

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5650

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2003; 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 state  
5 police for the fiscal year ending September 30, 2003, from the funds

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

2

For Fiscal Year Ending  
September 30, 2003

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

**3 DEPARTMENT OF STATE POLICE**

4	Full-time equated unclassified positions.....	3.0	
5	Full-time equated classified positions.....	3,445.5	
6	GROSS APPROPRIATION.....	\$	419,697,700
7	Interdepartmental grant revenues:		
8	Total interdepartmental grants and intradepartmental		
9	transfers.....	\$	19,282,800
10	ADJUSTED GROSS APPROPRIATION.....	\$	400,414,900
11	Federal revenues:		
12	Total federal revenues.....		45,570,500
13	Special revenue funds:		
14	Total local revenues.....		3,913,700
15	Total private revenues.....		0
16	Total state restricted revenues.....		59,862,900
17	State general fund/general purpose.....	\$	291,067,800
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.....	\$	265,600
22	Executive direction--29.0 FTE positions.....		3,414,500
23	Auto theft prevention program--7.0 FTE positions.....		<u>7,065,000</u>
24	GROSS APPROPRIATION.....	\$	10,745,100
25	Appropriated from:		
26	Federal revenues:		

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

3

For Fiscal Year Ending  
September 30, 2003

1	Special revenue funds:	
2	Auto theft prevention fees.....	7,065,000
3	State general fund/general purpose..... \$	3,680,100
4	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>	
5	Special maintenance and utilities..... \$	479,400
6	Rent and building occupancy charges.....	8,556,000
7	Worker's compensation.....	2,864,000
8	Fleet leasing.....	14,637,900
9	In-service training.....	850,000
10	Narcotics investigation funds.....	<u>265,000</u>
11	GROSS APPROPRIATION..... \$	27,652,300
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDT-Michigan justice training fund.....	850,000
15	Federal revenues:	
16	Federal narcotics investigation revenues.....	95,000
17	Special revenue funds:	
18	Narcotics investigation revenues.....	170,000
19	State general fund/general purpose..... \$	26,537,300
20	<b>Sec. 104. SUPPORT SERVICES</b>	
21	Full-time equated classified positions.....158.5	
22	Human resources--35.5 FTE positions..... \$	2,645,000
23	Management services--60.0 FTE positions.....	4,019,600
24	Training administration--44.0 FTE positions.....	4,871,900
25	Communications--19.0 FTE positions.....	<u>6,487,700</u>
26	GROSS APPROPRIATION..... \$	18,024,200

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

4

For Fiscal Year Ending  
September 30, 2003

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDT-Auto theft funds.....	21,000
4	IDG-training academy charges.....	2,726,400
5	Special revenue funds:	
6	Local-LEIN fees.....	31,900
7	Precision driving track fees.....	264,100
8	Narcotics investigation revenues.....	40,600
9	Motor carrier fees.....	125,500
10	State general fund/general purpose..... \$	14,814,700
11	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
12	Full-time equated classified positions.....25.0	
13	State program planning and administration--13.0 FTE	
14	positions..... \$	1,147,000
15	Grants to local governments and nonprofit	
16	organizations.....	4,500,000
17	Secondary road patrol program--1.0 FTE position.....	12,506,600
18	Truck safety program--2.0 FTE positions.....	2,983,800
19	Field coordination and analysis--8.0 FTE positions...	1,975,900
20	Highway traffic safety--1.0 FTE position.....	<u>3,973,800</u>
21	GROSS APPROPRIATION..... \$	27,087,100
22	Appropriated from:	
23	Federal revenues:	
24	DOT.....	10,492,000
25	DOJ.....	560,000
26	Special revenue funds:	

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

5

For Fiscal Year Ending  
September 30, 2003

1	Truck driver safety fund.....	2,983,800
2	Secondary road patrol and training fund.....	12,506,600
3	State general fund/general purpose..... \$	544,700
4	<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>	
5	Full-time equated classified positions.....96.5	
6	Criminal justice information center division--78.0	
7	FTE positions..... \$	7,566,700
8	Criminal records improvement--1.0 FTE position.....	4,726,200
9	Traffic safety--17.5 FTE positions.....	<u>1,518,900</u>
10	GROSS APPROPRIATION..... \$	13,811,800
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-MDOS.....	313,600
14	IDG-MDOT, state trunkline fund.....	336,900
15	Federal revenues:	
16	DOJ.....	4,726,200
17	DOT.....	388,500
18	Special revenue funds:	
19	Criminal justice information center service fees.....	5,954,300
20	State general fund/general purpose..... \$	2,092,300
21	<b>Sec. 107. FORENSIC SCIENCES</b>	
22	Full-time equated classified positions.....215.0	
23	Laboratory operations--191.0 FTE positions..... \$	16,775,300
24	DNA analysis program--24.0 FTE positions.....	4,336,800
25	Grant to city of Detroit.....	<u>721,100</u>
26	GROSS APPROPRIATION..... \$	21,833,200

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

6

For Fiscal Year Ending  
September 30, 2003

1	Appropriated from:	
2	Federal revenues:	
3	DOJ.....	442,900
4	Special revenue funds:	
5	Forensic science reimbursement fees.....	1,626,400
6	State forensic laboratory fund.....	1,100,000
7	State general fund/general purpose..... \$	18,663,900
8	<b>Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS</b>	
9	Full-time equated classified positions.....28.0	
10	Standards and training--22.0 FTE positions..... \$	2,280,000
11	Justice training grants--4.0 FTE positions.....	9,032,000
12	Concealed weapons enforcement training.....	140,000
13	Training only to local units--2.0 FTE positions.....	690,000
14	Officer's survivor tuition program.....	<u>50,000</u>
15	GROSS APPROPRIATION..... \$	12,192,000
16	Appropriated from:	
17	Federal revenues:	
18	DOJ.....	360,000
19	Special revenue funds:	
20	Secondary road patrol and training fund.....	690,000
21	Michigan justice training fund.....	9,032,000
22	Concealed weapons enforcement fee.....	140,000
23	Licensing fees.....	50,000
24	State general fund/general purpose..... \$	1,920,000
25	<b>Sec. 109. FIRE MARSHAL</b>	
26	Full-time equated classified positions.....55.0	

H06639'02 (S-1)

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

7

For Fiscal Year Ending  
September 30, 2003

1	Fire marshal programs--44.0 FTE positions.....	\$	3,929,400
2	Fire investigation training to locals.....		51,500
3	Fire fighters training council--11.0 FTE positions...		<u>2,128,400</u>
4	GROSS APPROPRIATION.....	\$	6,109,300
5	Appropriated from:		
6	Federal revenues:		
7	FEMA.....		150,000
8	DOT.....		85,000
9	Special revenue funds:		
10	State general fund/general purpose.....	\$	5,874,300
11	<b>Sec. 110. EMERGENCY MANAGEMENT</b>		
12	Full-time equated classified positions.....		49.0
13	Emergency management planning and		
14	administration--32.0 FTE positions.....	\$	2,930,000
15	Grants to local government.....		2,182,100
16	FEMA program assistance--3.0 FTE positions.....		962,300
17	Nuclear power plant emergency planning--6.0 FTE		
18	positions.....		1,209,200
19	Hazardous materials transportation--1.0 FTE position.		579,200
20	Hazardous materials programs--7.0 FTE positions.....		<u>6,586,500</u>
21	GROSS APPROPRIATION.....	\$	14,449,300
22	Appropriated from:		
23	Federal revenues:		
24	FEMA.....		4,664,100
25	DOT.....		579,200
26	DOJ.....		5,000,000

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

8

For Fiscal Year Ending  
September 30, 2003

1	Special revenue funds:	
2	Nuclear plant emergency planning reimbursement.....	1,209,200
3	Hazardous materials training center fees.....	1,253,800
4	State general fund/general purpose..... \$	1,743,000
5	<b>Sec. 111. UNIFORM SERVICES</b>	
6	Full-time equated classified positions.....2,049.5	
7	Uniform services--610.0 FTE positions..... \$	51,259,500
8	Security guards--29.0 FTE positions.....	1,039,900
9	Reimbursed services.....	1,598,000
10	At-post troopers--1,410.5 FTE positions.....	<u>113,221,300</u>
11	GROSS APPROPRIATION..... \$	167,118,700
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG-MDMB, building occupancy charges.....	610,100
15	Federal revenues:	
16	DOJ.....	1,500,000
17	Special revenue funds:	
18	Highway safety fund.....	8,448,200
19	State police service fees.....	1,598,000
20	State general fund/general purpose..... \$	154,962,400
21	<b>Sec. 112. SPECIAL OPERATIONS</b>	
22	Full-time equated classified positions.....61.5	
23	Operational support--40.0 FTE positions..... \$	2,921,800
24	Traffic services--13.5 FTE positions.....	2,671,100
25	Aviation program--8.0 FTE positions.....	<u>1,739,700</u>
26	GROSS APPROPRIATION..... \$	7,332,600



**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

9

For Fiscal Year Ending  
September 30, 2003

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG-MDOC, contract.....	77,200
4	Federal revenues:	
5	DOT.....	1,378,200
6	Special revenue funds:	
7	Rental of department aircraft.....	180,300
8	Drunk driving prevention and training fund.....	969,700
9	State general fund/general purpose..... \$	4,727,200
10	<b>Sec. 113. CRIMINAL INVESTIGATIONS</b>	
11	Full-time equated classified positions.....449.5	
12	Criminal investigations--335.5 FTE positions..... \$	32,499,500
13	Federal anti-drug initiatives--72.0 FTE positions....	10,124,200
14	Reimbursed services, materials, and equipment.....	2,332,900
15	Auto theft prevention--10.0 FTE positions.....	1,372,100
16	Casino gaming oversight--32.0 FTE positions.....	<u>3,513,000</u>
17	GROSS APPROPRIATION..... \$	49,841,700
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDT-auto theft funds.....	1,104,000
21	IDG-MDTR, casino gaming fees.....	3,513,000
22	IDG-MDCH, tobacco tax.....	610,000
23	Federal revenues:	
24	Federal investigations-reimbursed services.....	519,700
25	DOJ.....	7,506,700
26	Federal narcotics investigation revenues.....	380,800

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

10

For Fiscal Year Ending  
September 30, 2003

1	Special revenue funds:	
2	Local-reimbursed services.....	1,813,200
3	Narcotics investigation revenues.....	543,000
4	Forfeiture funds.....	269,500
5	State general fund/general purpose..... \$	33,581,800
6	<b>Sec. 114. MOTOR CARRIER ENFORCEMENT</b>	
7	Full-time equated classified positions.....222.0	
8	Motor carrier enforcement--140.0 FTE positions..... \$	10,125,900
9	Truck safety enforcement team operations--15.0 FTE	
10	positions.....	1,060,000
11	Safety inspections--46.0 FTE positions.....	6,928,500
12	School bus inspections--16.0 FTE positions.....	1,475,300
13	Safety projects--5.0 FTE positions.....	<u>1,242,200</u>
14	GROSS APPROPRIATION..... \$	20,831,900
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDT, truck safety fund.....	1,132,100
18	IDG-MDOT, state trunkline fund.....	7,883,200
19	Federal revenues:	
20	DOT.....	6,712,600
21	Special revenue funds:	
22	Motor carrier fees.....	3,628,700
23	State general fund/general purpose..... \$	1,475,300
24	<b>Sec. 115. INFORMATION TECHNOLOGY</b>	
25	Information technology services and projects..... \$	<u>22,668,600</u>
26	GROSS APPROPRIATION..... \$	22,668,600

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

11

For Fiscal Year Ending  
September 30, 2003

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG-MDTR, casino gaming fees.....	72,100
4	IDG-MDOT, state trunkline fund.....	33,200
5	Federal revenues:	
6	DOT.....	29,600
7	Special revenue funds:	
8	Local-LEIN fees.....	2,035,600
9	Local-AFIS fees.....	33,000
10	Motor carrier fees.....	14,200
11	State general fund/general purpose.....	\$ 20,450,900

**12 Sec. 116. EARLY RETIREMENT SAVINGS**

13 Early retirement savings..... \$ \_\_\_\_\_  
(100)

14 GROSS APPROPRIATION..... \$  
(100)

15 Appropriated from:

16 State general fund/general purpose..... \$  
(100)

17

18

**19 PART 2**

**20 PROVISIONS CONCERNING APPROPRIATIONS**

**21 GENERAL SECTIONS**

22 Sec. 201. Pursuant to section 30 of article IX of the state consti-  
23 tution of 1963, total state spending from state resources under part 1  
24 for fiscal year 2002-2003 is \$350,880,700.00 and state spending from  
25 state resources to be paid to local units of government for fiscal year  
26 2002-2003 is \$20,689,200.00. The itemized statement below identifies

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

12

1 appropriations from which spending to units of local government will  
2 occur:

3 DEPARTMENT OF STATE POLICE

4 OFFICE OF HIGHWAY SAFETY PLANNING

5 Secondary road patrol program..... \$ 12,381,500

6 FORENSIC SCIENCES

7 Grant to city of Detroit..... \$ 721,100

8 COMMISSION ON LAW ENFORCEMENT STANDARDS

9 Training only to local units..... \$ 624,900

10 Justice training grants..... 6,471,200

11 FIRE MARSHAL

12 Fire fighters training council..... \$ 439,000

13 Fire investigation training for locals..... 51,500

14 Total..... \$ 20,689,200

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

17 Sec. 203. As used in this act:

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

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

20 (c) "DNA" means deoxyribonucleic acid.

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

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

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

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

25 (h) "IDG" means interdepartmental grant.

26 (i) "IDT" means intradepartmental transfer.

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

13

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

2 (k) "MCOLES" means the Michigan commission on law enforcement  
3 standards.

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

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

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

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

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

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

10 Sec. 204. The department of civil service shall bill departments  
11 and agencies at the end of the first fiscal quarter for the 1% charge  
12 authorized by section 5 of article XI of the state constitution of 1963.  
13 Payments shall be made for the total amount of the billing by the end of  
14 the second fiscal quarter.

15 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on  
16 the state classified civil service. State departments and agencies are  
17 prohibited from hiring any new full-time state classified civil service  
18 employees and prohibited from filling any vacant state classified civil  
19 service positions. This hiring freeze does not apply to internal trans-  
20 fers of classified employees from 1 position to another within a  
21 department.

22 (2) The state budget director shall grant exceptions to this hiring  
23 freeze when the state budget director believes that the hiring freeze  
24 will result in rendering a state department or agency unable to deliver  
25 basic services, cause loss of revenue to the state, result in the inabil-  
26 ity of the state to receive federal funds, or necessitate additional  
27 expenditures that exceed any savings from maintaining a vacancy. The

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

14

1 state budget director shall report by the last business day of each month  
2 to the chairpersons of the senate and house of representatives standing  
3 committees on appropriations the number of exceptions to the hiring  
4 freeze approved during the previous month and the justification for the  
5 exception.

6       Sec. 206. (1) In addition to the funds appropriated in part 1,  
7 there is appropriated an amount not to exceed \$10,000,000.00 for federal  
8 contingency funds. These funds are not available for expenditure until  
9 they have been transferred to another line item in this act under  
10 section 393(2) of the management and budget act, 1984 PA 431, MCL  
11 18.1393.

12       (2) In addition to the funds appropriated in part 1, there is appro-  
13 priated an amount not to exceed \$3,500,000.00 for state restricted con-  
14 tingency funds. These funds are not available for expenditure until they  
15 have been transferred to another line item in this act under  
16 section 393(2) of the management and budget act, 1984 PA 431,  
17 MCL 18.1393.

18       (3) In addition to the funds appropriated in part 1, there is appro-  
19 priated an amount not to exceed \$1,000,000.00 for local contingency  
20 funds. These funds are not available for expenditure until they have  
21 been transferred to another line item in this act under section 393(2) of  
22 the management and budget act, 1984 PA 431, MCL 18.1393.

23       (4) In addition to the funds appropriated in part 1, there is appro-  
24 priated an amount not to exceed \$200,000.00 for private contingency  
25 funds. These funds are not available for expenditure until they have  
26 been transferred to another line item in this act under section 393(2) of  
27 the management and budget act, 1984 PA 431, MCL 18.1393.

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

15

1       Sec. 208. Unless otherwise specified, the department shall use the  
2 Internet to fulfill the reporting requirements of this act. This may  
3 include transmission of reports via electronic mail to the recipients  
4 identified for each reporting requirement or it may include placement of  
5 reports on an Internet or Intranet site.

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

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

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

25       Sec. 212. Of the state general fund/general purpose revenue appro-  
26 priated in this act, \$78,863,000.00 represents a state spending increase  
27 over the amount provided to the department of state police for the fiscal

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

16

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

6       Sec. 213. The department is authorized to receive and to expend  
7 upon receipt any federal or state forfeiture money. Each quarter, the  
8 department shall notify the state police appropriations subcommittees of  
9 the house and senate and the house and senate fiscal agencies of the  
10 receipt of any federal or state forfeiture money. If funds are expended  
11 beyond the appropriations for federal or state forfeiture money enacted  
12 in part 1, the department shall notify the house and senate subcommittees  
13 on state police and military and veterans affairs and the house and  
14 senate fiscal agencies within 30 days concerning the additional  
15 expenditures.

16       Sec. 216. (1) It is the intent of the legislature that the depart-  
17 ment shall not provide any subsidy for contractual services it provides.

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

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

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

26       Sec. 218. The department shall create and retain copies of reports  
27 for all money appropriated under part 1.



**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

17

1       Sec. 219. Not later than March 15, 2003 and September 30, 2003, the  
2 department shall report to the state police appropriations subcommittees  
3 of the house and senate and the house and senate fiscal agencies. The  
4 report shall contain the following information regarding the department's  
5 activities related to casino gaming oversight:

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

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

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

9       (d) The number of full-time and part-time employees and the aggre-  
10 gate number of FTEs.

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

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

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

14       Sec. 220. The department shall collect and computerize the vehicle  
15 identification number (VIN) of all vehicles that are entered into the  
16 state accident data collection system and make this and other vehicle  
17 information available to the public at cost. For bulk access to the  
18 accident records in which the VIN has been collected and computerized,  
19 the department shall make those records available to the public at cost,  
20 provided that the name and address have been excluded.

21       Sec. 222. (1) Funds appropriated in part 1 for at-post troopers  
22 shall only be expended for trooper salaries, wages, benefits, retirement,  
23 equipment, supplies, and other expenses directly related to state troop-  
24 ers assigned to general law enforcement duties at a department post,  
25 detachment, satellite office, or a resident trooper function.

26       (2) From the funds appropriated in part 1 for at-post troopers, 1 or  
27 more trooper recruit schools shall be conducted during fiscal year

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

18

1 2002-2003 with the goal of graduating at least 110 new troopers to state  
2 service to replace existing troopers projected to separate from the rank  
3 of trooper through attrition.

4 (3) The department shall submit a written report to the senate and  
5 house appropriations subcommittees on state police and military affairs  
6 no later than November 15, 2002, detailing the status of the department's  
7 plan for accomplishing the goal of subsection (2). If the department  
8 determines that insufficient funding exists under part 1 for at-post  
9 troopers or any other budget line to accomplish the goal of  
10 subsection (2), the department shall submit a plan outlining the addi-  
11 tional funding necessary to accomplish the goal of subsection (2).

12 Sec. 224. The department of state police shall notify the house and  
13 senate appropriations subcommittees on state police and military and vet-  
14 erans affairs and the house and senate fiscal agencies not less than  
15 180 days before recommending to close or consolidate any state police  
16 posts.

17 Sec. 261. The negative appropriation in part 1 for early retirement  
18 savings represents savings from the state's 2002 early retirement  
19 program. Not later than November 15, 2002, the state budget director  
20 shall request legislative transfers under section 393(2) of the manage-  
21 ment and budget act, 1984 PA 431, MCL 18.1393, to apply the early retire-  
22 ment savings to the appropriated line items affected by the early retire-  
23 ment program.

24 Sec. 262. (1) It is the intent of the legislature that the depart-  
25 ment take steps to engage in cooperative efforts with county, city, town-  
26 ship, and village law enforcement agencies in the coordination of law  
27 enforcement services and facilities.

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

19

1       (2) From the funds appropriated in part 1, the department shall  
2 produce a study concerning the feasibility of the Jackson state police  
3 post, the Jackson County sheriff's department, and the city of Jackson  
4 police department sharing a common facility. The study shall also  
5 examine other ways these law enforcement agencies could work together to  
6 maximize the efficient delivery of law enforcement services. The study  
7 shall be delivered to the senate and house appropriations subcommittees  
8 on state police and military affairs not later than February 15, 2003.

9       Sec. 263. The department of state police, in keeping with its role  
10 as the general law enforcement agency of the state and as the law  
11 enforcement agency of last resort for communities that are either without  
12 local law enforcement resources or are seriously underserved by local law  
13 enforcement resources, shall provide general law enforcement assistance,  
14 including patrol service, to the city of Highland Park until adequate law  
15 enforcement services can be provided to the city of Highland Park by  
16 other means.

17       Sec. 264. Of the funds appropriated in part 1 for rent and building  
18 occupancy charges, funds shall be used for the necessary rental costs for  
19 the state police post in Marshall.

20   **INFORMATION TECHNOLOGY**

21       Sec. 301. (1) Money appropriated under part 1 for the Michigan  
22 public safety communications system shall be expended upon approval of an  
23 expenditure plan by the state budget director.

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

20

1       (2) The department of state police shall assess all subscribers of  
2 the Michigan public safety communications system reasonable access and  
3 maintenance fees.

4       (3) All money received by the department of state police under this  
5 section shall be deposited to the state general fund pursuant to section  
6 443 of the management and budget act, 1984 PA 431, MCL 18.1443.

7       (4) The department of state police shall provide a report to the  
8 house and senate appropriations committees, house and senate fiscal agen-  
9 cies, and the state budget director on April 15, 2003 and on October 15,  
10 2003, indicating the amount of revenue collected under this section and  
11 deposited to the state general fund for the immediately preceding 6-month  
12 period.

13       Sec. 302. 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. 303. 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. 304. Amounts appropriated in part 1 for information technology  
22 may be designated as work projects and carried forward to support tech-  
23 nology projects under the direction of the department of information  
24 technology. Funds designated in this manner are not available for expen-  
25 diture until approved as work projects under section 451a of the manage-  
26 ment and budget act, 1984 PA 431, MCL 18.1451a.

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

21

1       Sec. 305. A portion of the funds appropriated in part 1 shall be  
2 used by the department to produce a written report detailing departmental  
3 policies regarding access to and use of information from the LEIN  
4 system. The report shall include a description of departmental measures  
5 to protect the security of information in the LEIN system including safe-  
6 guards that would prevent unauthorized persons from obtaining information  
7 from the LEIN system. The department shall submit a copy of this report  
8 to the senate and house appropriations committees not later than April 1,  
9 2003.

10       Sec. 306. The criminal justice information systems policy council  
11 shall encourage members of the law enforcement agencies in the state to  
12 be sensitive to, and note when necessary, activities or circumstances  
13 that may suggest the unauthorized access or misuse of information from  
14 the LEIN system. The criminal justice information systems policy council  
15 shall advise LEIN auditors, as a part of their audit of law enforcement  
16 agencies, to investigate in depth all suspected incidents of improper  
17 access or improper use of information from the LEIN system and determine  
18 whether or not those incidents were illegal. In those incidents that may  
19 be determined to be illegal, the executive secretary for the council  
20 shall determine whether those incidents were of a negligent or criminal  
21 nature. If an incident is determined to be an illegal act, the council  
22 shall inform the chairs of both the senate and house appropriations  
23 committees.

24       Sec. 307. (1) The department of state police, working with the  
25 criminal justice information system policy council, shall implement pro-  
26 cedures by which all probation information is placed on the LEIN system.  
27 The LEIN system shall include information on each probationer, including

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

22

1 any probation conditions placed on a probationer and the name of the  
2 probation officer assigned to a probationer. The LEIN system shall also  
3 include any nonstandard 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 subcom-  
8 mittees on state police and military affairs amendments to the code of  
9 criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the  
10 department's view, are necessary to accomplish this goal. These proposed  
11 amendments shall be delivered to subcommittee members not later than  
12 December 1, 2002.

13 **HIGHWAY SAFETY PLANNING**

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

**1    FORENSIC SCIENCES**

2            Sec. 701. (1) It is the intent of the legislature that from the  
3    grant to the city of Detroit under part 1 an amount of \$431,400.00 be  
4    allocated by the city to supplement the city's appropriations for the  
5    Detroit crime lab and an amount of \$289,700.00 be allocated by the city  
6    to the Detroit police special events account.

7            (2) From the funds appropriated in part 1 for a grant to the city of  
8    Detroit, it is the intent of the legislature that the city of Detroit  
9    take effective measures so that within 3 years of the start of the  
10   2002-2003 fiscal year the Detroit police laboratory will have earned  
11   accreditation from the American society of crime laboratory director's  
12   laboratory accreditation board and established the necessary standards  
13   within its DNA operations so that it will qualify to input data into the  
14   combined DNA identification system (CODIS).

15           (3) The city of Detroit shall provide a report to the department  
16   detailing the expenditures made and the services provided from the money  
17   appropriated for the grant and a progress report detailing the status  
18   toward meeting the objectives under subsection (2). This report shall be  
19   forwarded by the department to the house and senate appropriations sub-  
20   committees on state police, the house and senate fiscal agencies, and the  
21   state budget director by January 15, 2003.

22           Sec. 702. (1) The department shall distribute a copy of the  
23   department's protocol for retaining and purging DNA analysis samples and  
24   records to each police agency in this state.

25           (2) The department shall report to the house and senate appropria-  
26   tions subcommittees on state police and military affairs and the house

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

24

1 and senate fiscal agencies when any changes to the department's DNA  
2 protocol are made.

3       Sec. 703. The department shall work with the department of commu-  
4 nity health, the Michigan hospital association, the Michigan state medi-  
5 cal society, and the Michigan nurses association to ensure that the rec-  
6 ommendations included in the "Standard Recommended Procedures for the  
7 Emergency Treatment of Sexual Assault Victims" are followed in the col-  
8 lection of evidence.

9 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

10       Sec. 801. The money appropriated to the MCOLES for maintenance and  
11 delivery of training to locals is provided in accordance with a state  
12 reimbursement policy in which 100% of the determined state reimbursement  
13 rate shall be distributed upon certification by the MCOLES.

14       Sec. 803. From the appropriations in part 1 for the training of new  
15 state troopers and other new police officers in the state and for the  
16 continuing education of all law enforcement officers in the state, suffi-  
17 cient funds shall be used to include curricula on the content and appli-  
18 cation of federal firearms laws, including the procedures necessary for  
19 law enforcement to turn appropriate cases over to the federal bureau of  
20 alcohol, tobacco, and firearms or any other applicable federal criminal  
21 justice agency.



**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

25

**1 FIRE MARSHAL**

2       Sec. 901. (1) The department shall prepare a detailed report and  
3 deliver it to the senate and house subcommittees on the state police not  
4 later than May 15, 2003.

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

7       (a) Michigan fire chiefs association.

8       (b) Michigan state fireman's association.

9       (c) Michigan firefighter's union.

10       (d) Michigan fire service instructors association.

11       (e) Michigan fire inspectors society.

12       (f) Michigan chapter of the international association of arson  
13 investigators.

14       (3) The report shall contain information about the quality and ade-  
15 quacy of service from the state fire investigation, education, and train-  
16 ing under the reorganization of the fire marshal division  
17 responsibilities. The report shall be based on the performance of the  
18 fire marshal division in the performance of its fire safety duties during  
19 fiscal year 2002-2003.

20       Sec. 902. From the funds appropriated in part 1 for the fire fight-  
21 ers training council, \$400,000.00 shall be provided to the Michigan State  
22 University school of labor and industrial relations, department of health  
23 and safety solutions' firefighter training programs, known as the "rapid  
24 intervention team train the trainer program and the firefighter survival  
25 program". To be eligible for the funds, the programs shall be sanctioned  
26 by the safety education and training division established under

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

26

1 section 54 of the Michigan occupational safety and health act, 1974  
2 PA 154, MCL 408.1054.

3 **EMERGENCY MANAGEMENT**

4 Sec. 1001. (1) The state director of emergency management may  
5 expend money appropriated under this act to call upon any agency or  
6 department of the state or any resource of the state to protect life or  
7 property or to provide for the health or safety of the population in any  
8 area of the state in which the governor proclaims a state of emergency or  
9 state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the  
10 emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state  
11 director of emergency management may expend the amounts the director con-  
12 siderers necessary to accomplish these purposes. The director shall submit  
13 to the state budget director as soon as possible a complete report of all  
14 actions taken under the authority of this section. The report shall con-  
15 tain, as a separate item, a statement of all money expended that is not  
16 reimbursable from federal money. The state budget director shall review  
17 the expenditures and submit recommendations to the legislature in regard  
18 to any possible need for a supplemental appropriation.

19 (2) In addition to the money appropriated in this act, the depart-  
20 ment may receive and expend money from local, private, federal, or state  
21 sources for the purpose of providing emergency management training to  
22 local or private interests and for the purpose of supporting emergency  
23 preparedness, response, recovery, and mitigation activity. If funds are  
24 expended beyond the appropriations enacted for these purposes in part 1,  
25 the department shall notify the house and senate appropriations

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

27

1 subcommittees on state police and military and veterans affairs and the  
2 house and senate fiscal agencies within 30 days concerning the additional  
3 expenditures.

4 **UNIFORM SERVICES**

5       Sec. 1103. State police enlisted personnel who are employed to  
6 enforce traffic laws as provided in section 629e of the Michigan vehicle  
7 code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding  
8 to crimes in progress or other emergency situations, and are responsible  
9 for protecting every citizen of this state from harm.

10 **SPECIAL OPERATIONS**

11       Sec. 1201. In addition to the appropriations in section 112 to the  
12 department of state police for the aviation program, the department is  
13 authorized to sell its aircraft and the proceeds from the sale are appro-  
14 priated and may be applied to the renovation cost of replacement  
15 aircraft. If funds are expended beyond the appropriation enacted in part  
16 1 for the aviation program, the department shall notify the house and  
17 senate subcommittees on state police and military and veterans affairs  
18 and the house and senate fiscal agencies within 30 days concerning the  
19 additional expenditures.

20       Sec. 1202. From the funds appropriated in part 1 for special opera-  
21 tions, the department shall fund 1/3 of the cost of an aeronautics safety  
22 officer position within the department of transportation to coordinate  
23 safety functions between the department, the state transportation

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

28

1 department, and the department of natural resources. It is the intent of  
2 the legislature that the safety officer position shall be equally funded  
3 by the 3 departments.

4 Sec. 1203. From the funds appropriated in part 1 for special opera-  
5 tions, the department shall station at least 1 recovery boat within the  
6 Upper Peninsula from its fleet of recovery boats.

7 **CRIMINAL INVESTIGATIONS**

8 Sec. 1301. (1) There is sufficient money appropriated in  
9 section 113 to criminal investigations to ensure that the citizens in a  
10 service area of any state police post in the vicinity of a state prison  
11 do not experience a downgrading of state police services in their area.  
12 Criminal investigations shall be available by temporary or permanent  
13 assignment of a detective when either a temporary or permanent prison  
14 facility is opened.

15 (2) If the department is unable to comply with subsection (1) and  
16 there is a prison scheduled to open, the department shall provide troop-  
17 ers to serve as investigators on an interim basis.

18 **MOTOR CARRIER ENFORCEMENT**

19 Sec. 1401. (1) The department shall report to the house and senate  
20 appropriations subcommittees on state police and the house and senate  
21 fiscal agencies by March 1, 2003 regarding the inspection of school buses  
22 and other motor vehicles under section 715a of the Michigan vehicle code,  
23 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation

**HB 5650, As Passed Senate, May 16, 2002**

House Bill No. 5650

29

1 act, 1990 PA 187, MCL 257.1839. The report shall include the following  
2 information regarding inspections conducted in calendar year 2002:

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

4 (b) The number of buses and vehicles passing and failing  
5 inspection.

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

7 (2) If each school bus within a school system receives a  
8 100% successful state inspection on its first inspection in a given year,  
9 the department shall award a certificate to that school system.