

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 293

A bill to amend 1929 PA 152, entitled

"An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials,"

by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. (1) The department of state police shall broadcast  
2 all police dispatches and reports which have a reasonable  
3 relation to or connection with the apprehension of criminals, the  
4 prevention of crime, or the maintenance of peace, order, and  
5 public safety in this state.

6       (2) ~~The~~ **Subject to subsections (5) and (7),** the director of  
7 the department of state police ~~may authorize~~ **shall allow** any  
8 **local** governmental public safety agency to utilize the Michigan  
9 public safety communications system **including attaching public**

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1 safety communications equipment to towers constructed under this  
2 act. The director of the department of state police may  
3 authorize any other governmental public safety agency to utilize  
4 the Michigan public safety communications system including  
5 attaching public safety communications equipment to towers  
6 constructed under this act. [Local governmental public safety agency  
equipment placed on towers constructed under this act must be  
interoperable with the Michigan public safety communications system.]

7 (3) All costs associated with installing and maintaining  
8 local governmental public safety agency equipment are the  
9 responsibility of the local governmental public safety agency  
10 requesting permission. Any damage from natural causes to the  
11 equipment installed by a local governmental public safety agency  
12 is the responsibility of that public safety agency.

13 (4) The director shall furnish to the local governmental  
14 public safety agency requesting permission to attach equipment to  
15 a tower documentation necessary to perform structural, wind load,  
16 and radio frequency analysis of the tower. The local  
17 governmental public safety agency shall at its expense conduct a  
18 structural analysis and wind load analysis of the tower that  
19 includes any existing and proposed loads of antennas, cabling,  
20 and appurtenances, and shall perform a radio frequency  
21 interference analysis of the local governmental public safety  
22 agency's proposed equipment with all other equipment on the tower  
23 on the date of the request for permission.

24 (5) The director may deny permission to install or attach  
25 local governmental public safety equipment to a tower constructed  
26 under this act only if the structural, wind load, or radio  
27 frequency interference analysis determines that the installation

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1 or attachment will structurally impair the tower or harmfully  
2 interfere with the operation of the Michigan public safety  
3 communications system.

4 (6) For purposes of this section, local governmental public  
5 safety agency includes a Michigan Indian tribal police force that  
6 is part of an Indian tribe that has a valid gaming compact with  
7 the state of Michigan and is paying the state of Michigan 8% of  
8 its gross gaming proceeds.

9 (7) The director may rescind the permission to install or  
10 attach equipment to a tower if the equipment of a local  
11 governmental public safety agency impedes funded upgrades to the  
12 Michigan public safety communications system. The determination  
13 regarding impediments to future funded upgrades shall be limited  
14 to structural, wind load, and radio frequency analysis only. [

15  
16 ] Should the  
17 [determination] indicate that local governmental public safety equipment  
18 that has been placed on a tower under this act requires removal  
19 or relocation, the department shall notify the local governmental  
20 public safety agency in writing and provide a copy of the  
21 [determination] to that local governmental public safety agency. The  
22 department shall allow the local governmental public safety  
23 agency sufficient time, not to exceed 1 calendar year from the  
24 date of written notification, to relocate or remove the  
25 equipment.