

**SUBSTITUTE FOR  
HOUSE BILL NO. 5526**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2005; 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 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:**

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

Sec. 101. Subject to the conditions set forth in this act, the

4

amounts listed in this part are appropriated for the department of

5

state police for the fiscal year ending September 30, 2005, from the

6

funds indicated in this part. The following is a summary of the

1 appropriations in this part:

2 **DEPARTMENT OF STATE POLICE**

3 APPROPRIATION SUMMARY:

4 Full-time equated unclassified positions.....3.0

5 Full-time equated classified positions.....2,948.0

6 GROSS APPROPRIATION..... \$ 476,924,200

7 Interdepartmental grant revenues:

8 Total interdepartmental grants and intradepartmental

9 transfers..... 19,916,800

10 ADJUSTED GROSS APPROPRIATION..... \$ 457,007,400

11 Federal revenues:

12 Total federal revenues..... 106,255,100

13 Special revenue funds:

14 Total local revenues..... 4,681,100

15 Total private revenues..... 10,700

16 Total other state restricted revenues..... 100,602,000

17 State general fund/general purpose..... \$ 245,458,500

18 **Sec. 102. EXECUTIVE DIRECTION**

19 Full-time equated unclassified positions.....3.0

20 Full-time equated classified positions.....39.0

21 Unclassified positions..... \$ 238,300

22 Executive direction--34.0 FTE positions..... 3,477,700

23 Auto theft prevention program--5.0 FTE positions.... 7,098,600

24 GROSS APPROPRIATION..... \$ 10,814,600

25 Appropriated from:

26 Special revenue funds:

27 Auto theft prevention fund..... 7,098,600

1	State general fund/general purpose.....	\$	3,716,000
2	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>		
3	Special maintenance and utilities.....	\$	479,400
4	Rent and building occupancy charges.....		7,388,400
5	Worker's compensation.....		2,995,000
6	Fleet leasing.....		14,119,200
7	In-service training.....		850,000
8	Narcotics investigation funds.....		<u>265,000</u>
9	GROSS APPROPRIATION.....	\$	26,097,000
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDT, Michigan justice training fund.....		850,000
13	IDG, training academy.....		208,600
14	Federal revenues:		
15	DOJ.....		37,000
16	DOT.....		18,500
17	DHS.....		8,500
18	Federal narcotics investigation revenues.....		95,000
19	Special revenue funds:		
20	Forensic science reimbursement fees.....		74,100
21	State forensic laboratory fund.....		74,100
22	Criminal justice information center service fees....		109,500
23	Secondary road patrol and training fund.....		2,400
24	Hazardous materials training center fees.....		60,100
25	Michigan justice training fund.....		4,800
26	Motor carrier fees.....		5,500
27	Highway safety fund.....		5,900

1	Traffic law enforcement and safety fund.....		11,600
2	Narcotics investigation revenues.....		170,000
3	State general fund/general purpose.....	\$	24,361,400
4	<b>Sec. 104. SUPPORT SERVICES</b>		
5	Full-time equated classified positions.....	132.0	
6	Human resources--29.0 FTE positions.....	\$	2,177,200
7	Human resources optimization user charges.....		88,600
8	Management services--50.0 FTE positions.....		3,693,300
9	Training administration--41.0 FTE positions.....		4,756,600
10	Communications--12.0 FTE positions.....		<u>4,665,100</u>
11	GROSS APPROPRIATION.....	\$	15,380,800
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	IDT, truck safety fund.....		4,300
15	IDT, auto theft funds.....		23,000
16	IDG-MDOT, state trunkline fund.....		30,000
17	IDG, training academy charges.....		2,899,000
18	IDG-MDTR, casino fees.....		29,000
19	Special revenue funds:		
20	Local - LEIN fees.....		34,900
21	Highway safety fund.....		123,500
22	Auto theft prevention fund.....		4,300
23	Precision driving track fees.....		280,800
24	Traffic law enforcement and safety fund.....		213,500
25	Motor carrier fees.....		136,800
26	Nuclear plant emergency planning reimbursement.....		3,100
27	State general fund/general purpose.....	\$	11,598,600

1	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
2	Full-time equated classified positions.....26.0	
3	State program planning and administration--14.0 FTE	
4	positions.....	\$ 1,147,900
5	Grants to local governments and nonprofit	
6	organizations.....	4,500,000
7	Secondary road patrol program--2.0 FTE positions....	14,012,100
8	Truck safety program--2.0 FTE positions.....	2,987,400
9	Highway traffic safety coordination--8.0 FTE	
10	positions.....	<u>5,990,400</u>
11	GROSS APPROPRIATION.....	\$ 28,637,800
12	Appropriated from:	
13	Federal revenues:	
14	DOT.....	10,555,600
15	DOJ.....	563,800
16	Special revenue funds:	
17	Truck driver safety fund.....	2,987,400
18	Secondary road patrol and training fund.....	14,012,100
19	State general fund/general purpose.....	\$ 518,900
20	<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>	
21	Full-time equated classified positions.....100.0	
22	Criminal justice information center division--83.0	
23	FTE positions.....	\$ 7,547,700
24	Criminal records improvement--1.0 FTE positions.....	4,730,500
25	Traffic safety--16.0 FTE positions.....	<u>1,539,100</u>
26	GROSS APPROPRIATION.....	\$ 13,817,300
27	Appropriated from:	

1	Interdepartmental grant revenues:	
2	IDG-MDOS.....	325,900
3	IDG-MDOT, state trunkline fund.....	347,500
4	Federal revenues:	
5	DOJ.....	4,730,500
6	DOT.....	400,400
7	Special revenue funds:	
8	Criminal justice information center service fees....	6,201,300
9	State general fund/general purpose..... \$	1,811,700
10	<b>Sec. 107. FORENSIC SCIENCES</b>	
11	Full-time equated classified positions.....209.0	
12	Laboratory operations--177.0 FTE positions..... \$	17,783,700
13	DNA analysis program--32.0 FTE positions.....	<u>8,536,500</u>
14	GROSS APPROPRIATION..... \$	26,320,200
15	Appropriated from:	
16	Federal revenues:	
17	DOJ.....	3,514,600
18	Special revenue funds:	
19	Forensic science reimbursement fees.....	1,659,400
20	State forensic laboratory fund.....	1,617,400
21	State general fund/general purpose..... \$	19,528,800
22	<b>Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT</b>	
23	<b>STANDARDS</b>	
24	Full-time equated classified positions.....28.0	
25	Standards and training--22.0 FTE positions..... \$	2,235,100
26	Training only to local units--2.0 FTE positions.....	827,700
27	Concealed weapons enforcement training.....	140,000

1	Officer's survivor tuition program.....	48,800
2	Public safety officers benefit program.....	150,000
3	Justice training grants--4.0 FTE positions.....	<u>9,054,700</u>
4	GROSS APPROPRIATION..... \$	12,456,300
5	Appropriated from:	
6	Federal revenues:	
7	DOJ.....	375,200
8	Special revenue funds:	
9	Secondary road patrol and training fund.....	827,700
10	Concealed weapons enforcement fee.....	140,000
11	Michigan justice training fund.....	9,054,700
12	Licensing fees.....	51,900
13	State general fund/general purpose..... \$	2,006,800
14	<b>Sec. 109. FIRE INVESTIGATION</b>	
15	Full-time equated classified positions.....29.0	
16	Fire investigation--29.0 FTE positions..... \$	3,564,600
17	Fire investigation training to locals.....	<u>50,500</u>
18	GROSS APPROPRIATION..... \$	3,615,100
19	Appropriated from:	
20	Federal revenues:	
21	State general fund/general purpose..... \$	3,615,100
22	<b>Sec. 110. EMERGENCY MANAGEMENT</b>	
23	Full-time equated classified positions.....69.0	
24	Emergency management planning and	
25	administration--52.0 FTE positions..... \$	3,997,150
26	Grants to local government.....	2,482,100
27	FEMA program assistance--3.0 FTE positions.....	983,000

1	Nuclear power plant emergency planning--6.0 FTE	
2	positions.....	1,236,200
3	Hazardous materials transportation--1.0 FTE	
4	positions.....	580,600
5	Hazardous materials programs--7.0 FTE positions.....	<u>61,648,650</u>
6	GROSS APPROPRIATION.....	\$ 70,927,700
7	Appropriated from:	
8	Federal revenues:	
9	FEMA.....	6,079,000
10	DOT.....	580,600
11	DOJ.....	59,968,500
12	Special revenue funds:	
13	Nuclear plant emergency planning reimbursement.....	1,236,200
14	Hazardous materials training center fees.....	1,347,500
15	State general fund/general purpose.....	\$ 1,715,900
16	<b>Sec. 111. UNIFORM SERVICES</b>	
17	Full-time equated classified positions.....1,684.0	
18	Uniform services--525.0 FTE positions.....	\$ 47,825,400
19	Commercial mobile radio service projects.....	800,000
20	Security guards--15.0 FTE positions.....	950,900
21	Reimbursed services.....	2,126,900
22	At-post troopers--1,144.0 FTE positions.....	<u>117,746,900</u>
23	GROSS APPROPRIATION.....	\$ 169,450,100
24	Appropriated from:	
25	Interdepartmental grant revenues:	
26	IDG-MDMB, building occupancy charges.....	592,600
27	IDG-MDTR emergency telephone fund operations.....	400,000

1	IDG-MDTR emergency telephone fund coordinator.....	400,000
2	Federal revenues:	
3	DOJ.....	1,622,900
4	Special revenue funds:	
5	Narcotics investigation revenues.....	44,000
6	Highway safety fund.....	14,738,900
7	State police service fees.....	2,126,900
8	Traffic enforcement and safety fund.....	30,170,500
9	State general fund/general purpose..... \$	119,354,300
10	<b>Sec. 112. SPECIAL OPERATIONS</b>	
11	Full-time equated classified positions.....49.0	
12	Operational support--34.0 FTE positions..... \$	2,898,300
13	Traffic services--10.0 FTE positions.....	3,335,100
14	Aviation program--5.0 FTE positions.....	<u>1,500,200</u>
15	GROSS APPROPRIATION..... \$	7,733,600
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG-MDOC, contract.....	83,400
19	Federal revenues:	
20	DOT.....	1,619,300
21	Special revenue funds:	
22	Private donations.....	10,700
23	Rental of department aircraft.....	165,400
24	Drunk driving prevention and training fund.....	1,053,100
25	State general fund/general purpose..... \$	4,801,700
26	<b>Sec. 113. CRIMINAL INVESTIGATIONS</b>	
27	Full-time equated classified positions.....383.0	

1	Criminal investigations--280.0 FTE positions.....	\$	32,646,700
2	Federal antidrug initiatives--62.0 FTE positions....		10,519,700
3	Reimbursed services, materials, and equipment.....		2,570,200
4	Auto theft prevention--9.0 FTE positions.....		1,474,500
5	Casino gaming oversight--32.0 FTE positions.....		<u>3,812,000</u>
6	GROSS APPROPRIATION.....	\$	51,023,100
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	IDT, auto theft funds.....		1,194,300
10	IDG-MDTR, casino gaming fees.....		3,812,000
11	IDG-MDCH, tobacco tax.....		610,000
12	Federal revenues:		
13	Federal investigations - reimbursed services.....		730,300
14	DOJ.....		7,908,900
15	Federal narcotics investigation revenues.....		409,500
16	Special revenue funds:		
17	Local - reimbursed services.....		1,839,900
18	Narcotics investigation revenues.....		567,600
19	Forfeiture funds.....		352,000
20	State general fund/general purpose.....	\$	33,598,600
21	<b>Sec. 114. MOTOR CARRIER ENFORCEMENT</b>		
22	Full-time equated classified positions.....	200.0	
23	Motor carrier enforcement--122.0 FTE positions.....	\$	9,219,900
24	Truck safety enforcement team operations--15.0 FTE		
25	positions.....		1,183,000
26	Safety inspections--43.0 FTE positions.....		7,252,300
27	School bus inspections--16.0 FTE positions.....		1,203,700

1	Safety projects--4.0 FTE positions.....		<u>177,300</u>
2	GROSS APPROPRIATION.....	\$	19,036,200
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	IDT, truck safety fund.....		1,183,000
6	IDG-MDOT, state trunkline fund.....		6,816,000
7	Federal revenues:		
8	DOT.....		5,979,100
9	Special revenue funds:		
10	Motor carrier fees.....		3,854,400
11	State general fund/general purpose.....	\$	1,203,700
12	<b>Sec. 115. INFORMATION TECHNOLOGY</b>		
13	Information technology services and projects.....	\$	<u>21,614,400</u>
14	GROSS APPROPRIATION.....	\$	21,614,400
15	Appropriated from:		
16	Interdepartmental grant revenues:		
17	IDT-MDTR, casino gaming fees.....		75,000
18	IDG-MDOT, state trunkline fund.....		33,200
19	Federal revenues:		
20	DOT.....		1,057,900
21	Special revenue funds:		
22	Local - LEIN fees.....		2,771,400
23	Local - AFIS fees.....		34,900
24	Motor carrier fees.....		15,000
25	State general fund/general purpose.....	\$	17,627,000

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2004-2005 is \$346,060,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2004-2005 is \$20,107,800.00. 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 program..... \$ 13,872,000

COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units..... \$ 647,200

Justice training grants..... 5,538,100

FIRE INVESTIGATION

Fire investigation training for locals..... \$ 50,500

Total..... \$ 20,107,800

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "AFIS" means the automated fingerprint identification system.
- (b) "Department" means the department of state police.
- (c) "DHS" means the United States department of homeland security.
- (d) "DNA" means deoxyribonucleic acid.

- 1 (e) "DOJ" means the United States department of justice.  
2 (f) "DOT" means the United States department of transportation.  
3 (g) "FEMA" means the federal emergency management agency.  
4 (h) "FTE" means full-time equated.  
5 (i) "IDG" means interdepartmental grant.  
6 (j) "IDT" means intradepartmental transfer.  
7 (k) "LEIN" means law enforcement information network.  
8 (l) "MCOLES" means the Michigan commission on law enforcement  
9 standards.  
10 (m) "MDCH" means the Michigan department of community health.  
11 (n) "MDMB" means the Michigan department of management and budget.  
12 (o) "MDOC" means the Michigan department of corrections.  
13 (p) "MDOS" means the Michigan department of state.  
14 (q) "MDOT" means the Michigan department of transportation.  
15 (r) "MDTR" means the Michigan department of treasury.

16 Sec. 204. The department of civil service shall bill the  
17 department at the end of the first fiscal quarter for the 1% charge  
18 authorized by section 5 of article XI of the state constitution of  
19 1963. Payments shall be made for the total amount of the billing by  
20 the end of the second fiscal quarter.

21 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on  
22 the state classified civil service. State departments and agencies  
23 are prohibited from hiring any new full-time state classified civil  
24 service employees and prohibited from filling any vacant state  
25 classified civil service positions. This hiring freeze does not apply  
26 to internal transfers of classified employees from 1 position to  
27 another within a department.

1           (2) The state budget director shall grant exceptions to this  
2 hiring freeze when the state budget director believes that the hiring  
3 freeze will result in rendering a state department or agency unable to  
4 deliver basic services, cause loss of revenue to the state, result in  
5 the inability of the state to receive federal funds, or necessitate  
6 additional expenditures that exceed any savings from maintaining a  
7 vacancy. The state budget director shall report by the last business  
8 day of each month to the chairpersons of the senate and house of  
9 representatives standing committees on appropriations the number of  
10 exceptions to the hiring freeze approved during the previous month and  
11 the justification for the exception.

12           Sec. 207. At least 60 days before beginning any effort to  
13 privatize, the department shall submit a complete project plan to the  
14 appropriate senate and house of representatives appropriations  
15 subcommittees and the senate and house fiscal agencies. The plan  
16 shall include the criteria under which the privatization initiative  
17 will be evaluated. The evaluation shall be completed and submitted to  
18 the appropriate senate and house of representatives appropriations  
19 subcommittees and the senate and house fiscal agencies within 30  
20 months.

21           Sec. 208. Unless otherwise specified, the department shall use  
22 the Internet to fulfill the reporting requirements of this act. This  
23 requirement may include transmission of reports via electronic mail to  
24 the recipients identified for each reporting requirement or it may  
25 include placement of reports on an Internet or Intranet site.

26           Sec. 209. Funds appropriated in part 1 shall not be used for the  
27 purchase of foreign goods or services, or both, if competitively

1 priced and of comparable quality American goods or services, or both,  
2 are available. Preference should be given to goods and services, or  
3 both, manufactured or provided by Michigan businesses, if they are  
4 competitively priced and of comparable value.

5       Sec. 210. The director of each department receiving  
6 appropriations in part 1 shall take all reasonable steps to ensure  
7 businesses in deprived and depressed communities compete for and  
8 perform contracts to provide services or supplies, or both, for the  
9 department. The director shall strongly encourage firms with which  
10 the department contracts to subcontract with certified businesses in  
11 depressed and deprived communities for services or supplies, or both.

12       Sec. 211. It is the intent of the legislature that personnel of  
13 the department who request and are eligible for reimbursement of  
14 expenses related to the operation of the department be reimbursed from  
15 the appropriations provided in this act within 30 days after  
16 submitting a request, or the eligible personnel shall be paid an  
17 additional amount equal to 0.75% of the payment due. The department  
18 shall pay an additional amount equal to 0.75% of the payment due for  
19 the first month and each succeeding month or portion of a month the  
20 payment remains past due.

21       Sec. 212. Of the state general fund/general purpose revenue  
22 appropriated in this act, \$33,253,700.00 represents a state spending  
23 increase over the amount provided to the department of state police  
24 for the fiscal year ending September 30, 1994, and may be used to meet  
25 state match requirements of programs contained in the violent crime  
26 control and law enforcement act of 1994, 42 USC 13701 to 14223, or  
27 successor grant programs, so that any additional federal money

1 received supplements funding provided to the department of state  
2 police in this act.

3       Sec. 213. (1) It is the intent of the legislature that the  
4 department shall not provide any subsidy for contractual services it  
5 provides.

6       (2) When the department provides contractual services to a local  
7 unit of government, the department shall be reimbursed for all costs  
8 incurred in providing the services, including, but not limited to,  
9 retirement and overtime costs.

10       (3) Contractual services provided to an entity other than a local  
11 unit of government may be provided by department personnel, but only  
12 on an overtime basis outside the normal work schedule of the  
13 personnel.

14       (4) This section does not apply to state agencies.

15       Sec. 214. The departments and agencies receiving appropriations  
16 in part 1 shall receive and retain copies of all reports funded from  
17 appropriations in part 1. The department shall follow all federal  
18 guidelines and state laws regarding short-term and long-term retention  
19 of records.

20       Sec. 215. Not later than January 1, 2005, the department shall  
21 report to the state police appropriations subcommittees of the house  
22 and senate and the house and senate fiscal agencies. The report shall  
23 contain the following information regarding the department's  
24 activities related to casino gaming oversight during fiscal year  
25 2003-2004:

26       (a) The amount of money received and expended.

27       (b) The nature and structure of the casino gaming oversight

1 unit.

2 (c) The positions and classifications of employees assigned.

3 (d) The number of full-time and part-time employees and the  
4 aggregate number of FTEs.

5 (e) The number of enlisted and civilian positions.

6 (f) The duties and responsibilities of the assigned employees.

7 (g) The immediate past position of the enlisted employees  
8 assigned.

9 Sec. 216. The department shall collect and computerize the  
10 vehicle identification number (VIN) of all vehicles that are entered  
11 into the state accident data collection system and make this and other  
12 vehicle information available to the public at cost. For bulk access  
13 to the accident records in which the VIN has been collected and  
14 computerized, the department shall make those records available to the  
15 public at cost, provided that the name and address have been  
16 excluded.

17 Sec. 217. From the funds appropriated in part 1, the department  
18 shall maintain a toll-free hotline in collaboration with the  
19 department of education. The toll-free hotline shall be operated 24  
20 hours per day, 7 days per week, and shall provide students, school  
21 officials, and other individuals an opportunity to report specific  
22 threats of imminent school violence or other suspicious or criminal  
23 conduct by juveniles to the appropriate local law enforcement entities  
24 for investigation. The department may expend funds for the promotion  
25 of the hotline.

26 Sec. 218. (1) Funds appropriated in part 1 for at-post troopers  
27 shall only be expended for trooper salaries, wages, benefits,

1 retirement, equipment, supplies, and other expenses directly related  
2 to state troopers assigned to general law enforcement duties at a  
3 department post, detachment, satellite office, or a resident trooper  
4 function.

5 (2) From the funds appropriated in part 1 for at-post troopers,  
6 1 or more trooper recruit schools shall be conducted during fiscal  
7 year 2004-2005 with the goal of maintaining at-post trooper strength  
8 of at least 1,075.

9 (3) The department shall submit a written report to the senate and  
10 house appropriations subcommittees on state police and military  
11 affairs no later than November 15, 2004, detailing the status of the  
12 department's plan for accomplishing the goal of subsection (2). If  
13 the department determines that insufficient funding exists under  
14 part 1 for at-post troopers or any other budget line to accomplish the  
15 goal of subsection (2), the department shall submit a plan outlining  
16 the additional funding necessary to accomplish the goal of  
17 subsection (2).

18 Sec. 219. The department of state police shall notify the house  
19 and senate appropriations subcommittees on state police and military  
20 and veterans affairs and the house and senate fiscal agencies not less  
21 than 180 days before recommending to close or consolidate any state  
22 police posts.

23 Sec. 221. Of the funds appropriated in part 1 for rent and  
24 building occupancy charges, funds shall be used for the necessary  
25 rental costs for a state police post in Marshall.

26 Sec. 222. (1) In addition to the funds appropriated in part 1,  
27 there is appropriated an amount not to exceed \$10,000,000.00 for

1 federal contingency funds. These funds are not available for  
2 expenditure until they have been transferred to another line item in  
3 this act under section 393(2) of the management and budget act, 1984  
4 PA 431, MCL 18.1393.

5 (2) In addition to the funds appropriated in part 1, there is  
6 appropriated an amount not to exceed \$3,500,000.00 for state  
7 restricted contingency funds. These funds are not available for  
8 expenditure until they have been transferred to another line item in  
9 this act under section 393(2) of the management and budget act, 1984  
10 PA 431, MCL 18.1393.

11 (3) In addition to the funds appropriated in part 1, there is  
12 appropriated an amount not to exceed \$1,000,000.00 for local  
13 contingency funds. These funds are not available for expenditure  
14 until they have been transferred to another line item in this act  
15 under section 393(2) of the management and budget act, 1984 PA 431,  
16 MCL 18.1393.

17 (4) In addition to the funds appropriated in part 1, there is  
18 appropriated an amount not to exceed \$200,000.00 for private  
19 contingency funds. These funds are not available for expenditure  
20 until they have been transferred to another line item in this act  
21 under section 393(2) of the management and budget act, 1984 PA 431,  
22 MCL 18.1393.

### 23 INFORMATION TECHNOLOGY

24 Sec. 301. The money appropriated in part 1 for computer services  
25 shall be funded by LEIN user fees sufficient to pay 1/3 of the service  
26 and contract maintenance costs of the LEIN system.

1           Sec. 302. From the funds appropriated in part 1 for information  
2 technology, the department shall pay user fees to the department of  
3 information technology for technology-related services and projects.  
4 These user fees shall be subject to provisions of an interagency  
5 agreement between the department and the department of information  
6 technology.

7           Sec. 303. Amounts appropriated in part 1 for information  
8 technology may be designated as work projects and carried forward to  
9 support technology projects under the direction of the department of  
10 information technology. Funds designated in this manner are not  
11 available for expenditure until approved as work projects under  
12 section 451a of the management and budget act, 1984 PA 431,  
13 MCL 18.1451a.

14           Sec. 304. A portion of the funds appropriated in part 1 shall be  
15 used by the department to produce a written report detailing  
16 departmental policies regarding access to and use of information from  
17 the LEIN system. The report shall include a description of  
18 departmental measures to protect the security of information in the  
19 LEIN system including safeguards that would prevent unauthorized  
20 persons from obtaining information from the LEIN system. The  
21 department shall submit a copy of this report to the senate and house  
22 appropriations committees not later than April 1, 2005.

23           Sec. 305. The criminal justice information systems policy  
24 council shall encourage members of the law enforcement agencies in the  
25 state to be sensitive to, and note when necessary, activities or  
26 circumstances that may suggest the unauthorized access or misuse of  
27 information from the LEIN system. The criminal justice information

1 systems policy council shall advise LEIN auditors, as a part of their  
2 audit of law enforcement agencies, to investigate in depth all  
3 suspected incidents of improper access or improper use of information  
4 from the LEIN system and determine whether or not those incidents were  
5 illegal. In those incidents that may be determined to be illegal, the  
6 executive secretary for the council shall determine whether those  
7 incidents were of a negligent or criminal nature. If an incident is  
8 determined to be an illegal act, the council shall inform the chairs  
9 of both the senate and house appropriations committees.

10       Sec. 306. (1) The department of state police, working with the  
11 criminal justice information system policy council, shall implement  
12 procedures by which all probation information is placed on the LEIN  
13 system. The LEIN system shall include information on each  
14 probationer, including any probation conditions placed on a  
15 probationer and the name of the probation officer assigned to a  
16 probationer. The LEIN system shall also include any nonstandard  
17 probation terms.

18       (2) If the department determines that amendments to the code of  
19 criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to  
20 include all probation information on the LEIN system, the department  
21 shall deliver to members of the senate and house appropriations  
22 subcommittees on state police and military affairs amendments to the  
23 code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in  
24 the department's view, are necessary to accomplish this goal. These  
25 proposed amendments shall be delivered to subcommittee members not  
26 later than December 1, 2004.

**1 HIGHWAY SAFETY PLANNING**

2           Sec. 401. On a quarterly basis, the department shall report to  
3 the senate and house appropriations subcommittees on state police and  
4 military affairs on the status of assessments collected and authorized  
5 under section 629e of the Michigan vehicle code, 1949 PA 300,  
6 MCL 257.629e, for the purposes of supporting the secondary road patrol  
7 grant program. Each quarterly report shall contain updated  
8 information on collection levels, revised projected grant allotments  
9 to counties for the year, a comparison of projected collections and  
10 grant distribution levels with the funds appropriated in part 1 for  
11 the secondary road patrol program, and the extent collection levels  
12 have exceeded or failed to meet appropriated levels for the current  
13 fiscal year or expenditure levels from the previous fiscal year.

**14 FORENSIC SCIENCES**

15           Sec. 501. The department shall report to the house and senate  
16 appropriations subcommittees on state police and military affairs and  
17 the house and senate fiscal agencies when any changes to the  
18 department's DNA protocol are made.

19           Sec. 502. The department shall work with the department of  
20 community health, the Michigan hospital association, the Michigan  
21 state medical society, and the Michigan nurses association to ensure  
22 that the recommendations included in the "Standard Recommended  
23 Procedures for the Emergency Treatment of Sexual Assault Victims" are  
24 followed in the collection of evidence.

**1 MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

2           Sec. 601. The money appropriated to the MCOLES for maintenance  
3 and delivery of training to locals is provided in accordance with a  
4 state reimbursement policy in which 100% of the determined state  
5 reimbursement rate shall be distributed upon certification by the  
6 MCOLES.

7           Sec. 602. From the appropriations in part 1 for the training of  
8 new state troopers and other new police officers in the state and for  
9 the continuing education of all law enforcement officers in the state,  
10 sufficient funds shall be used to include curricula on the content and  
11 application of federal firearms laws, including the procedures  
12 necessary for law enforcement to turn appropriate cases over to the  
13 federal bureau of alcohol, tobacco, and firearms or any other  
14 applicable federal criminal justice agency.

**15 EMERGENCY MANAGEMENT**

16           Sec. 801. (1) The state director of emergency management may  
17 expend money appropriated under this act to call upon any agency or  
18 department of the state or any resource of the state to protect life  
19 or property or to provide for the health or safety of the population  
20 in any area of the state in which the governor proclaims a state of  
21 emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33,  
22 or under the emergency management act, 1976 PA 390, MCL 30.401 to  
23 30.421. The state director of emergency management may expend the  
24 amounts the director considers necessary to accomplish these

1 purposes. The director shall submit to the state budget director as  
2 soon as possible a complete report of all actions taken under the  
3 authority of this section. The report shall contain, as a separate  
4 item, a statement of all money expended that is not reimbursable from  
5 federal money. The state budget director shall review the  
6 expenditures and submit recommendations to the legislature in regard  
7 to any possible need for a supplemental appropriation.

8 (2) In addition to the money appropriated in this act, the  
9 department may receive and expend money from local, private, federal,  
10 or state sources for the purpose of providing emergency management  
11 training to local or private interests and for the purpose of  
12 supporting emergency preparedness, response, recovery, and mitigation  
13 activity. If additional expenditure authorization in the Michigan  
14 administrative information network is approved by the state budget  
15 office under this section, the department and the state budget office  
16 shall notify the house and senate appropriations subcommittees on  
17 state police and military and veterans affairs and the house and  
18 senate fiscal agencies within 10 days after the approval. The  
19 notification shall include the amount and source of the additional  
20 authorization, the date of its approval, and the projected use of  
21 funds to be expended under the authorization.

22 Sec. 802. The department shall not make any purchases related to  
23 a statewide emergency management computer network unless authorized to  
24 do so by the director of the department of information technology.

## 25 UNIFORM SERVICES

26 Sec. 901. State police enlisted personnel who are employed to

1 enforce traffic laws as provided in section 629e of the Michigan  
2 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from  
3 responding to crimes in progress or other emergency situations, and  
4 are responsible for protecting every citizen of this state from harm.

5 **SPECIAL OPERATIONS**

6       Sec. 1001. In addition to the appropriations in section 112 to  
7 the department of state police for the aviation program, the  
8 department is authorized to sell its aircraft and the proceeds from  
9 the sale are appropriated and may be applied to the renovation cost of  
10 replacement aircraft. If additional expenditure authorization in the  
11 Michigan administrative information network is approved by the state  
12 budget office under this section, the department and the state budget  
13 office shall notify the house and senate appropriations subcommittees  
14 on state police and military and veterans affairs and the house and  
15 senate fiscal agencies within 10 days after the approval. The  
16 notification shall include the amount and source of the additional  
17 authorization, the date of its approval, and the projected use of  
18 funds to be expended under the authorization.

19       Sec. 1002. Money privately donated to the department is  
20 appropriated under section 112 to be used for the purposes designated  
21 by the donor of the money. Money privately donated to the  
22 department's canine unit shall be used to purchase equipment and other  
23 items to enhance the operation of the canine unit. It is the intent  
24 of the legislature that money from private donations not supplant  
25 general fund appropriations.

**1 CRIMINAL INVESTIGATIONS**

2           Sec. 1101. (1) There is sufficient money appropriated in  
3 section 113 to criminal investigations to ensure that the citizens in  
4 a service area of any state police post in the vicinity of a state  
5 prison do not experience a downgrading of state police services in  
6 their area. Criminal investigations shall be available by temporary  
7 or permanent assignment of a detective when either a temporary or  
8 permanent prison facility is opened.

9           (2) If the department is unable to comply with subsection (1) and  
10 there is a prison scheduled to open, the department shall provide  
11 troopers to serve as investigators on an interim basis.

**12 MOTOR CARRIER ENFORCEMENT**

13           Sec. 1201. (1) The department shall report to the house and  
14 senate appropriations subcommittees on state police and the house and  
15 senate fiscal agencies by March 1, 2005 regarding the inspection of  
16 school buses and other motor vehicles under section 715a of the  
17 Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of  
18 the pupil transportation act, 1990 PA 187, MCL 257.1839. The report  
19 shall include the following information regarding inspections  
20 conducted in calendar year 2004:

21           (a) The number of buses and vehicles inspected by the department.

22           (b) The number of buses and vehicles passing and failing  
23 inspection.

24           (c) The estimated number of buses and vehicles not inspected.

25           (2) If each school bus within a school system receives a  
26 100% successful state inspection on its first inspection in a given  
27 year, the department shall award a certificate to that school system.