

Natural resources; fishing; reporting of ice fishing rescue warnings and civil infraction determinations on LEIN system; provide for.

NATURAL RESOURCES: Fishing; LAW ENFORCEMENT: Law enforcement information network (LEIN)

A bill to amend 1974 PA 163, entitled
"L.E.I.N. policy council act of 1974,"
by amending section 4 (MCL 28.214), as amended by 2000 PA 320.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4. (1) The council shall do all of the following:
- 2 (a) Establish policy and promulgate rules regarding the
- 3 operational procedures to be followed by agencies using the law
- 4 enforcement information network. The policy and rules shall do
- 5 all of the following:
- 6 (i) Ensure access to locator information obtained through
- 7 the law enforcement information network by state and federal
- 8 agencies and the friend of the court for enforcement of child
- 9 support programs as provided under state and federal law.

1 (ii) Ensure access to information of an individual being
2 investigated by a state or county employee who is engaged in the
3 enforcement of the child protection laws or rules of this state.

4 (iii) ENSURE ACCESS TO INFORMATION ON WARNINGS AND DETERMI-
5 NATIONS OF RESPONSIBILITY FOR STATE CIVIL INFRACTIONS UNDER SEC-
6 TION 46510 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
7 ACT, 1994 PA 451, MCL 324.46510. THE COUNCIL SHALL SUBMIT PRO-
8 POSED RULES UNDER THIS SUBPARAGRAPH FOR PUBLIC HEARING PURSUANT
9 TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL
10 24.201 TO 24.328, WITHIN 6 MONTHS AFTER THE EFFECTIVE DATE OF THE
11 AMENDATORY ACT THAT ADDED THIS SUBPARAGRAPH.

12 (iv) ~~-(iii)-~~ Authorize a fire chief of an organized fire
13 department or his or her designee to request and receive informa-
14 tion obtained through the law enforcement information network by
15 a law enforcement agency for the following purposes:

16 (A) A preemployment criminal convictions history.

17 (B) A preemployment driving record.

18 (C) Vehicle registration information for vehicles involved
19 in a fire or hazardous materials incident.

20 (v) ~~-(iv)-~~ Authorize a public or private school superinten-
21 dent, principal, or assistant principal to receive vehicle regis-
22 tration information, of a vehicle within 1,000 feet of school
23 property, obtained through the law enforcement information net-
24 work by a law enforcement agency.

25 (b) Review applications for network terminals and approve or
26 disapprove the applications and the sites for terminal

1 installations. If an application is disapproved, the applicant
2 shall be notified in writing of the reasons for disapproval.

3 (c) Establish minimum standards for terminal sites and
4 installation.

5 (2) A person shall not disclose information from the law
6 enforcement information network to a private entity for any pur-
7 pose, including, but not limited to, the enforcement of child
8 support programs.

9 (3) A person shall not disclose information from the law
10 enforcement information network in a manner that is not autho-
11 rized by law or rule.

12 (4) A person who violates subsection (2) or (3) is:

13 (a) For a first offense, guilty of a misdemeanor punishable
14 by imprisonment for not more than 90 days or a fine of not more
15 than \$500.00, or both.

16 (b) For a second or subsequent offense, guilty of a felony
17 punishable by imprisonment for not more than 4 years or a fine of
18 not more than \$2,000.00, or both.

19 Enacting section 1. This amendatory act does not take
20 effect unless Senate Bill No. _____ or House Bill No. _____
21 (request no. 01568'01) of the 91st Legislature is enacted into
22 law.