

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 277

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; 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 the 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:

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, 2004, from the

1 funds indicated in this part. The following is a summary of the
 2 appropriations in this part:

3 **DEPARTMENT OF STATE POLICE**

4 APPROPRIATION SUMMARY:

5	Full-time equated unclassified positions.....	3.0	
6	Full-time equated classified positions.....	2,987.0	
7	GROSS APPROPRIATION.....	\$	460,896,000
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers.....		17,885,100
11	ADJUSTED GROSS APPROPRIATION.....	\$	443,010,900
12	Federal revenues:		
13	Total federal revenues.....		103,892,300
14	Special revenue funds:		
15	Total local revenues.....		4,506,600
16	Total private revenues.....		10,000
17	Total other state restricted revenues.....		103,363,400
18	State general fund/general purpose.....	\$	231,238,600
19	Sec. 102. EXECUTIVE DIRECTION		
20	Full-time equated unclassified positions.....	3.0	
21	Full-time equated classified positions.....	36.0	
22	Unclassified positions.....	\$	258,400
23	Executive direction--29.0 FTE positions.....		3,148,800
24	Auto theft prevention program--7.0 FTE positions....		<u>7,065,000</u>
25	GROSS APPROPRIATION.....	\$	10,472,200
26	Appropriated from:		
27	Special revenue funds:		

1	Auto theft prevention fund.....	7,065,000
2	State general fund/general purpose..... \$	3,407,200
3	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS	
4	Special maintenance and utilities..... \$	479,300
5	Rent and building occupancy charges.....	8,215,900
6	Worker's compensation.....	3,173,900
7	Fleet leasing.....	15,169,100
8	In-service training.....	850,000
9	Narcotics investigation funds.....	<u>265,000</u>
10	GROSS APPROPRIATION..... \$	28,153,200
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDT, Michigan justice training fund.....	850,000
14	Federal revenues:	
15	Federal narcotics investigation revenues.....	95,000
16	Special revenue funds:	
17	Narcotics investigation revenues.....	170,000
18	State general fund/general purpose..... \$	27,038,200
19	Sec. 104. SUPPORT SERVICES	
20	Full-time equated classified positions.....130.0	
21	Human resources--34.0 FTE positions..... \$	2,183,700
22	Management services--46.0 FTE positions.....	3,415,900
23	Training administration--41.0 FTE positions.....	4,544,100
24	Communications--9.0 FTE positions.....	<u>5,968,200</u>
25	GROSS APPROPRIATION..... \$	16,111,900
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDT, auto theft funds.....	21,000
2	IDG, training academy charges.....	2,726,400
3	Special revenue funds:	
4	Local - LEIN fees.....	31,900
5	Precision driving track fees.....	264,100
6	Narcotics investigation revenues.....	40,600
7	Motor carrier fees.....	125,500
8	State general fund/general purpose..... \$	12,902,400
9	Sec. 105. HIGHWAY SAFETY PLANNING	
10	Full-time equated classified positions.....23.0	
11	State program planning and administration--12.0 FTE	
12	positions..... \$	1,110,900
13	Grants to local governments and nonprofit	
14	organizations.....	4,500,000
15	Secondary road patrol program--1.0 FTE positions....	14,006,600
16	Truck safety program--2.0 FTE positions.....	2,983,800
17	Highway traffic safety coordination--8.0 FTE	
18	positions.....	<u>5,949,700</u>
19	GROSS APPROPRIATION..... \$	28,551,000
20	Appropriated from:	
21	Federal revenues:	
22	DOT.....	10,492,000
23	DOJ.....	560,000
24	Special revenue funds:	
25	Truck driver safety fund.....	2,983,800
26	Secondary road patrol and training fund.....	14,006,600
27	State general fund/general purpose..... \$	508,600

1	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER	
2	Full-time equated classified positions.....	94.0
3	Criminal justice information center division--	77.0
4	FTE positions.....	\$ 7,248,800
5	Criminal records improvement--1.0 FTE positions.....	4,726,200
6	Traffic safety--16.0 FTE positions.....	<u>1,510,800</u>
7	GROSS APPROPRIATION.....	\$ 13,485,800
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDG-MDOS.....	315,900
11	IDG-MDOT, state trunkline fund.....	336,900
12	Federal revenues:	
13	DOJ.....	4,726,200
14	DOT.....	388,500
15	Special revenue funds:	
16	Criminal justice information center service fees....	5,954,300
17	State general fund/general purpose.....	\$ 1,764,000
18	Sec. 107. FORENSIC SCIENCES	
19	Full-time equated classified positions.....	207.0
20	Laboratory operations--175.0 FTE positions.....	\$ 16,978,000
21	DNA analysis program--32.0 FTE positions.....	<u>7,393,700</u>
22	GROSS APPROPRIATION.....	\$ 24,371,700
23	Appropriated from:	
24	Federal revenues:	
25	DOJ.....	3,442,900
26	Special revenue funds:	
27	Forensic science reimbursement fees.....	1,626,400

1	State forensic laboratory fund.....	1,500,000
2	State general fund/general purpose..... \$	17,802,400
3	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT	
4	STANDARDS	
5	Full-time equated classified positions.....28.0	
6	Standards and training--22.0 FTE positions..... \$	2,174,700
7	Training only to local units--2.0 FTE positions.....	690,000
8	Concealed weapons enforcement training.....	140,000
9	Officer's survivor tuition program.....	48,700
10	Justice training grants--4.0 FTE positions.....	<u>9,032,000</u>
11	GROSS APPROPRIATION..... \$	12,085,400
12	Appropriated from:	
13	Federal revenues:	
14	DOJ.....	360,000
15	Special revenue funds:	
16	Secondary road patrol and training fund.....	690,000
17	Concealed weapons enforcement fee.....	140,000
18	Michigan justice training fund.....	9,032,000
19	Licensing fees.....	50,000
20	State general fund/general purpose..... \$	1,813,400
21	Sec. 109. FIRE MARSHAL	
22	Full-time equated classified positions.....49.0	
23	Fire marshal programs--40.0 FTE positions..... \$	3,831,900
24	Fire investigation training to locals.....	50,400
25	Fire fighters training council--9.0 FTE positions...	<u>1,558,500</u>
26	GROSS APPROPRIATION..... \$	5,440,800
27	Appropriated from:	

1	Federal revenues:	
2	FEMA.....	150,000
3	DOT.....	85,000
4	State general fund/general purpose..... \$	5,205,800
5	Sec. 110. EMERGENCY MANAGEMENT	
6	Full-time equated classified positions.....49.0	
7	Emergency management planning and	
8	administration--32.0 FTE positions..... \$	2,868,900
9	Grants to local government.....	2,182,100
10	FEMA program assistance--3.0 FTE positions.....	962,300
11	Nuclear power plant emergency planning--6.0 FTE	
12	positions.....	1,209,200
13	Hazardous materials transportation--1.0 FTE	
14	positions.....	579,200
15	Hazardous materials programs--7.0 FTE positions.....	<u>61,583,800</u>
16	GROSS APPROPRIATION..... \$	69,385,500
17	Appropriated from:	
18	Federal revenues:	
19	FEMA.....	4,664,100
20	DOT.....	579,200
21	DOJ.....	60,000,000
22	Special revenue funds:	
23	Nuclear plant emergency planning reimbursement.....	1,209,200
24	Hazardous materials training center fees.....	1,253,800
25	State general fund/general purpose..... \$	1,679,200
26	Sec. 111. UNIFORM SERVICES	
27	Full-time equated classified positions.....1,720.0	

1	Uniform services--555.0 FTE positions.....	\$	46,581,600
2	Security guards--15.0 FTE positions.....		899,000
3	Reimbursed services.....		1,983,000
4	At-post troopers--1,150.0 FTE positions.....		<u>110,185,300</u>
5	GROSS APPROPRIATION.....	\$	159,648,900
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	IDG-MDMB, building occupancy charges.....		610,100
9	Federal revenues:		
10	DOJ.....		1,500,000
11	Special revenue funds:		
12	Highway safety fund.....		13,284,700
13	State police service fees.....		1,983,000
14	Traffic enforcement and safety fund.....		36,400,000
15	State general fund/general purpose.....	\$	105,871,100
16	Sec. 112. SPECIAL OPERATIONS		
17	Full-time equated classified positions.....50.0		
18	Operational support--35.0 FTE positions.....	\$	2,776,200
19	Traffic services--10.0 FTE positions.....		3,091,000
20	Aviation program--5.0 FTE positions.....		<u>1,498,500</u>
21	GROSS APPROPRIATION.....	\$	7,365,700
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG-MDOC, contract.....		77,200
25	Federal revenues:		
26	DOT.....		1,500,000
27	Special revenue funds:		

1	Private donations.....	10,000
2	Rental of department aircraft.....	159,300
3	Drunk driving prevention and training fund.....	969,700
4	State general fund/general purpose..... \$	4,649,500
5	Sec. 113. CRIMINAL INVESTIGATIONS	
6	Full-time equated classified positions.....401.0	
7	Criminal investigations--298.0 FTE positions..... \$	30,640,500
8	Federal antidrug initiatives--62.0 FTE positions....	10,077,100
9	Reimbursed services, materials, and equipment.....	2,532,900
10	Auto theft prevention--9.0 FTE positions.....	1,365,900
11	Casino gaming oversight--32.0 FTE positions.....	<u>3,513,000</u>
12	GROSS APPROPRIATION..... \$	48,129,400
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDT, auto theft funds.....	1,104,000
16	IDG-MDTR, casino gaming fees.....	3,513,000
17	IDG-MDCH, tobacco tax.....	610,000
18	Federal revenues:	
19	Federal investigations - reimbursed services.....	719,700
20	DOJ.....	7,506,700
21	Federal narcotics investigation revenues.....	380,800
22	Special revenue funds:	
23	Local - reimbursed services.....	1,813,200
24	Narcotics investigation revenues.....	543,000
25	Forfeiture funds.....	269,500
26	State general fund/general purpose..... \$	31,669,500
27	Sec. 114. MOTOR CARRIER ENFORCEMENT	

1	Full-time equated classified positions.....200.0		
2	Motor carrier enforcement--124.0 FTE positions.....	\$	8,725,900
3	Truck safety enforcement team operations--15.0 FTE		
4	positions.....		1,132,100
5	Safety inspections--43.0 FTE positions.....		6,928,500
6	School bus inspections--14.0 FTE positions.....		1,146,200
7	Safety projects--4.0 FTE positions.....		<u>1,170,100</u>
8	GROSS APPROPRIATION.....	\$	19,102,800
9	Appropriated from:		
10	Interdepartmental grant revenues:		
11	IDT, truck safety fund.....		1,132,100
12	IDG-MDOT, state trunkline fund.....		6,483,200
13	Federal revenues:		
14	DOT.....		6,712,600
15	Special revenue funds:		
16	Motor carrier fees.....		3,628,700
17	State general fund/general purpose.....	\$	1,146,200
18	Sec. 115. INFORMATION TECHNOLOGY		
19	Information technology services and projects.....	\$	<u>18,591,700</u>
20	GROSS APPROPRIATION.....	\$	18,591,700
21	Appropriated from:		
22	Interdepartmental grants revenues:		
23	IDT-MDTR, casino gaming fees.....		72,100
24	IDG-MDOT, state trunkline fund.....		33,200
25	Federal revenues:		
26	DOT.....		29,600
27	Special revenue funds:		

1	Local - LEIN fees.....	2,628,500
2	Local - AFIS fees.....	33,000
3	Motor carrier fees.....	14,200
4	State general fund/general purpose..... \$	15,781,100

5 PART 2

6 PROVISIONS CONCERNING APPROPRIATIONS

7 GENERAL SECTIONS

8 Sec. 201. Pursuant to section 30 of article IX of the state
 9 constitution of 1963, total state spending from state resources under
 10 part 1 for fiscal year 2003-2004 is \$334,602,000.00 and state spending
 11 from state resources to be paid to local units of government for
 12 fiscal year 2003-2004 is \$20,302,558.00. The itemized statement below
 13 identifies appropriations from which spending to units of local
 14 government will occur:

15 DEPARTMENT OF STATE POLICE

16 OFFICE OF HIGHWAY SAFETY PLANNING

17	Secondary road patrol program.....	\$	13,881,500
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18 COMMISSION ON LAW ENFORCEMENT STANDARDS

19	Training only to local units.....	\$	522,500
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20	Justice training grants.....		5,575,258
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21 FIRE MARSHAL

22	Fire fighters training council.....	\$	272,900
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23	Fire investigation training for locals.....		<u>50,400</u>
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24	Total.....	\$	20,302,558
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25 Sec. 202. The appropriations authorized under this act are

1 subject to the management and budget act, 1984 PA 431, MCL 18.1101 to
2 18.1594.

3 Sec. 203. As used in this act:

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

5 (b) "Department" means the department of state police.

6 (c) "DNA" means deoxyribonucleic acid.

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

8 (e) "DOT" means the United States department of transportation.

9 (f) "FEMA" means the federal emergency management agency.

10 (g) "FTE" means full-time equated.

11 (h) "IDG" means interdepartmental grant.

12 (i) "IDT" means intradepartmental transfer.

13 (j) "LEIN" means law enforcement information network.

14 (k) "MCOLES" means the Michigan commission on law enforcement
15 standards.

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

17 (m) "MDMB" means the Michigan department of management and budget.

18 (n) "MDOC" means the Michigan department of corrections.

19 (o) "MDOS" means the Michigan department of state.

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

21 (q) "MDTR" means the Michigan department of treasury.

22 Sec. 204. The department of civil service shall bill departments
23 and agencies at the end of the first fiscal quarter for the 1% charge
24 authorized by section 5 of article XI of the state constitution of
25 1963. Payments shall be made for the total amount of the billing by
26 the end of the second fiscal quarter.

27 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on

1 the state classified civil service. State departments and agencies
2 are prohibited from hiring any new full-time state classified civil
3 service employees and prohibited from filling any vacant state
4 classified civil service positions. This hiring freeze does not apply
5 to internal transfers of classified employees from 1 position to
6 another within a department.

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

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

27 Sec. 208. Unless otherwise specified, the department shall use

1 the Internet to fulfill the reporting requirements of this act. This
2 may include transmission of reports via electronic mail to the
3 recipients identified for each reporting requirement or it may include
4 placement of reports on an Internet or Intranet site.

5 Sec. 209. Funds appropriated in part 1 shall not be used for the
6 purchase of foreign goods or services, or both, if competitively
7 priced and of comparable quality American goods or services, or both,
8 are available.

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

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

25 Sec. 212. Of the state general fund/general purpose revenue
26 appropriated in this act, \$19,033,800.00 represents a state spending
27 increase over the amount provided to the department of state police

1 for the fiscal year ending September 30, 1994, and may be used to meet
2 state match requirements of programs contained in the violent crime
3 control and law enforcement act of 1994, Public Law 103-322, 108
4 Stat. 1796, or successor grant programs, so that any additional
5 federal money received supplements funding provided to the department
6 of state police in this act.

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

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

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

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

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

24 Sec. 215. Not later than March 15, 2004 and September 30, 2004,
25 the department shall report to the state police appropriations
26 subcommittees of the house and senate and the house and senate fiscal
27 agencies. The report shall contain the following information

1 regarding the department's activities related to casino gaming
2 oversight:

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

4 (b) The nature and structure of the casino gaming oversight
5 unit.

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

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

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

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

11 (g) The immediate past position of the enlisted employees
12 assigned.

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

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

1 for investigation. The department may expend funds for the promotion
2 of the hotline.

3 Sec. 218. (1) Funds appropriated in part 1 for at-post troopers
4 shall only be expended for trooper salaries, wages, benefits,
5 retirement, equipment, supplies, and other expenses directly related
6 to state troopers assigned to general law enforcement duties at a
7 department post, detachment, satellite office, or a resident trooper
8 function.

9 (2) From the funds appropriated in part 1 for at-post troopers,
10 1 or more trooper recruit schools shall be conducted during fiscal
11 year 2003-2004 with the goal of maintaining at-post trooper strength
12 of at least 1,075.

13 (3) The department shall submit a written report to the senate and
14 house appropriations subcommittees on state police and military
15 affairs no later than November 15, 2003, detailing the status of the
16 department's plan for accomplishing the goal of subsection (2). If
17 the department determines that insufficient funding exists under
18 part 1 for at-post troopers or any other budget line to accomplish the
19 goal of subsection (2), the department shall submit a plan outlining
20 the additional funding necessary to accomplish the goal of
21 subsection (2).

22 (4) The establishment of a deferred retirement option plan (DROP)
23 for troopers to extend the years in which a trooper stays in at-post
24 service beyond his or her eligible retirement date may be utilized to
25 help achieve the at-post trooper strength goal prescribed in
26 subsection (2).

27 (5) It is the intent of the legislature that \$5,000,000.00 be

1 statutorily transferred from the auto theft prevention fund created in
2 section 6107 of the insurance code of 1956, 1956 PA 218, MCL 500.6107,
3 to the traffic enforcement and safety fund under section 111. These
4 funds shall be expended only for the costs of conducting a trooper
5 recruit school and only to the extent necessary to achieve the at-post
6 trooper strength goal prescribed in subsection (2).

7 Sec. 219. The department of state police shall notify the house
8 and senate appropriations subcommittees on state police and military
9 and veterans affairs and the house and senate fiscal agencies not less
10 than 180 days before recommending to close or consolidate any state
11 police posts.

12 INFORMATION TECHNOLOGY

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

16 Sec. 302. From the funds appropriated in part 1 for information
17 technology, the department shall pay user fees to the department of
18 information technology for technology-related services and projects.
19 User fees shall be subject to provisions of an interagency agreement
20 between the department and the department of information technology.

21 Sec. 303. Amounts appropriated in part 1 for information
22 technology may be designated as work projects and carried forward to
23 support technology projects under the direction of the department of
24 information technology. Funds designated in this manner are not
25 available for expenditure until approved as work projects under
26 section 451a of the management and budget act, 1984 PA 431,

1 MCL 18.1451a.

2 Sec. 304. A portion of the funds appropriated in part 1 shall be
3 used by the department to produce a written report detailing
4 departmental policies regarding access to and use of information from
5 the LEIN system. The report shall include a description of
6 departmental measures to protect the security of information in the
7 LEIN system including safeguards that would prevent unauthorized
8 persons from obtaining information from the LEIN system. The
9 department shall submit a copy of this report to the senate and house
10 appropriations committees not later than April 1, 2004.

11 Sec. 305. The criminal justice information systems policy
12 council shall encourage members of the law enforcement agencies in the
13 state to be sensitive to, and note when necessary, activities or
14 circumstances that may suggest the unauthorized access or misuse of
15 information from the LEIN system. The criminal justice information
16 systems policy council shall advise LEIN auditors, as a part of their
17 audit of law enforcement agencies, to investigate in depth all
18 suspected incidents of improper access or improper use of information
19 from the LEIN system and determine whether or not those incidents were
20 illegal. In those incidents that may be determined to be illegal, the
21 executive secretary for the council shall determine whether those
22 incidents were of a negligent or criminal nature. If an incident is
23 determined to be an illegal act, the council shall inform the chairs
24 of both the senate and house appropriations committees.

25 Sec. 306. (1) The department of state police, working with the
26 criminal justice information system policy council, shall implement
27 procedures by which all probation information is placed on the LEIN

1 system. The LEIN system shall include information on each
2 probationer, including any probation conditions placed on a
3 probationer and the name of the probation officer assigned to a
4 probationer. The LEIN system shall also include any nonstandard
5 probation terms.

6 (2) If the department determines that amendments to the code of
7 criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to
8 include all probation information on the LEIN system, the department
9 shall deliver to members of the senate and house appropriations
10 subcommittees on state police and military affairs amendments to the
11 code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in
12 the department's view, are necessary to accomplish this goal. These
13 proposed amendments shall be delivered to subcommittee members not
14 later than December 1, 2003.

15 **HIGHWAY SAFETY PLANNING**

16 Sec. 401. On a quarterly basis, the department shall report to
17 the senate and house appropriations subcommittees on state police and
18 military affairs on the status of assessments collected and authorized
19 under section 629e of the Michigan vehicle code, 1949 PA 300,
20 MCL 257.629e, for the purposes of supporting the secondary road patrol
21 grant program. Each quarterly report shall contain updated
22 information on collection levels, revised projected grant allotments
23 to counties for the year, a comparison of projected collections and
24 grant distribution levels with the funds appropriated in part 1 for
25 the secondary road patrol program, and the extent collection levels
26 have exceeded or failed to meet appropriated levels for the current

1 fiscal year or expenditure levels from the previous fiscal year.

2 **FORENSIC SCIENCES**

3 Sec. 501. (1) The department shall distribute a copy of the
4 department's protocol for retaining and purging DNA analysis samples
5 and records to each police agency in this state.

6 (2) The department shall report to the house and senate
7 appropriations subcommittees on state police and military affairs and
8 the house and senate fiscal agencies when any changes to the
9 department's DNA protocol are made.

10 Sec. 502. The department shall work with the department of
11 community health, the Michigan hospital association, the Michigan
12 state medical society, and the Michigan nurses association to ensure
13 that the recommendations included in the "Standard Recommended
14 Procedures for the Emergency Treatment of Sexual Assault Victims" are
15 followed in the collection of evidence.

16 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

17 Sec. 601. The money appropriated to the MCOLES for maintenance
18 and delivery of training to locals is provided in accordance with a
19 state reimbursement policy in which 100% of the determined state
20 reimbursement rate shall be distributed upon certification by the
21 MCOLES.

22 Sec. 602. From the appropriations in part 1 for the training of
23 new state troopers and other new police officers in the state and for
24 the continuing education of all law enforcement officers in the state,
25 sufficient funds shall be used to include curricula on the content and

1 application of federal firearms laws, including the procedures
2 necessary for law enforcement to turn appropriate cases over to the
3 federal bureau of alcohol, tobacco, and firearms or any other
4 applicable federal criminal justice agency.

5 **FIRE MARSHAL**

6 Sec. 701. (1) The department shall prepare a detailed report and
7 deliver it to the senate and house subcommittees on the state police
8 not later than January 15, 2004.

9 (2) The report shall contain input from a delegate appointed from
10 and by the following organizations:

11 (a) Michigan fire chiefs association.

12 (b) Michigan state fireman's association.

13 (c) Michigan firefighter's union.

14 (d) Michigan fire service instructors association.

15 (e) Michigan fire inspectors society.

16 (f) Michigan chapter of the international association of arson
17 investigators.

18 (3) The report shall contain information about the quality and
19 adequacy of service from the state fire investigation, education, and
20 training under the reorganization of the fire marshal division
21 responsibilities. The report shall be based on the performance of the
22 fire marshal division in the performance of its fire safety duties
23 during fiscal year 2002-2003.

24 **EMERGENCY MANAGEMENT**

25 Sec. 801. (1) The state director of emergency management may

1 expend money appropriated under this act to call upon any agency or
2 department of the state or any resource of the state to protect life
3 or property or to provide for the health or safety of the population
4 in any area of the state in which the governor proclaims a state of
5 emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33,
6 or under the emergency management act, 1976 PA 390, MCL 30.401 to
7 30.421. The state director of emergency management may expend the
8 amounts the director considers necessary to accomplish these
9 purposes. The director shall submit to the state budget director as
10 soon as possible a complete report of all actions taken under the
11 authority of this section. The report shall contain, as a separate
12 item, a statement of all money expended that is not reimbursable from
13 federal money. The state budget director shall review the
14 expenditures and submit recommendations to the legislature in regard
15 to any possible need for a supplemental appropriation.

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

1 authorization, the date of its approval, and the projected use of
2 funds to be expended under the authorization.

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

6 UNIFORM SERVICES

7 Sec. 901. State police enlisted personnel who are employed to
8 enforce traffic laws as provided in section 629e of the Michigan
9 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from
10 responding to crimes in progress or other emergency situations, and
11 are responsible for protecting every citizen of this state from harm.

12 SPECIAL OPERATIONS

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

26 Sec. 1002. Money privately donated to the department's canine

1 unit is appropriated under section 112 to purchase equipment and other
2 items to enhance the operation of the canine unit. It is the intent
3 of the legislature that money from private donations for the canine
4 unit not supplant general fund appropriations.

5 **CRIMINAL INVESTIGATIONS**

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

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

16 **MOTOR CARRIER ENFORCEMENT**

17 Sec. 1201. (1) The department shall report to the house and
18 senate appropriations subcommittees on state police and the house and
19 senate fiscal agencies by March 1, 2004 regarding the inspection of
20 school buses and other motor vehicles under section 715a of the
21 Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of
22 the pupil transportation act, 1990 PA 187, MCL 257.1839. The report
23 shall include the following information regarding inspections
24 conducted in calendar year 2003:

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

1 (b) The number of buses and vehicles passing and failing
2 inspection.

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

4 (2) If each school bus within a school system receives a
5 100% successful state inspection on its first inspection in a given
6 year, the department shall award a certificate to that school system.