

Act No. 526
Public Acts of 2002
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*Item Vetoes

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**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

**Introduced by Reps. Cameron Brown, Jelinek, Pumford, Mead, Stewart, Newell, Pappageorge, Kooiman,
Vander Roest, Shackleton, Mortimer, Toy, Caul, Shulman and Jansen**

ENROLLED HOUSE BILL No. 5650

AN ACT 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:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of state police for the fiscal year ending September 30, 2003, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	3,445.5	
GROSS APPROPRIATION		\$ 415,678,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		19,282,800
ADJUSTED GROSS APPROPRIATION		\$ 396,395,400
Federal revenues:		
Total federal revenues		45,570,500
Special revenue funds:		
Total local revenues		3,913,700
Total private revenues		0
Total other state restricted revenues		59,862,900
State general fund/general purpose		\$ 287,048,300

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	36.0	
Unclassified positions		\$ 265,600
Executive direction—29.0 FTE positions		3,414,500
Auto theft prevention program—7.0 FTE positions		7,065,000
GROSS APPROPRIATION		\$ 10,745,100
Appropriated from:		
Special revenue funds:		
Auto theft prevention fund		7,065,000
State general fund/general purpose		\$ 3,680,100

Sec. 103. DEPARTMENTWIDE APPROPRIATIONS

Special maintenance and utilities		\$ 479,400
Rent and building occupancy charges		8,556,000
Worker's compensation		2,864,000
Fleet leasing		14,637,900
In-service training		850,000
Narcotics investigation funds		265,000
GROSS APPROPRIATION		\$ 27,652,300
Appropriated from:		
Interdepartmental grant revenues:		
IDT, Michigan justice training fund		850,000
Federal revenues:		
Federal narcotics investigation revenues		95,000
Special revenue funds:		
Narcotics investigation revenues		170,000
State general fund/general purpose		\$ 26,537,300

Sec. 104. SUPPORT SERVICES

Full-time equated classified positions	158.5	
Human resources—35.5 FTE positions		\$ 2,645,000
Management services—60.0 FTE positions		4,019,600
Training administration—44.0 FTE positions		4,871,900
Communications—19.0 FTE positions		6,487,700
GROSS APPROPRIATION		\$ 18,024,200
Appropriated from:		
Interdepartmental grant revenues:		
IDT, auto theft funds		21,000
IDG, training academy charges		2,726,400
Special revenue funds:		
Local - LEIN fees		31,900
Precision driving track fees		264,100
Narcotics investigation revenues		40,600
Motor carrier fees		125,500
State general fund/general purpose		\$ 14,814,700

Sec. 105. HIGHWAY SAFETY PLANNING

Full-time equated classified positions	25.0	
State program planning and administration—13.0 FTE positions		\$ 1,147,000
Grants to local governments and nonprofit organizations		4,500,000
Secondary road patrol program—1.0 FTE position		12,506,600
Truck safety program—2.0 FTE positions		2,983,800
Field coordination and analysis—8.0 FTE positions		1,975,900
Highway traffic safety—1.0 FTE position		3,973,800
GROSS APPROPRIATION		\$ 27,087,100
Appropriated from:		
Federal revenues:		
DOT		10,492,000
DOJ		560,000

Special revenue funds:		
Truck driver safety fund	\$	2,983,800
Secondary road patrol and training fund		12,506,600
State general fund/general purpose	\$	544,700

Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER

Full-time equated classified positions	96.5	
Criminal justice information center division—78.0 FTE positions	\$	7,566,700
Criminal records improvement—1.0 FTE position		4,726,200
Traffic safety—17.5 FTE positions		1,518,900
GROSS APPROPRIATION	\$	13,811,800

Appropriated from:

Interdepartmental grant revenues:		
IDG-MDOS		313,600
IDG-MDOT, state trunkline fund		336,900

Federal revenues:

DOJ		4,726,200
DOT		388,500

Special revenue funds:

Criminal justice information center service fees		5,954,300
State general fund/general purpose	\$	2,092,300

Sec. 107. FORENSIC SCIENCES

Full-time equated classified positions	215.0	
Laboratory operations—191.0 FTE positions	\$	16,775,300
DNA analysis program—24.0 FTE positions		4,336,800
GROSS APPROPRIATION	\$	21,112,100

Appropriated from:

Federal revenues:		
DOJ		442,900

Special revenue funds:

Forensic science reimbursement fees		1,626,400
State forensic laboratory fund		1,100,000
State general fund/general purpose	\$	17,942,800

Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Full-time equated classified positions	28.0	
Standards and training—22.0 FTE positions	\$	2,280,000
Training only to local units—2.0 FTE positions		690,000
Concealed weapons enforcement training		140,000
Officer's survivor tuition program		50,000
Justice training grants—4.0 FTE positions		9,032,000
GROSS APPROPRIATION	\$	12,192,000

Appropriated from:

Federal revenues:		
DOJ		360,000

Special revenue funds:

Secondary road patrol and training fund		690,000
Concealed weapons enforcement fee		140,000
Michigan justice training fund		9,032,000
Licensing fees		50,000
State general fund/general purpose	\$	1,920,000

Sec. 109. FIRE MARSHAL

Full-time equated classified positions	55.0	
Fire marshal programs—44.0 FTE positions	\$	3,929,400
Fire investigation training to locals		51,500
Fire fighters training council—11.0 FTE positions		1,728,400
GROSS APPROPRIATION	\$	5,709,300

Appropriated from:	
Federal revenues:	
FEMA.....	\$ 150,000
DOT.....	85,000
State general fund/general purpose	\$ 5,474,300

Sec. 110. EMERGENCY MANAGEMENT

Full-time equated classified positions.....	49.0
Emergency management planning and administration—32.0 FTE positions	\$ 2,930,000
Grants to local government	2,182,100
FEMA program assistance—3.0 FTE positions	962,300
Nuclear power plant emergency planning—6.0 FTE positions	1,209,200
Hazardous materials transportation—1.0 FTE position	579,200
Hazardous materials programs—7.0 FTE positions	6,586,500
GROSS APPROPRIATION.....	\$ 14,449,300

Appropriated from:	
Federal revenues:	
FEMA.....	4,664,100
DOT.....	579,200
DOJ.....	5,000,000
Special revenue funds:	
Nuclear power plant emergency planning reimbursement.....	1,209,200
Hazardous materials training center fees	1,253,800
State general fund/general purpose	\$ 1,743,000

Sec. 111. UNIFORM SERVICES

Full-time equated classified positions.....	2,049.5
Uniform services—610.0 FTE positions.....	\$ 51,259,500
Security guards—29.0 FTE positions	1,039,900
Reimbursed services	1,598,000
At-post troopers—1,410.5 FTE positions.....	113,222,300
GROSS APPROPRIATION.....	\$ 167,119,700

Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDMB, building occupancy charges	610,100
Federal revenues:	
DOJ.....	1,500,000
Special revenue funds:	
Highway safety fund	8,448,200
State police service fees	1,598,000
State general fund/general purpose	\$ 154,963,400

Sec. 112. SPECIAL OPERATIONS

Full-time equated classified positions.....	61.5
Operational support—40.0 FTE positions.....	\$ 2,921,800
Traffic services—13.5 FTE positions.....	2,671,100
Aviation program—8.0 FTE positions.....	1,739,700
GROSS APPROPRIATION.....	\$ 7,332,600

Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC, contract	77,200
Federal revenues:	
DOT.....	1,378,200
Special revenue funds:	
Rental of department aircraft	180,300
Drunk driving prevention and training fund.....	969,700
State general fund/general purpose	\$ 4,727,200

Sec. 113. CRIMINAL INVESTIGATIONS

Full-time equated classified positions.....	449.5	
Criminal investigations—335.5 FTE positions.....	\$	32,499,500
Federal antidrug initiatives—72.0 FTE positions.....		10,124,200
Reimbursed services, materials, and equipment.....		2,332,900
Auto theft prevention—10.0 FTE positions.....		1,372,100
Casino gaming oversight—32.0 FTE positions.....		3,513,000
GROSS APPROPRIATION.....	\$	49,841,700
Appropriated from:		
Interdepartmental grant revenues:		
IDT, auto theft funds.....		1,104,000
IDG-MDTR, casino gaming fees.....		3,513,000
IDG-MDCH, tobacco tax.....		610,000
Federal revenues:		
Federal investigations - reimbursed services.....		519,700
DOJ.....		7,506,700
Federal narcotics investigation revenues.....		380,800
Special revenue funds:		
Local - reimbursed services.....		1,813,200
Narcotics investigation revenues.....		543,000
Forfeiture funds.....		269,500
State general fund/general purpose.....	\$	33,581,800

Sec. 114. MOTOR CARRIER ENFORCEMENT

Full-time equated classified positions.....	222.0	
Motor carrier enforcement—140.0 FTE positions.....	\$	10,125,900
Truck safety enforcement team operations—15.0 FTE positions.....		1,060,000
Safety inspections—46.0 FTE positions.....		6,928,500
School bus inspections—16.0 FTE positions.....		1,475,300
Safety projects—5.0 FTE positions.....		1,242,200
GROSS APPROPRIATION.....	\$	20,831,900
Appropriated from:		
Interdepartmental grant revenues:		
IDT, truck safety fund.....		1,132,100
IDG-MDOT, state trunkline fund.....		7,883,200
Federal revenues:		
DOT.....		6,712,600
Special revenue funds:		
Motor carrier fees.....		3,628,700
State general fund/general purpose.....	\$	1,475,300

Sec. 115. INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	22,668,600
GROSS APPROPRIATION.....	\$	22,668,600
Appropriated from:		
Interdepartmental grant revenues:		
IDT-MDTR, casino gaming fees.....		72,100
IDG-MDOT, state trunkline fund.....		33,200
Federal revenues:		
DOT.....		29,600
Special revenue funds:		
Local - LEIN fees.....		2,035,600
Local - AFIS fees.....		33,000
Motor carrier fees.....		14,200
State general fund/general purpose.....	\$	20,450,900

Sec. 116. BUDGETARY SAVINGS

Budgetary savings.....	\$	(2,899,500)
GROSS APPROPRIATION.....	\$	(2,899,500)
Appropriated from:		
State general fund/general purpose.....	\$	(2,899,500)

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 2002-2003 is \$346,911,200.00 and state spending from state resources to be paid to local units of government for fiscal year 2002-2003 is \$19,968,100.00. 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	\$	12,381,500
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COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units	\$	624,900
Justice training grants		6,471,200

FIRE MARSHAL

Fire fighters training council	\$	439,000
Fire investigation training for locals		51,500
Total	\$	19,968,100

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

Sec. 203. As used in this act:

- (a) "AFIS" means the automated fingerprint identification system.
- (b) "Department" means the department of state police.
- (c) "DNA" means deoxyribonucleic acid.
- (d) "DOJ" means the United States department of justice.
- (e) "DOT" means the United States department of transportation.
- (f) "FEMA" means the federal emergency management agency.
- (g) "FTE" means full-time equated.
- (h) "IDG" means interdepartmental grant.
- (i) "IDT" means intradepartmental transfer.
- (j) "LEIN" means law enforcement information network.
- (k) "MCOLES" means the Michigan commission on law enforcement standards.
- (l) "MDCH" means the Michigan department of community health.
- (m) "MDMB" means the Michigan department of management and budget.
- (n) "MDOC" means the Michigan department of corrections.
- (o) "MDOS" means the Michigan department of state.
- (p) "MDOT" means the Michigan department of transportation.
- (q) "MDTR" means the Michigan department of treasury.

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

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

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report by the last business day of

each month to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous month and the justification for the exception.

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

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

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

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

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

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

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

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

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

Sec. 212. Of the state general fund/general purpose revenue appropriated in this act, \$74,843,500.00 represents a state spending increase over the amount provided to the department of state police for the fiscal year ending September 30, 1994, and may be used to meet state match requirements of programs contained in the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs, so that any additional federal money received supplements funding provided to the department of state police in this act.

Sec. 216. (1) It is the intent of the legislature that the department shall not provide any subsidy for contractual services it provides.

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

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

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

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

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

(a) The amount of money received and expended.

- (b) The nature and structure of the casino gaming oversight unit.
- (c) The positions and classifications of employees assigned.
- (d) The number of full-time and part-time employees and the aggregate number of FTEs.
- (e) The number of enlisted and civilian positions.
- (f) The duties and responsibilities of the assigned employees.
- (g) The immediate past position of the enlisted employees assigned.

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

Sec. 221. From the funds appropriated in part 1, the department shall maintain a toll-free hotline in collaboration with the department of education. The toll-free hotline shall be operated 24 hours per day, 7 days per week, and shall provide students, school officials, and other individuals an opportunity to report specific threats of imminent school violence or other suspicious or criminal conduct by juveniles to the appropriate local law enforcement entities for investigation. The department may expend funds for the promotion of the hotline.

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

(2) From the funds appropriated in part 1 for at-post troopers, 1 or more trooper recruit schools shall be conducted during fiscal year 2002-2003 with the goal of graduating at least 110 new troopers to state service to replace existing troopers projected to separate from the rank of trooper through attrition.

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

Sec. 224. The department of state police shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies not less than 180 days before recommending to close or consolidate any state police posts.

Sec. 261. (1) The negative appropriation for budgetary savings in part 1 shall be satisfied by savings from the hiring freeze imposed under section 205, efficiencies, and other savings identified by the department director and approved by the state budget director.

(2) Appropriation authorization adjustments required due to the negative appropriation for budgetary savings shall be made only after the approval of transfers by the legislature pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 262. (1) It is the intent of the legislature that the department take steps to engage in cooperative efforts with county, city, township, and village law enforcement agencies in the coordination of law enforcement services and facilities.

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

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

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

INFORMATION TECHNOLOGY

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

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

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

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

Sec. 302. The money appropriated in part 1 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the service and contract maintenance costs of the LEIN mainframe computer system.

Sec. 303. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. User fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 304. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

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

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

Sec. 307. (1) The department of state police, working with the criminal justice information system policy council, shall implement procedures by which all probation information is placed on the LEIN system. The LEIN system shall include information on each probationer, including any probation conditions placed on a probationer and the name of the probation officer assigned to a probationer. The LEIN system shall also include any nonstandard probation terms.

(2) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1, 2002.

HIGHWAY SAFETY PLANNING

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

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

FORENSIC SCIENCES

Sec. 701. (1) Subject to subsection (4), in addition to the funds appropriated under part 1, the following amounts are appropriated for the fiscal year ending September 30, 2003:

(a) \$431,400.00 is appropriated to the Detroit police department crime laboratory from the state general fund.

(b) \$289,700.00 is appropriated to the Detroit police department special events account from the state general fund.

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

(3) The city of Detroit shall provide a written report to the department which shall include details regarding the expenditures made from the funds appropriated under subsection (1) and a progress report detailing the status toward meeting the objectives under subsection (2). This report shall be forwarded by the department to the house and senate appropriations subcommittees on state police and military affairs, the house and senate fiscal agencies, and the state budget director by January 15, 2003.

(4) The appropriations in subsection (1) shall become effective only if the tax on cigarettes under the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, is increased by 30 cents or more per pack of cigarettes on or before September 30, 2002.

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

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

Sec. 703. The department shall work with the department of community health, the Michigan hospital association, the Michigan state medical society, and the Michigan nurses association to ensure that the recommendations included in the "Standard Recommended Procedures for the Emergency Treatment of Sexual Assault Victims" are followed in the collection of evidence.

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

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

Sec. 803. From the appropriations in part 1 for the training of new state troopers and other new police officers in the state and for the continuing education of all law enforcement officers in the state, sufficient funds shall be used to include curricula on the content and application of federal firearms laws, including the procedures necessary for law enforcement to turn appropriate cases over to the federal bureau of alcohol, tobacco, and firearms or any other applicable federal criminal justice agency.

FIRE MARSHAL

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

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

(a) Michigan fire chiefs association.

(b) Michigan state fireman's association.

(c) Michigan firefighter's union.

(d) Michigan fire service instructors association.

(e) Michigan fire inspectors society.

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

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

EMERGENCY MANAGEMENT

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

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

UNIFORM SERVICES

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

SPECIAL OPERATIONS

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

Sec. 1202. From the funds appropriated in part 1 for special operations, the department shall fund 1/3 of the cost of an aeronautics safety officer position within the department of transportation to coordinate safety functions between the department, the state transportation department, and the department of natural resources. It is the intent of the legislature that the safety officer position shall be equally funded by the 3 departments.

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

CRIMINAL INVESTIGATIONS

Sec. 1301. (1) There is sufficient money appropriated in section 113 to criminal investigations to ensure that the citizens in a service area of any state police post in the vicinity of a state prison do not experience a downgrading of

state police services in their area. Criminal investigations shall be available by temporary or permanent assignment of a detective when either a temporary or permanent prison facility is opened.

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

MOTOR CARRIER ENFORCEMENT

Sec. 1401. (1) The department shall report to the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies by March 1, 2003 regarding the inspection of school buses and other motor vehicles under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The report shall include the following information regarding inspections conducted in calendar year 2002:

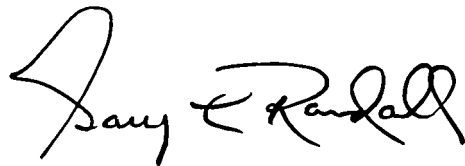
- (a) The number of buses and vehicles inspected by the department.
- (b) The number of buses and vehicles passing and failing inspection.
- (c) The estimated number of buses and vehicles not inspected.

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

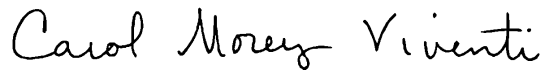
Sec. 1402. (1) It is the intent of the legislature that funds appropriated for the motor carrier enforcement division be used to the maximum extent possible for the enforcement of motor carrier laws and regulations, particularly for the acquisition of equipment, modern technology, and personnel to do the job.

(2) The department shall submit a written report to the senate and house appropriations subcommittees on state police by November 15, 2002, detailing the department's allocation plan for funds appropriated for motor carrier enforcement for fiscal year 2002-2003. Included in the report shall be the allocation plan for any funds and FTEs appropriated by the legislature which were of a greater amount than contained in the governor's recommendation for fiscal year 2002-2003.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.