

SENATE 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

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amounts listed in this part are appropriated for the department of

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

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

House Bill No. 5526 as amended June 2, 2004

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.....2,956.0

6 GROSS APPROPRIATION..... \$ <<477,074,400>>

7 Interdepartmental grant revenues:

8 Total interdepartmental grants and intradepartmental

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

10 ADJUSTED GROSS APPROPRIATION..... \$ <<457,157,600>>

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 state restricted revenues..... 100,602,000

17 State general fund/general purpose..... \$ <<245,608,700>>

18 Sec. 102. EXECUTIVE DIRECTION

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

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

21 Unclassified positions..... \$ 238,600

22 Executive direction--34.0 FTE positions..... 3,480,600

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

24 GROSS APPROPRIATION..... \$ 10,817,800

25 Appropriated from:

26 Special revenue funds:

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

1	State general fund/general purpose.....	\$	3,719,200
2	Sec. 103. DEPARTMENTWIDE APPROPRIATIONS		
3	Special maintenance and utilities.....	\$	479,500
4	Rent and building occupancy charges.....		7,388,300
5	Worker's compensation.....		2,995,100
6	Fleet leasing.....		14,119,100
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, training academy.....		208,600
13	IDG, Michigan justice training fund.....		850,000
14	Federal revenues:		
15	Federal narcotics investigation revenues.....		95,000
16	DOJ.....		37,000
17	DOT.....		18,500
18	DHS.....		8,500
19	Special revenue funds:		
20	Forensic science reimbursement fee.....		74,100
21	Narcotics investigation revenues.....		170,000
22	State forensic laboratory fund.....		74,100
23	Criminal justice information center service fees....		109,500
24	Secondary road patrol and training fund.....		2,400
25	Hazardous materials training center fees.....		60,100
26	Michigan justice training fund.....		4,800
27	Motor carrier fees.....		5,500

1	Highway safety fund.....		5,900
2	Traffic law enforcement and safety fund.....		11,600
3	State general fund/general purpose.....	\$	24,361,400
4	Sec. 104. SUPPORT SERVICES		
5	Full-time equated classified positions.....	132.0	
6	Human resources--29.0 FTE positions.....	\$	2,177,300
7	Human resources optimization user charges.....		88,500
8	Management services--50.0 FTE positions.....		3,693,400
9	Training administration--41.0 FTE positions.....		4,757,200
10	Communications--12.0 FTE positions.....		<u>4,707,200</u>
11	GROSS APPROPRIATION.....	\$	15,423,600
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	IDT, auto theft funds.....		23,000
15	IDG, training academy.....		2,899,000
16	IDT, truck safety fund.....		4,300
17	IDG-MDOT, state trunkline fund.....		30,000
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	Nuclear plant emergency planning reimbursement.....		3,100
24	Precision driving track fees.....		280,800
25	Traffic law enforcement and safety fund.....		213,500
26	Motor carrier fees.....		136,800
27	State general fund/general purpose.....	\$	11,641,400

1	Sec. 105. HIGHWAY SAFETY PLANNING	
2	Full-time equated classified positions.....	26.0
3	State program planning and administration--	14.0 FTE
4	positions.....	\$ 1,148,500
5	Grants to local governments and nonprofit	
6	organizations.....	4,500,000
7	Secondary road patrol program--	2.0 FTE positions.....
8	Truck safety program--	2.0 FTE positions.....
9	Highway traffic safety coordination--	8.0 FTE
10	position.....	<u>5,990,400</u>
11	GROSS APPROPRIATION.....	\$ 28,638,400
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.....	\$ 519,500
20	Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER	
21	Full-time equated classified positions.....	100.0
22	Criminal justice information center division--	83.0
23	FTE positions.....	\$ 7,549,000
24	Criminal records improvement--	1.0 FTE position.....
25	Traffic safety--	16.0 FTE positions.....
26	GROSS APPROPRIATION.....	\$ <u>13,818,900</u>
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..... \$	1,813,300
10	Sec. 107. FORENSIC SCIENCES	
11	Full-time equated classified positions.....217.0	
12	Laboratory operations--177.0 FTE positions..... \$	17,794,900
13	DNA analysis program--40.0 FTE positions.....	<u>8,538,700</u>
14	GROSS APPROPRIATION..... \$	26,333,600
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..... \$	19,542,200
22	Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT	
23	STANDARDS	
24	Full-time equated classified positions.....28.0	
25	Standards and training--22.0 FTE positions..... \$	2,237,600
26	Justice training grants--4.0 FTE positions.....	9,054,700
27	Concealed weapons enforcement training.....	140,000

1	Training only to local units--2.0 FTE positions.....	827,700
2	Officer's survivor tuition program.....	48,700
3	Public safety officers benefit program.....	<u>150,100</u>
4	GROSS APPROPRIATION..... \$	12,458,800
5	Appropriated from:	
6	Federal revenues:	
7	DOJ.....	375,200
8	Special revenue funds:	
9	Secondary road patrol and training fund.....	827,700
10	Michigan justice training fund.....	9,054,700
11	Licensing fees.....	51,900
12	Concealed weapons enforcement fee.....	140,000
13	State general fund/general purpose..... \$	2,009,300
14	Sec. 109. FIRE INVESTIGATION	
15	Full-time equated classified positions.....29.0	
16	Fire investigation--29.0 FTE positions..... \$	3,570,900
17	Fire investigation training to locals.....	<u>50,600</u>
18	GROSS APPROPRIATION..... \$	3,621,500
19	Appropriated from:	
20	State general fund/general purpose..... \$	3,621,500
21	Sec. 110. EMERGENCY MANAGEMENT	
22	Full-time equated classified positions.....69.0	
23	Emergency management planning and	
24	administration--52.0 FTE positions..... \$	3,998,500
25	Grants to local government.....	2,482,100
26	FEMA program assistance--3.0 FTE positions.....	983,000
27	Nuclear power plant emergency planning--6.0 FTE	

1	positions.....	1,236,200
2	Hazardous materials transportation--1.0 FTE position	580,600
3	Hazardous materials programs--7.0 FTE positions.....	<u>61,649,100</u>
4	GROSS APPROPRIATION..... \$	70,929,500
5	Appropriated from:	
6	Federal revenues:	
7	FEMA.....	6,079,000
8	DOT.....	580,600
9	DHS.....	59,968,500
10	Special revenue funds:	
11	Nuclear plant emergency planning reimbursement.....	1,236,200
12	Hazardous materials training center fees.....	1,347,500
13	State general fund/general purpose..... \$	1,717,700
14	Sec. 111. UNIFORM SERVICES	
15	Full-time equated classified positions.....1,684.0	
16	Uniform services--525.0 FTE positions..... \$	47,825,300
17	Security guards--15.0 FTE positions.....	951,000
18	Reimbursed services.....	2,126,900
19	At-post troopers--1,144.0 FTE positions.....	117,746,800
20	Commercial mobile radio service projects.....	<u>800,000</u>
21	GROSS APPROPRIATION..... \$	169,450,000
22	Appropriated from:	
23	Interdepartmental grant revenues:	
24	IDG-MDMB, building occupancy charges.....	592,600
25	IDG-MDTR, emergency telephone fund coordinator.....	400,000
26	IDG-MDTR, emergency telephone fund operations.....	400,000
27	Federal revenues:	

1	DOJ.....	1,622,900
2	Special revenue funds:	
3	Narcotic investigation revenues.....	44,000
4	Highway safety fund.....	14,738,900
5	Traffic law enforcement and safety fund.....	30,170,500
6	State police service fees.....	2,126,900
7	State general fund/general purpose..... \$	119,354,200
8	Sec. 112. SPECIAL OPERATIONS	
9	Full-time equated classified positions.....49.0	
10	Operational support--34.0 FTE positions..... \$	2,907,600
11	Traffic services--10.0 FTE positions.....	3,337,200
12	Aviation program--5.0 FTE positions.....	<u>1,504,700</u>
13	GROSS APPROPRIATION..... \$	7,749,500
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG-MDOC, contract.....	83,400
17	Federal revenues:	
18	DOT.....	1,619,300
19	Special revenue funds:	
20	Private donations.....	10,700
21	Rental of department aircraft.....	165,400
22	Drunk driving prevention and training fund.....	1,053,100
23	State general fund/general purpose..... \$	4,817,600
24	Sec. 113. CRIMINAL INVESTIGATIONS	
25	Full-time equated classified positions.....383.0	
26	Criminal investigations--280.0 FTE positions..... \$	32,702,600
27	Federal antidrug initiatives--62.0 FTE positions....	10,523,200

1	Reimbursed services, materials, and equipment.....	2,570,200
2	Auto theft prevention--9.0 FTE positions.....	1,474,900
3	Casino gaming oversight--32.0 FTE positions.....	<u>3,812,000</u>
4	GROSS APPROPRIATION..... \$	51,082,900
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDT, auto theft prevention fund.....	1,194,300
8	IDG-MDTR, casino gaming fees.....	3,812,000
9	IDG-MDCH, tobacco tax.....	610,000
10	Federal revenues:	
11	Federal investigations - reimbursed services.....	730,300
12	DOJ.....	7,908,900
13	Federal narcotics investigation revenues.....	409,500
14	Special revenue funds:	
15	Local - reimbursed services.....	1,839,900
16	Narcotics investigation revenues.....	567,600
17	Forfeiture funds.....	352,000
18	State general fund/general purpose..... \$	33,658,400
19	Sec. 114. MOTOR CARRIER ENFORCEMENT	
20	Full-time equated classified positions.....200.0	
21	Motor carrier enforcement--122.0 FTE positions..... \$	9,219,900
22	Truck safety enforcement team operations--15.0 FTE	
23	positions.....	1,183,000
24	Safety inspections--43.0 FTE positions.....	7,252,300
25	School bus inspections--16.0 FTE positions.....	1,205,900
26	Safety projects--4.0 FTE positions.....	<u>177,300</u>
27	GROSS APPROPRIATION..... \$	19,038,400

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1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDT, truck safety fund.....	1,183,000
4	IDG-MDOT, state trunkline fund.....	6,816,000
5	Federal revenues:	
6	DOT.....	5,979,100
7	Special revenue funds:	
8	Motor carrier fees.....	3,854,400
9	State general fund/general purpose..... \$	1,205,900
10	Sec. 115. INFORMATION TECHNOLOGY	
11	Information technology services and projects..... \$	<u><<21,614,500>></u>
12	GROSS APPROPRIATION..... \$	<<21,614,500>>
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG-MDTR, casino gaming fees.....	75,000
16	IDG-MDOT, state trunkline fund.....	33,200
17	Federal revenues:	
18	DOT.....	1,057,900
19	Special revenue funds:	
20	Local - LEIN fees.....	2,771,400
21	Local - AFIS fees.....	34,900
22	Motor carrier fees.....	15,000
23	State general fund/general purpose..... \$	<<17,627,100>>

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

1 GENERAL SECTIONS

2 Sec. 201. Pursuant to section 30 of article IX of the state
3 constitution of 1963, total state spending from state resources under
4 part 1 for fiscal year 2004-2005 is <<\$346,082,700.00>> and state
5 spending
6 from state resources to be paid to local units of government for
7 fiscal year 2004-2005 is \$20,107,800.00. The itemized statement below
8 identifies appropriations from which spending to units of local
9 government will occur:

9 DEPARTMENT OF STATE POLICE

10 OFFICE OF HIGHWAY SAFETY PLANNING

11 Secondary road patrol program..... \$ 13,872,000

12 COMMISSION ON LAW ENFORCEMENT STANDARDS

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

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

15 FIRE INVESTIGATION

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

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

18 Sec. 202. The appropriations authorized under this act are
19 subject to the management and budget act, 1984 PA 431, MCL 18.1101 to
20 18.1594.

21 Sec. 203. As used in this act:

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

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

24 (c) "DHS" means the United States department of homeland security.

25 (d) "DNA" means deoxyribonucleic acid.

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

27 (f) "DOT" means the United States department of transportation.

1 (g) "FEMA" means the federal emergency management agency.

2 (h) "FTE" means full-time equated.

3 (i) "IDG" means interdepartmental grant.

4 (j) "IDT" means intradepartmental transfer.

5 (k) "LEIN" means law enforcement information network.

6 (l) "MCOLES" means the Michigan commission on law enforcement
7 standards.

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

9 (n) "MDMB" means the Michigan department of management and budget.

10 (o) "MDOC" means the Michigan department of corrections.

11 (p) "MDOS" means the Michigan department of state.

12 (q) "MDOT" means the Michigan department of transportation.

13 (r) "MDTR" means the Michigan department of treasury.

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

19 Sec. 205. (1) A hiring freeze is imposed on the state classified
20 civil service. State departments and agencies are prohibited from
21 hiring any new classified civil service employees and prohibited from
22 filling any vacant state classified civil service positions. This
23 hiring freeze does not apply to internal transfers of classified
24 employees from 1 position to another within a department.

25 (2) The hiring freeze described in subsection (1) does not apply
26 to any classified state civil service position that meets any of the
27 following criteria:

1 (a) Filling the vacant position will directly prevent the loss of
2 federal funding.

3 (b) The vacant position deals directly with the direct provision
4 of public safety services including prison officers, law enforcement
5 officers, and child services enforcement workers.

6 (c) The vacant position provides direct health care services
7 including physicians, nurses, and other direct health care providers.

8 (3) The state budget director shall report quarterly to the
9 chairpersons of the senate and house of representatives standing
10 committees on appropriations the number of new state classified civil
11 service employees hired during the previous quarter and the reasons to
12 justify the hiring.

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

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

27 Sec. 209. Funds appropriated in part 1 shall not be used for the

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

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

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

22 Sec. 212. Of the state general fund/general purpose revenue
23 appropriated in this act, <<\$33,403,800.00>> represents a state spending
24 increase over the amount provided to the department of state police
25 for the fiscal year ending September 30, 1994, and may be used to meet
26 state match requirements of programs contained in the violent crime
27 control and law enforcement act of 1994, 42 USC 13701 to 14223, or

1 successor grant programs, so that any additional federal money
2 received supplements funding provided to the department of state
3 police in this act.

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

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

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

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

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

21 Sec. 215. Not later than January 1, 2005, the department shall
22 report to the state police appropriations subcommittees of the house
23 and senate and the house and senate fiscal agencies. The report shall
24 contain the following information regarding the department's
25 activities related to casino gaming oversight during fiscal year
26 2003-2004:

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

1 (b) The nature and structure of the casino gaming oversight
2 unit.

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

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

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

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

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

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

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

27 Sec. 218. (1) Funds appropriated in part 1 for at-post troopers

1 shall only be expended for trooper salaries, wages, benefits,
2 retirement, equipment, supplies, and other expenses directly related
3 to state troopers assigned to general law enforcement duties at a
4 department post, detachment, satellite office, or a resident trooper
5 function.

6 (2) From the funds appropriated in part 1 for at-post troopers, 1
7 or more trooper recruit schools of a size, length, and date to be
8 determined by the department shall be conducted during fiscal year
9 2004-2005 with the goal of maintaining at-post trooper strength of at
10 least 1,075 on September 30, 2005.

11 (3) The department shall submit quarterly written reports to the
12 senate and house appropriations subcommittees on state police and
13 military and veterans affairs no later than December 1, 2004, March 1,
14 2005, June 1, 2005, and September 1, 2005 which shall include a
15 trooper strength report and the status of the department's plan for
16 accomplishing the goal of subsection (2). If the department
17 determines that insufficient appropriations exist under part 1 to
18 accomplish the goal of subsection (2), the department shall submit a
19 proposal outlining a plan to accomplish the goal including an
20 accounting of any additional funding necessary to that end.

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

26 Sec. 220. The department of state police, in keeping with its
27 role as the general law enforcement agency of the state and as the law

1 enforcement agency of last resort for communities that are either
2 without local law enforcement resources or are seriously underserved
3 by local law enforcement resources, shall provide general law
4 enforcement assistance to the city of Highland Park until adequate law
5 enforcement services can be provided to the city of Highland Park by
6 other means.

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

10 **INFORMATION TECHNOLOGY**

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

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

20 Sec. 303. Amounts appropriated in part 1 for information
21 technology may be designated as work projects and carried forward to
22 support technology projects under the direction of the department of
23 information technology. Funds designated in this manner are not
24 available for expenditure until approved as work projects under
25 section 451a of the management and budget act, 1984 PA 431,
26 MCL 18.1451a.

27 Sec. 304. A portion of the funds appropriated in part 1 shall be

1 used by the department to produce a written report detailing
2 departmental policies regarding access to and use of information from
3 the LEIN system. The report shall include a description of
4 departmental measures to protect the security of information in the
5 LEIN system including safeguards that would prevent unauthorized
6 persons from obtaining information from the LEIN system. The
7 department shall submit a copy of this report to the senate and house
8 appropriations committees not later than April 1, 2005.

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

23 Sec. 306. (1) The department of state police, working with the
24 criminal justice information system policy council, shall implement
25 procedures by which all probation information is placed on the LEIN
26 system. The LEIN system shall include information on each
27 probationer, including any probation conditions placed on a

1 probationer and the name of the probation officer assigned to a
2 probationer. The LEIN system shall also include any nonstandard
3 probation terms.

4 (2) If the department determines that amendments to the code of
5 criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to
6 include all probation information on the LEIN system, the department
7 shall deliver to members of the senate and house appropriations
8 subcommittees on state police and military affairs amendments to the
9 code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in
10 the department's view, are necessary to accomplish this goal. These
11 proposed amendments shall be delivered to subcommittee members not
12 later than December 1, 2004.

13 Sec. 307. The department of state police shall serve as an
14 active liaison between the department of information technology and
15 local public safety agencies to facilitate the use of the Michigan
16 public safety communications system towers by those local public
17 safety agencies that have an interest in using the towers as a part of
18 their own communications system. The department of state police shall
19 deliver a written report to the senate and house appropriations
20 subcommittees on state police and military and veterans affairs by
21 April 1, 2005, which shall include an assessment of the progress
22 toward establishing local public safety agency use of the Michigan
23 public safety communications system towers, an accounting of problems
24 that may be preventing local use of the towers, and any
25 recommendations the department has that may foster this utilization.

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

18 (2) The department shall report to the house and senate
19 appropriations subcommittees on state police and military and veterans
20 affairs and the house and senate fiscal agencies when any changes to
21 the department's DNA protocol are made.

22 Sec. 502. The department shall work with the department of
23 community health, the Michigan hospital association, the Michigan
24 state medical society, and the Michigan nurses association to ensure
25 that the recommendations included in the "Standard Recommended

1 Procedures for the Emergency Treatment of Sexual Assault Victims" are
2 followed in the collection of evidence.

3 MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

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

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

17 EMERGENCY MANAGEMENT

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

1 30.421. The state director of emergency management may expend the
2 amounts the director considers necessary to accomplish these
3 purposes. The director shall submit to the state budget director as
4 soon as possible a complete report of all actions taken under the
5 authority of this section. The report shall contain, as a separate
6 item, a statement of all money expended that is not reimbursable from
7 federal money. The state budget director shall review the
8 expenditures and submit recommendations to the legislature in regard
9 to any possible need for a supplemental appropriation.

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

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

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 additional expenditure authorization in the
13 Michigan administrative information network is approved by the state
14 budget office under this section, the department and the state budget
15 office shall notify the house and senate appropriations subcommittees
16 on state police and military and veterans affairs and the house and
17 senate fiscal agencies within 10 days after the approval. The
18 notification shall include the amount and source of the additional
19 authorization, the date of its approval, and the projected use of
20 funds to be expended under the authorization.

21 Sec. 1002. Money privately donated to the department is
22 appropriated under section 112 to be used for the purposes designated
23 by the donor of the money. Money privately donated to the
24 department's canine unit shall be used to purchase equipment and other
25 items to enhance the operation of the canine unit. It is the intent
26 of the legislature that money from private donations not supplant
27 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

1 100% successful state inspection on its first inspection in a given
2 year, the department shall award a certificate to that school system.