

**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	Full-time equated unclassified positions.....	3.0	
5	Full-time equated classified positions.....	3,334.5	
6	GROSS APPROPRIATION.....	\$	409,786,600
7	Interdepartmental grant revenues:		
8	Total interdepartmental grants and intradepartmental		
9	transfers.....	\$	17,882,800
10	ADJUSTED GROSS APPROPRIATION.....	\$	391,903,800
11	Federal revenues:		
12	Total federal revenues.....		55,292,300
13	Special revenue funds:		
14	Total local revenues.....		4,506,600
15	Total private revenues.....		0
16	Total state restricted revenues.....		100,863,400
17	State general fund/general purpose.....	\$	231,241,500
18	<b>Sec. 102. EXECUTIVE DIRECTION</b>		
19	Full-time equated unclassified positions.....	3.0	
20	Full-time equated classified positions.....	36.0	
21	Unclassified positions.....	\$	258,500
22	Executive direction--29.0 FTE positions.....		3,148,900
23	Auto theft prevention program--7.0 FTE positions....		<u>7,065,000</u>
24	GROSS APPROPRIATION.....	\$	10,472,400
25	Appropriated from:		
26	Special revenue funds:		
27	Auto theft prevention fees.....		7,065,000

1	State general fund/general purpose.....	\$	3,407,400
2	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>		
3	Special maintenance and utilities.....	\$	479,400
4	Rent and building occupancy charges.....		8,216,000
5	Worker's compensation.....		3,174,000
6	Fleet leasing.....		15,169,200
7	In-service training.....		850,000
8	Narcotics investigation funds.....		<u>265,000</u>
9	GROSS APPROPRIATION.....	\$	28,153,600
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDT-Michigan justice training fund.....		850,000
13	Federal revenues:		
14	Federal narcotics investigation revenues.....		95,000
15	Special revenue funds:		
16	Narcotics investigation revenues.....		170,000
17	State general fund/general purpose.....	\$	27,038,600
18	<b>Sec. 104. SUPPORT SERVICES</b>		
19	Full-time equated classified positions.....	154.5	
20	Human resources--35.5 FTE positions.....	\$	2,183,800
21	Management services--59.0 FTE positions.....		3,416,000
22	Training administration--43.0 FTE positions.....		4,544,200
23	Communications--17.0 FTE positions.....		<u>5,968,300</u>
24	GROSS APPROPRIATION.....	\$	16,112,300
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDT-auto theft funds.....		21,000

1	IDG-training academy charges.....	2,726,400
2	Special revenue funds:	
3	Local-LEIN fees.....	31,900
4	Precision driving track fees.....	264,100
5	Narcotics investigation revenues.....	40,600
6	Motor carrier fees.....	125,500
7	State general fund/general purpose..... \$	12,902,800
8	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
9	Full-time equated classified positions.....25.0	
10	State program planning and administration--13.0 FTE	
11	positions..... \$	1,111,000
12	Grants to local governments and nonprofit	
13	organizations.....	4,500,000
14	Secondary road patrol program--1.0 FTE position.....	14,006,600
15	Truck safety program--2.0 FTE positions.....	2,983,800
16	Highway traffic safety coordination--9.0 FTE	
17	positions.....	<u>5,949,700</u>
18	GROSS APPROPRIATION..... \$	28,551,100
19	Appropriated from:	
20	Federal revenues:	
21	DOT.....	10,492,000
22	DOJ.....	560,000
23	Special revenue funds:	
24	Truck driver safety fund.....	2,983,800
25	Secondary road patrol and training fund.....	14,006,600
26	State general fund/general purpose..... \$	508,700
27	<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>	

1	Full-time equated classified positions.....	96.5	
2	Criminal justice information center division--	78.0	
3	FTE positions.....		\$ 7,248,900
4	Criminal records improvement--1.0 FTE position.....		4,726,200
5	Traffic safety--17.5 FTE positions.....		<u>1,508,500</u>
6	GROSS APPROPRIATION.....		\$ 13,483,600
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	IDG-MDOS.....		313,600
10	IDG-MDOT, state trunkline fund.....		336,900
11	Federal revenues:		
12	DOJ.....		4,726,200
13	DOT.....		388,500
14	Special revenue funds:		
15	Criminal justice information center service fees....		5,954,300
16	State general fund/general purpose.....		\$ 1,764,100
17	<b>Sec. 107. FORENSIC SCIENCES</b>		
18	Full-time equated classified positions.....	215.0	
19	Laboratory operations--191.0 FTE positions.....		\$ 16,978,100
20	DNA analysis program--24.0 FTE positions.....		<u>7,393,800</u>
21	GROSS APPROPRIATION.....		\$ 24,371,900
22	Appropriated from:		
23	Federal revenues:		
24	DOJ.....		3,442,900
25	Special revenue funds:		
26	Forensic science reimbursement fees.....		1,626,400
27	State forensic laboratory fund.....		1,500,000

1	State general fund/general purpose.....	\$	17,802,600
2	<b>Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT</b>		
3	<b>STANDARDS</b>		
4	Full-time equated classified positions.....	29.0	
5	Standards and training--23.0 FTE positions.....	\$	2,174,800
6	Justice training grants--4.0 FTE positions.....		9,032,000
7	Concealed weapons enforcement training.....		140,000
8	Training only to local units--2.0 FTE positions.....		690,000
9	Officer's survivor tuition program.....		<u>48,800</u>
10	GROSS APPROPRIATION.....	\$	12,085,600
11	Appropriated from:		
12	Federal revenues:		
13	DOJ.....		360,000
14	Special revenue funds:		
15	Secondary road patrol and training fund.....		690,000
16	Michigan justice training fund.....		9,032,000
17	Licensing fees.....		50,000
18	Concealed weapons enforcement fee.....		140,000
19	State general fund/general purpose.....	\$	1,813,600
20	<b>Sec. 109. FIRE MARSHAL</b>		
21	Full-time equated classified positions.....	55.0	
22	Fire marshal programs--44.0 FTE positions.....	\$	3,832,000
23	Fire investigation training to locals.....		50,500
24	Fire fighters training council--11.0 FTE positions..		<u>1,558,600</u>
25	GROSS APPROPRIATION.....	\$	5,441,100
26	Appropriated from:		
27	Federal revenues:		

1	FEMA.....	150,000
2	DOT.....	85,000
3	Special revenue funds:	
4	State general fund/general purpose..... \$	5,206,100
5	<b>Sec. 110. EMERGENCY MANAGEMENT</b>	
6	Full-time equated classified positions.....49.0	
7	Emergency management planning and	
8	administration--32.0 FTE positions..... \$	2,869,000
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 position	579,200
14	Hazardous materials programs--7.0 FTE positions.....	<u>12,983,800</u>
15	GROSS APPROPRIATION..... \$	20,785,600
16	Appropriated from:	
17	Federal revenues:	
18	FEMA.....	4,664,100
19	DOT.....	579,200
20	DOJ.....	11,400,000
21	Special revenue funds:	
22	Nuclear plant emergency planning reimbursement.....	1,209,200
23	Hazardous materials training center fees.....	1,253,800
24	State general fund/general purpose..... \$	1,679,300
25	<b>Sec. 111. UNIFORM SERVICES</b>	
26	Full-time equated classified positions.....1,966.5	
27	Uniform services--583.0 FTE positions..... \$	46,581,700

1	Security guards--29.0 FTE positions.....	899,100
2	Reimbursed services.....	1,983,000
3	At-post troopers--1,354.5 FTE positions.....	<u>107,685,300</u>
4	GROSS APPROPRIATION..... \$	157,149,100
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG-MDMB, building occupancy charges.....	610,100
8	Federal revenues:	
9	DOJ.....	1,500,000
10	Special revenue funds:	
11	Highway safety fund.....	13,284,700
12	Traffic enforcement and safety fund.....	33,900,000
13	State police service fees.....	1,983,000
14	State general fund/general purpose..... \$	105,871,300
15	<b>Sec. 112. SPECIAL OPERATIONS</b>	
16	Full-time equated classified positions.....58.5	
17	Operational support--39.0 FTE positions..... \$	2,766,200
18	Traffic services--12.5 FTE positions.....	3,091,100
19	Aviation program--7.0 FTE positions.....	<u>1,498,600</u>
20	GROSS APPROPRIATION..... \$	7,355,900
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG-MDOC, contract.....	77,200
24	Federal revenues:	
25	DOT.....	1,500,000
26	Special revenue funds:	
27	Rental of department aircraft.....	159,300



1	Drunk driving prevention and training fund.....	969,700
2	State general fund/general purpose..... \$	4,649,700
3	<b>Sec. 113. CRIMINAL INVESTIGATIONS</b>	
4	Full-time equated classified positions.....440.5	
5	Criminal investigations--326.5 FTE positions..... \$	30,640,600
6	Federal anti-drug initiatives--72.0 FTE positions...	10,077,200
7	Reimbursed services, materials, and equipment.....	2,532,900
8	Auto theft prevention--10.0 FTE positions.....	1,366,000
9	Casino gaming oversight--32.0 FTE positions.....	<u>3,513,000</u>
10	GROSS APPROPRIATION..... \$	48,129,700
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDT-auto theft funds.....	1,104,000
14	IDG-MDTR, casino gaming fees.....	3,513,000
15	IDG-MDCH, tobacco tax.....	610,000
16	Federal revenues:	
17	Federal investigations-reimbursed services.....	719,700
18	DOJ.....	7,506,700
19	Federal narcotics investigation revenues.....	380,800
20	Special revenue funds:	
21	Local-reimbursed services.....	1,813,200
22	Narcotics investigation revenues.....	543,000
23	Forfeiture funds.....	269,500
24	State general fund/general purpose..... \$	31,669,800
25	<b>Sec. 114. MOTOR CARRIER ENFORCEMENT</b>	
26	Full-time equated classified positions.....209.0	
27	Motor carrier enforcement--127.0 FTE positions..... \$	8,725,900

1	Truck safety enforcement team operations--16.0 FTE	
2	positions.....	1,132,100
3	Safety inspections--46.0 FTE positions.....	6,928,500
4	School bus inspections--16.0 FTE positions.....	1,146,300
5	Safety projects--4.0 FTE positions.....	<u>1,170,100</u>
6	GROSS APPROPRIATION..... \$	19,102,900
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDT, truck safety fund.....	1,132,100
10	IDG-MDOT, state trunkline fund.....	6,483,200
11	Federal revenues:	
12	DOT.....	6,712,600
13	Special revenue funds:	
14	Motor carrier fees.....	3,628,700
15	State general fund/general purpose..... \$	1,146,300
16	<b>Sec. 115. INFORMATION TECHNOLOGY</b>	
17	Information technology services and projects..... \$	<u>18,591,800</u>
18	GROSS APPROPRIATION..... \$	18,591,800
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG-MDTR, casino gaming fees.....	72,100
22	IDG-MDOT, state trunkline fund.....	33,200
23	Federal revenues:	
24	DOT.....	29,600
25	Special revenue funds:	
26	Local-LEIN fees.....	2,628,500
27	Local-AFIS fees.....	33,000

1	Motor carrier fees.....	14,200
2	State general fund/general purpose..... \$	15,781,200

## 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 2003-2004 is \$332,104,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2003-2004 is \$20,302,758.00. 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.....	\$	13,881,500
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## COMMISSION ON LAW ENFORCEMENT STANDARDS

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

Fire fighters training council.....	\$	273,000
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Fire investigation training for locals.....		<u>50,500</u>
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Total.....	\$	20,302,758
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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.

1       Sec. 203. As used in this act:

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

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

4       (c) "DNA" means deoxyribonucleic acid.

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

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

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

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

9       (h) "IDG" means interdepartmental grant.

10      (i) "IDT" means intradepartmental transfer.

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

12      (k) "MCOLES" means the Michigan commission on law enforcement  
13 standards.

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

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

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

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

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

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

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

25      Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on  
26 the state classified civil service. State departments and agencies  
27 are prohibited from hiring any new full-time state classified civil

1 service employees and prohibited from filling any vacant state  
2 classified civil service positions. This hiring freeze does not apply  
3 to internal transfers of classified employees from 1 position to  
4 another within a department.

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

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

25 Sec. 208. Unless otherwise specified, the department shall use  
26 the Internet to fulfill the reporting requirements of this act. This  
27 may include transmission of reports via electronic mail to the

1 recipients identified for each reporting requirement or it may include  
2 placement of reports on an Internet or Intranet site.

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

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

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

23       Sec. 212. Of the state general fund/general purpose revenue  
24 appropriated in this act, \$19,036,700.00 represents a state spending  
25 increase over the amount provided to the department of state police  
26 for the fiscal year ending September 30, 1994, and may be used to meet  
27 state match requirements of programs contained in the violent crime

1 control and law enforcement act of 1994, Public Law 103-322, 108  
2 Stat. 1796, or successor grant programs, so that any additional  
3 federal money received supplements funding provided to the department  
4 of state police in this act.

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

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

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

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

17 Sec. 214. The department shall create and retain copies of  
18 reports for all money appropriated under part 1.

19 Sec. 215. Not later than March 15, 2004 and September 30, 2004,  
20 the department shall report to the state police appropriations  
21 subcommittees of the house and senate and the house and senate fiscal  
22 agencies. The report shall contain the following information  
23 regarding the department's activities related to casino gaming  
24 oversight:

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

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

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

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

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

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

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

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

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

25 Sec. 218. (1) Funds appropriated in part 1 for at-post troopers  
26 shall only be expended for trooper salaries, wages, benefits,  
27 retirement, equipment, supplies, and other expenses directly related



1 to state troopers assigned to general law enforcement duties at a  
2 department post, detachment, satellite office, or a resident trooper  
3 function.

4 (2) From the funds appropriated in part 1 for at-post troopers,  
5 1 or more trooper recruit schools shall be conducted during fiscal  
6 year 2003-2004 to replace existing troopers projected to separate from  
7 the rank of trooper through attrition.

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

17 (4) The department shall take steps to establish a deferred  
18 retirement option plan (DROP) for troopers to extend the years in  
19 which a trooper stays in at-post service beyond his or her eligible  
20 retirement date and to obtain a cost savings on annual employee  
21 retirement benefit payments. Savings gained from the establishment of  
22 the DROP program or any other similar program shall be for the  
23 exclusive purpose of funding current and future trooper recruit  
24 schools.

25 Sec. 219. The department of state police shall notify the house  
26 and senate appropriations subcommittees on state police and military  
27 and veterans affairs and the house and senate fiscal agencies not less

1 than 180 days before recommending to close or consolidate any state  
2 police posts.

3       Sec. 220. The department of state police, in keeping with its  
4 role as the general law enforcement agency of the state and as the law  
5 enforcement agency of last resort for communities that are either  
6 without local law enforcement resources or are seriously underserved  
7 by local law enforcement resources, shall provide general law  
8 enforcement assistance to the city of Highland Park until adequate law  
9 enforcement services can be provided to the city of Highland Park by  
10 other means.

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

#### 14 **INFORMATION TECHNOLOGY**

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

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

23       Sec. 303. Amounts appropriated in part 1 for information  
24 technology may be designated as work projects and carried forward to  
25 support technology projects under the direction of the department of  
26 information technology. Funds designated in this manner are not

1 available for expenditure until approved as work projects under  
2 section 451a of the management and budget act, 1984 PA 431,  
3 MCL 18.1451a.

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

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

27       Sec. 306. (1) The department of state police, working with the

1 criminal justice information system policy council, shall implement  
2 procedures by which all probation information is placed on the LEIN  
3 system. The LEIN system shall include information on each  
4 probationer, including any probation conditions placed on a  
5 probationer and the name of the probation officer assigned to a  
6 probationer. The LEIN system shall also include any nonstandard  
7 probation terms.

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

17 **HIGHWAY SAFETY PLANNING**

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

1 the secondary road patrol program, and the extent collection levels  
2 have exceeded or failed to meet appropriated levels for the current  
3 fiscal year or expenditure levels from the previous fiscal year.

#### 4 **FORENSIC SCIENCES**

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

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

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

#### 18 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

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

24 Sec. 602. From the appropriations in part 1 for the training of  
25 new state troopers and other new police officers in the state and for

1 the continuing education of all law enforcement officers in the state,  
2 sufficient funds shall be used to include curricula on the content and  
3 application of federal firearms laws, including the procedures  
4 necessary for law enforcement to turn appropriate cases over to the  
5 federal bureau of alcohol, tobacco, and firearms or any other  
6 applicable federal criminal justice agency.

#### 7 **FIRE MARSHAL**

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

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

13 (a) Michigan fire chiefs association.

14 (b) Michigan state fireman's association.

15 (c) Michigan firefighter's union.

16 (d) Michigan fire service instructors association.

17 (e) Michigan fire inspectors society.

18 (f) Michigan chapter of the international association of arson  
19 investigators.

20 (3) The report shall contain information about the quality and  
21 adequacy of service from the state fire investigation, education, and  
22 training under the reorganization of the fire marshal division  
23 responsibilities. The report shall be based on the performance of the  
24 fire marshal division in the performance of its fire safety duties  
25 during fiscal year 2003-2004.

#### 26 **EMERGENCY MANAGEMENT**

1       Sec. 801. (1) The state director of emergency management may  
2   expend money appropriated under this act to call upon any agency or  
3   department of the state or any resource of the state to protect life  
4   or property or to provide for the health or safety of the population  
5   in any area of the state in which the governor proclaims a state of  
6   emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33,  
7   or under the emergency management act, 1976 PA 390, MCL 30.401 to  
8   30.421. The state director of emergency management may expend the  
9   amounts the director considers necessary to accomplish these  
10   purposes. The director shall submit to the state budget director as  
11   soon as possible a complete report of all actions taken under the  
12   authority of this section. The report shall contain, as a separate  
13   item, a statement of all money expended that is not reimbursable from  
14   federal money. The state budget director shall review the  
15   expenditures and submit recommendations to the legislature in regard  
16   to any possible need for a supplemental appropriation.

17       (2) In addition to the money appropriated in this act, the  
18   department may receive and expend money from local, private, federal,  
19   or state sources for the purpose of providing emergency management  
20   training to local or private interests and for the purpose of  
21   supporting emergency preparedness, response, recovery, and mitigation  
22   activity. If funds are expended beyond the appropriations enacted for  
23   these purposes in part 1, the department shall notify the house and  
24   senate appropriations subcommittees on state police and military and  
25   veterans affairs and the house and senate fiscal agencies within 30  
26   days concerning the additional expenditures.

**1 UNIFORM SERVICES**

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

**7 SPECIAL OPERATIONS**

8       Sec. 1001. In addition to the appropriations in section 112 to  
9 the department of state police for the aviation program, the  
10 department is authorized to sell its aircraft and the proceeds from  
11 the sale are appropriated and may be applied to the renovation cost of  
12 replacement aircraft. If funds are expended beyond the appropriation  
13 enacted in part 1 for the aviation program, the department shall  
14 notify the house and senate subcommittees on state police and military  
15 and veterans affairs and the house and senate fiscal agencies within  
16 30 days concerning the additional expenditures.

**17 CRIMINAL INVESTIGATIONS**

18       Sec. 1101. (1) There is sufficient money appropriated in  
19 section 113 to criminal investigations to ensure that the citizens in  
20 a service area of any state police post in the vicinity of a state  
21 prison do not experience a downgrading of state police services in  
22 their area. Criminal investigations shall be available by temporary  
23 or permanent assignment of a detective when either a temporary or  
24 permanent prison facility is opened.

25       (2) If the department is unable to comply with subsection (1) and  
26 there is a prison scheduled to open, the department shall provide



1 troopers to serve as investigators on an interim basis.

## 2 MOTOR CARRIER ENFORCEMENT

3       Sec. 1201. (1) The department shall report to the house and  
4 senate appropriations subcommittees on state police and the house and  
5 senate fiscal agencies by March 1, 2004 regarding the inspection of  
6 school buses and other motor vehicles under section 715a of the  
7 Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of  
8 the pupil transportation act, 1990 PA 187, MCL 257.1839. The report  
9 shall include the following information regarding inspections  
10 conducted in calendar year 2003:

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

12       (b) The number of buses and vehicles passing and failing  
13 inspection.

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

15       (2) If each school bus within a school system receives a  
16 100% successful state inspection on its first inspection in a given  
17 year, the department shall award a certificate to that school system.

18       Sec. 1202. (1) It is the intent of the legislature that funds  
19 appropriated for the motor carrier enforcement division be used to the  
20 maximum extent possible for the enforcement of motor carrier laws and  
21 regulations, particularly for the acquisition of equipment, modern  
22 technology, and personnel to do the job.

23       (2) The department shall submit a written report to the senate and  
24 house appropriations subcommittees on state police by November 15,  
25 2003, detailing the department's allocation plan for funds  
26 appropriated for motor carrier enforcement for fiscal year 2003-2004.

1       Sec. 1203. The department shall, should appropriate funding from  
2 the department of homeland security become available, conduct a motor  
3 carrier officer recruit school of a minimum of 20 candidates from  
4 which 7 additional motor carrier officers shall be assigned to the  
5 state's second district (southeastern Michigan).