORM SERVICES		
Uniform services	$	1,935,900
At-post troopers		6,608,200
GROSS APPROPRIATION	$	8,544,100
Appropriated from:		
State general fund/general purpose	$	8,544,100
SPECIAL OPERATIONS		
Operational support	$	60,100
Traffic services		170,500
Aviation program		19,800
Communications		6,100
Project DARE		19,800
GROSS APPROPRIATION	$	276,300

		For Fiscal Year Ending Sept. 30, 1996
Appropriated from:		
Federal revenues:		
DOT-NHTSA/FHWA		20,100
DOJ-OJP, drug control and system improvement, formula grants		15,900
Special revenue funds:		
Local-DARE funds		3,900
Drunk driving prevention and training fund		20,100
State general fund/general purpose	$	216,300
INVESTIGATIVE SERVICES		
Investigative services	$	1,251,800
Federal anti-drug initiatives		198,300
Food stamp investigation		34,200
Auto theft prevention		33,400
GROSS APPROPRIATION	$	1,517,700
Appropriated from:		
Interdepartmental grant and intradepartmental transfer revenues:		
IDT-auto theft funds		19,000
Federal revenues:		
DAG-FNS, state administrative matching grants for food stamp program		17,100
Special revenue funds:		
Licensing fees		7,300
State general fund/general purpose	$	1,474,300

GENERAL SECTIONS - FISCAL YEAR 1996-97

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1996-97 is estimated at $299,914,800.00 in this bill from state sources and state spending paid to local units of government for fiscal year 1996-97 is estimated at $16,033,700.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE		
OFFICE OF HIGHWAY SAFETY PLANNING		
Secondary road patrol and traffic accident basic grants	$	2,970,600
Secondary road patrol and traffic accident enhanced grants		5,535,200
FORENSIC SCIENCES		
Grant to city of Detroit	$	894,300
LAW ENFORCEMENT OFFICERS TRAINING COUNCIL		
Training only to local units		601,400
Michigan justice training commission		5,624,700
FIRE MARSHAL		
Fire fighters training council		356,000
Fire investigation training for locals		51,500
Total	$	16,033,700

(2) If it appears to the principal executive officer of the department or branch that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the director 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 expenditures and funding sources authorized 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. (1) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed $3,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

(2) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed $3,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of Act No. 431 of the Public Acts of 1984.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed $500,000.00 for local and private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of Act No. 431 of the Public Acts of 1984.

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

Sec. 205. As used in this act:

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

(b) "DAG" means the United States department of agriculture.

(c) "DAG-FNS" means the DAG food and nutrition service.

(d) "DARE" means drug abuse resistance education.

(e) "Department" means the department of state police.

(f) "DNA" means deoxyribonucleic acid.

(g) "DOJ" means the United States department of justice.

(h) "DOJ-BJA" means the DOJ bureau of justice assistance.

(i) "DOJ-BJS" means the United States DOJ bureau of justice statistics.

(j) "DOJ-DEA" means the DOJ drug enforcement administration.

(k) "DOL" means the United States department of labor.

(*l*) "DOT" means the United States department of transportation.

(m) "DOT-RSPA" means the DOT research and special programs administration.

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

(o) "DOT-NHTSA/FHWA" means the DOT-NHTSA federal highway administration.

(p) "EPA" means environmental protection agency.

(q) "EPA-OSWER" means the EPA office of solid waste and emergency response.

(r) "FEMA" means the federal emergency management agency.

(s) "FEMA-PTED" means the FEMA preparedness, training, and exercises directorate.

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

(u) "HHS" means the United States department of health and human services.

(v) "HHS-HCFA" means the HHS health care financing administration.

(w) "IDG" means interdepartmental grant.

(x) "IDT" means intradepartmental transfer.

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

(z) "MDCH" means the Michigan department of community health.

(aa) "MDEQ" means the Michigan department of environmental quality.

(bb) "MLEOTC" means the Michigan law enforcement officers training council.

(cc) "MUSTFA" means Michigan underground storage tank financial assurance fund.

(dd) "UST" means underground storage tank.

Sec. 206. It is the intent of the legislature that personnel of the department 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. 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.

Sec. 207. To avoid the overexpenditure of money appropriated under this act, the department beginning October 1, 1996 shall report quarterly and upon request 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 senate and house fiscal agencies and the department.

Sec. 208. (1) Beginning October 1, 1996, there is a hiring freeze imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers from 1 position to another within a department or to positions that are funded 80% or more from federal or restricted money.

(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. 209. Money appropriated in section 101 shall not be used for the purchase of foreign goods or services when competitively priced and comparable quality American goods or services are available. By May 1, 1997, the department of state police shall submit a report to the department of management and budget, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, and the chairpersons of the house and senate appropriations committees on efforts to comply with this section.

Sec. 210. Of the general fund/general purpose revenue appropriated in section 101, $13,057,600.00 represents a state spending increase over the amount provided to the department of state police for the fiscal year ending September 30, 1996, and may be used to meet state match requirements of programs contained in the federal violent crime control and law enforcement act of 1994, or successor grant programs, so that any additional federal money received supplements funding provided to the department of state police in section 101.

Sec. 211. (1) If the director of the department of management and budget determines that the federal government has failed to enact comprehensive reforms in the federal cash welfare and medicaid programs by October 1, 1996, and notifies the senate and house appropriations committees of that determination, the line-item appropriations contained in section 101 of this appropriation act are adjusted by the amounts listed in subsection (5). A contingency fund account is created in an amount equal to these adjustments.

(2) Effective October 1, 1996, the director of the department of management and budget may adjust the annual allotments and payment schedules of the line-item appropriations in section 101 in accordance with the items listed in subsection (5).

(3) Contingency fund transfers are authorized in an amount necessary to reverse these adjustments. These transfers shall conform with the provisions of section 393(2) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws. Transfers may restore all or part of the adjustments listed in subsection (5).

(4) If any of the appropriation adjustments listed in subsection (5) have not been reversed through contingency fund transfers by April 1, 1997, the directors of the department of management and budget, the house fiscal agency, and the senate fiscal agency shall jointly determine the extent of the remaining fiscal imbalance that results from failure to achieve federal medicaid and cash welfare reform. All remaining appropriation adjustments not previously reversed by contingency fund transfers shall be made on the same proportionate basis.

(5) The line-item appropriations contained in section 101 of this act are adjusted by the following amounts:

UNIFORM SERVICES

At-post troopers ..... (1,000,000)

Sec. 212. It is the intent of the legislature that of the $453,300.00 appropriated in section 101 for the private security and investigators licensing program, $235,600.00 general fund/general purpose shall revert to the fleet leasing line and $37,700.00 general fund/general purpose shall revert to the officers survivors tuition program if legislation is enacted to increase the fees allowed under the private detective license act of 1965, Act No. 285 of the Public Acts of 1965, being sections 500.6101 to 500.6115 of the Michigan Compiled Laws, and the private security guard act of 1968, Act No. 330 of the Public Acts of 1968, being sections 338.1051 to 338.1085 of the Michigan Compiled Laws. If legislation is enacted to increase the fees, then, instead of the amount appropriated in section 101 for licensing programs authorized under those acts, there is appropriated an amount equal to the fee revenue collected under these acts.

Sec. 213. The department shall not implement an affirmative action plan unless it has been submitted to the Michigan civil rights commission for approval in accordance with section 210 of the Elliott-Larsen civil rights act, Act

No. 453 of the Public Acts of 1976, being section 37.2210 of the Michigan Compiled Laws, and the Michigan civil rights commission has approved the plan.

Sec. 214. (1) The director of the department shall take all reasonable steps to ensure that businesses in depressed and deprived communities compete for and perform contracts to provide services or supplies, or both, for the department.

(2) The director of the department shall strongly encourage firms with which the department contracts to subcontract with businesses certified by the department of civil rights in depressed and deprived communities for services or supplies, or both.

DEPARTMENTWIDE APPROPRIATIONS

Sec. 301. Money appropriated under this act 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.

HIGHWAY SAFETY PLANNING

Sec. 401. In addition to the money appropriated in section 101, the department may receive and expend state restricted funds for the support of the secondary road patrol and traffic accident enhanced grants program in accordance with 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.

CRIMINAL JUSTICE DATA CENTER

Sec. 501. The money appropriated in section 101 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the service and contract maintenance costs.

Sec. 502. For the fiscal year ending September 30, 1997, the department, in conjunction with the family independence agency and the departments of 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. 503. (1) The money appropriated in section 101 includes money for the purchase of AFIS equipment.

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

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

Sec. 504. A portion of the funds appropriated in section 101 for the criminal justice data center shall be used by the department to produce a written report detailing departmental policies regarding access to and use of information from the law enforcement information network. The report shall include a description of departmental measures to protect the security of information in the law enforcement information network including safeguards that would prevent unauthorized persons from obtaining information from the law enforcement information network. The department shall deliver a copy of this report to the senate and house appropriations committees no later than April 1, 1997.

FORENSIC SCIENCES

Sec. 601. It is the intent of the legislature that the grant to the city of Detroit under section 101 be allocated by the city to supplement the city's appropriations for the Detroit crime lab and the Detroit police special events account.

LAW ENFORCEMENT OFFICERS TRAINING COUNCIL

Sec. 701. (1) The money appropriated to the MLEOTC for maintenance and delivery of 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 MLEOTC.

(2) Money appropriated under this act shall not be expended by the 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. Money 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.

EMERGENCY MANAGEMENT

Sec. 801. (1) The state director of emergency management may expend money 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 or state of disaster 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 management 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 money expended that is not reimbursable from federal money. 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 money appropriated in section 101, the department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity.

UNIFORM SERVICES

Sec. 901. The department shall not expend any portion of the money appropriated in section 101, including any expenditure made under 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. 902. It is the intent of the legislature that the department maintain the maximum number of troopers on the road from the available money appropriated in section 101.

Sec. 903. Upon service of proper notification by the department of its intent to cancel the lease at any post that is subject to consolidation, money 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. 904. State police enlisted personnel who are employed to enforce traffic laws as provided in 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 are responsible for protecting every citizen of this state from harm.

SPECIAL OPERATIONS

Sec. 1001. Money appropriated under section 101 for the state public safety communications system shall be expended upon approval of an expenditure plan by the department of management and budget.

Sec. 1002. In addition to the appropriations in section 101 to the department of state police for the aviation program, the department is authorized to sell its aircraft and the proceeds from the sale are appropriated and may be applied to the renovation cost of replacement aircraft.

CRIMINAL INVESTIGATIONS

Sec. 1101. (1) There is sufficient money appropriated in section 101 to criminal investigations 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. Criminal investigations 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.

FIRE MARSHAL

Sec. 1201. From the money appropriated in section 101 for fire fighters training council, an additional $1,000.00 shall be allocated per county for fire fighters' training.

Sec. 1202. The fire fighters training council shall report any proposed changes in educational and/or training requirements for volunteer fire fighters to the house and senate appropriations subcommittees on state police and military affairs 30 days prior to implementing the proposed changes.

Sec. 1203. Money appropriated under this act for fire marshal programs shall not be expended unless, in accordance with section 2c of the fire prevention code, Act No. 207 of the Public Acts of 1947, being section 29.2c of the Michigan Compiled Laws, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

Facility Type	Facility Size	Fee
Hospitals	Any	$10.00 per bed

Plan review and construction inspection fees for hospitals and schools

Project cost range	Fee
$85,000.00 or less	minimum fee of $100.00
$85,001.00 to $1,500,000.00	$1.18 per $1,000.00
$1,500,001.00 to $10,000,000.00	$0.80 per $1,000.00
$10,000,001.00 or more	$0.50 per $1,000.00 or a maximum fee of $50,000.00.

GENERAL SECTION - FISCAL YEAR 1995-96

Sec. 1300. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 1995-96 is estimated at $11,156,500.00 in this act and state spending from state sources paid to local units of government for fiscal year 1995-96 is estimated at $0.0.

DEPRESSED AND DEPRIVED COMMUNITIES

Sec. 1401. (1) The director of the department shall take all reasonable steps to ensure that businesses in depressed and deprived communities compete for and perform contracts to provide services or supplies, or both, for the department.

(2) The director of the department shall strongly encourage firms with which the department contracts to subcontract with businesses certified by the department of civil rights in depressed and deprived communities for services or supplies, or both.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved _____

Governor.

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