

HOUSE BILL No. 4885

June 24, 2003, Introduced by Reps. Nofs, Stahl, Gaffney, Steil, Moolenaar, Stakoe, DeRossett, Casperson, Pastor, Taub, Tabor, Van Regenmorter, Palsrok, Wenke, Garfield, Wojno, LaJoy, Condino, Hoogendyk, Sheen, Farhat, Newell, Woodward, Bieda, Mortimer, Emmons and Pumford and referred to the Committee on Appropriations.

A bill to amend 1935 PA 59, entitled

"An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,"

(MCL 28.1 to 28.16) by amending the title and by adding section 6f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to provide for the public safety; to create the Michigan state police, and provide for the organization ~~thereof~~

1 of the Michigan state police; to transfer ~~thereto~~ the offices,
2 duties, and powers of the state fire marshal; ~~—, the state oil~~
3 ~~inspector, the department of the Michigan state police as~~
4 ~~heretofore organized, and the department of public safety;~~ to
5 create the office of ~~commissioner~~ **director** of the Michigan
6 state police; to provide for an acting ~~commissioner~~ **director**
7 and for the appointment of the officers and members of ~~said~~
8 ~~department~~ **the Michigan state police**; to prescribe ~~their~~ **the**
9 powers, duties, and immunities **of officers**; ~~to provide the~~
10 ~~manner of fixing their compensation;~~ to provide for ~~their~~ **the**
11 removal ~~from office~~ **of officers**; and to ~~repeal Act No. 26 of~~
12 ~~the Public Acts of 1919, being sections 556 to 562, inclusive, of~~
13 ~~the Compiled Laws of 1929, and Act No. 123 of the Public Acts of~~
14 ~~1921, as amended, being sections 545 to 555, inclusive, of the~~
15 ~~Compiled Laws of 1929~~ provide for an appropriation.

16 Sec. 6f. (1) The director is authorized to recruit, equip,
17 and train a state police reserve force.

18 (2) An officer of the state police reserve force shall be
19 selected in a manner prescribed by the director and consist of
20 individuals who meet or exceed all of the following
21 requirements:

22 (a) Is a citizen of the United States.

23 (b) Is a former police officer of this state or a political
24 subdivision of this state or of the United States or the United
25 States armed forces.

26 (c) Has not been dishonorably discharged from the United
27 States armed forces.

1 (d) Has been a resident of this state for at least 1 year.

2 (e) Is of good moral character.

3 (3) A state police reserve officer shall subscribe to the
4 constitutional oath of office, to be administered by the
5 director.

6 (4) A state police reserve officer is subject to the rules,
7 regulations, and official orders of the department while on
8 duty.

9 (5) A state police reserve officer shall be compensated for
10 the time on duty in a manner consistent with the rules of the
11 civil service commission.

12 (6) The director may discharge any member of the state police
13 reserve force at any time.

14 (7) A state police reserve officer is not eligible to be a
15 member of any state pension plan or to receive any other
16 employment benefit offered to state employees. A state police
17 reserve officer is eligible for worker's compensation. Pension
18 benefits of former state employees are not affected by being a
19 state police reserve officer.

20 (8) A state police reserve officer has the authority of a
21 regularly employed state police officer only while he or she is
22 on duty and is performing police functions assigned by and
23 supervised by the department.

24 (9) It is the intent of this section that the department
25 shall have a standby force available for use during an
26 emergency. Police powers are extended to officers of the reserve
27 force only when directly authorized under circumstances

1 prescribed in this section. The director may promulgate rules to
2 carry out the intent of this section.

3 (10) There is appropriated \$50,000.00 from the general fund
4 to carry out the purpose of this section.