

# HOUSE BILL No. 4516

April 2, 2003, Introduced by Reps. Amos, Richardville, Wojno, Howell, Nofs, Stakoe, Gaffney, LaSata, Vander Veen, Vagnozzi, Voorhees, Ruth Johnson, Woodward, Rivet, Hune, DeRossett, Huizenga, DeRoche, Woronchak, Rocca, McConico, Byrum and Condino and referred to the Committee on Criminal Justice.

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending the title and sections 2, 3, 4, 5, and 15 (MCL 791.502, 791.503, 791.504, 791.505, and 791.515); and to repeal acts and parts of acts.

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

TITLE

An act to improve the training and education of state ~~and local~~ correctional officers; to provide for the certification of state correctional officers and the development of standards and requirements for state ~~and local~~ correctional officers; to provide for the creation of a correctional officers' training council and a central training academy; and to prescribe the powers and duties of certain state agencies.

Sec. 2. As used in this act:

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1 (a) "Central training academy" means the central training  
2 academy established pursuant to section 15.

3 (b) "Correctional facility" means ~~either of the following:~~

4 ~~(i) A~~ a facility or institution which houses an inmate  
5 population under the jurisdiction of the department of  
6 corrections.

7 ~~(ii) A municipal or county jail, work camp, lockup, holding~~  
8 ~~center, halfway house, community corrections center, or any other~~  
9 ~~facility maintained by a municipality or county which houses~~  
10 ~~adult prisoners.~~

11 (c) "Council" means the correctional officers' training  
12 council created under section 3.

13 (d) "Department" means the state department of corrections.

14 (e) "Executive secretary" means the executive secretary of  
15 the council.

16 ~~(f) "Local correctional officer" means any person employed~~  
17 ~~by a unit of local government in a correctional facility as a~~  
18 ~~correctional officer, or that person's immediate supervisor.~~

19 (f) ~~(g)~~ "State correctional officer" means any person  
20 employed by the department in a correctional facility as a  
21 correctional officer or a corrections medical aide, or that  
22 person's immediate supervisor.

23 Sec. 3. The correctional officer's training council is  
24 created within the department and shall establish standards  
25 regarding training and education as prescribed in this act. The  
26 council shall consist of ~~10~~ 8 members appointed by the  
27 governor. The members shall be appointed as follows:

1 (a) One member shall represent state corrections officers.

2 ~~(b) One member shall represent local corrections officers.~~

3 ~~— (c) One member shall represent local agencies which maintain~~  
4 ~~jails, corrections, or temporary holding facilities.~~

5 (b) ~~—(d) One member shall represent the Michigan commission~~  
6 ~~of corrections~~ **department.**

7 (c) ~~—(e) One member shall represent the office of criminal~~  
8 ~~justice~~ **department of management and budget.**

9 (d) ~~—(f) One member shall represent the state personnel~~  
10 ~~director.~~

11 (e) ~~—(g) Two members shall represent the public at large.~~

12 (f) ~~—(h) Two members shall represent the academic community,~~  
13 ~~at least 1 of whom shall represent Michigan community colleges.~~

14 Sec. 4. (1) All members of the council shall hold office  
15 for a term of 3 years. ~~—, except that of the members first~~  
16 ~~appointed 3 shall have a term of 1 year, 4 shall have a term of~~  
17 ~~2 years, and 3 shall have a term of 3 years.~~ Successors shall be  
18 appointed in the same manner as the original appointment.

19 (2) A person appointed as a member to fill a vacancy created  
20 other than by expiration of a term shall be appointed in the same  
21 manner as the original appointment for the remainder of the  
22 unexpired term of the member whom the person is to succeed.

23 (3) Any member may be reappointed for additional terms.

24 Sec. 5. (1) The council shall designate from among its  
25 members a chairperson and a vice-chairperson who shall serve for  
26 1-year terms and who may be reelected.

27 (2) The council shall meet at least 4 times in each year at

## House Bill No. 4516 as amended May 13, 2003

1 Lansing. The council shall hold special meetings when called by  
 2 the chairperson or, in the absence of the chairperson, by the  
 3 vice-chairperson, or when called by the chairperson upon the  
 4 written request of ~~5~~ 4 members of the council. The council  
 5 shall establish its own procedures and requirements with respect  
 6 to quorum, place, and conduct of its meeting and other matters.

7 (3) The business which the council may perform shall be  
 8 conducted at a public meeting of the council held in compliance  
 9 with the open meetings act, ~~Act No. 267 of the Public Acts of~~  
 10 ~~1976, as amended, being sections 15.261 to 15.275 of the Michigan~~  
 11 ~~Compiled Laws~~ **1976 PA 267, MCL 15.261 to 15.275.** Public notice  
 12 of the time, date, and place of the meeting shall be given in the  
 13 manner required by ~~Act No. 267 of the Public Acts of 1976, as~~  
 14 ~~amended~~ **the open meetings act, 1976 PA 267, MCL 15.261 to**  
 15 **15.275.**

16 (4) The members of the council shall serve without  
 17 compensation but shall be entitled to their actual expenses in  
 18 attending meetings and in the performance of their duties under  
 19 this act.

20 Sec. 15. The department shall establish a central training  
 21 academy for use as an employee training center for state ~~and~~  
 22 ~~local~~ correctional officers. Funds necessary for the  
 23 establishment and use of the training academy shall be provided  
 24 by the department and supported by separate appropriation.

25 Enacting section 1. Section 14 of the correctional  
 26 officers' training act of 1982, 1982 PA 415, MCL 791.514, is  
 27 repealed.

[Enacting section 2. This amendatory act takes effect October 1, 2003.

Enacting section 3. This amendatory act does not take effect unless  
 all of the following bills of the 92nd Legislature are enacted into law:

- (a) House Bill No. 4515.
- (b) House Bill No. 4517.]