

HOUSE BILL No. 6604

November 9, 2006, Introduced by Rep. Jones and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1965 PA 203, entitled
"Commission on law enforcement standards act,"
by amending sections 2 and 14 (MCL 28.602 and 28.614), section 2 as
amended by 2004 PA 379 and section 14 as amended by 1998 PA 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Certificate" means a numbered document issued by the
3 commission to a person who has received certification under this
4 act.

5 (b) "Certification" means either of the following:

6 (i) A determination by the commission that a person meets the
7 law enforcement officer minimum standards to be employed as a
8 commission certified law enforcement officer and that the person is

1 authorized under this act to be employed as a law enforcement
2 officer.

3 (ii) A determination by the commission that a person was
4 employed as a law enforcement officer before January 1, 1977 and
5 that the person is authorized under this act to be employed as a
6 law enforcement officer.

7 (c) "Commission" means the commission on law enforcement
8 standards created in section 3.

9 (d) "Contested case" means that term as defined in section 3
10 of the administrative procedures act of 1969, 1969 PA 306, MCL
11 24.203.

12 (E) "EMERGENCY MEDICAL SERVICES" MEANS THE EMERGENCY MEDICAL
13 SERVICES PERSONNEL, AMBULANCES, NONTRANSPORT PREHOSPITAL LIFE
14 SUPPORT VEHICLES, AIRCRAFT TRANSPORT VEHICLES, MEDICAL FIRST
15 RESPONSE VEHICLES, AND EQUIPMENT REQUIRED FOR TRANSPORT OR
16 TREATMENT OF AN INDIVIDUAL REQUIRING MEDICAL FIRST RESPONSE LIFE
17 SUPPORT, BASIC LIFE SUPPORT, LIMITED ADVANCED LIFE SUPPORT, OR
18 ADVANCED LIFE SUPPORT.

19 (F) "EMERGENCY MEDICAL SERVICES EDUCATION PROGRAM SPONSOR"
20 MEANS A PERSON, OTHER THAN AN INDIVIDUAL, THAT MEETS THE STANDARDS
21 OF THE DEPARTMENT TO CONDUCT TRAINING AT THE FOLLOWING LEVELS:

22 (i) MEDICAL FIRST RESPONDER.

23 (ii) EMERGENCY MEDICAL TECHNICIAN.

24 (iii) EMERGENCY MEDICAL TECHNICIAN SPECIALIST.

25 (iv) PARAMEDIC.

26 (v) EMERGENCY MEDICAL SERVICES INSTRUCTOR-COORDINATOR.

27 (G) "EMERGENCY MEDICAL SERVICES PERSONNEL" MEANS A MEDICAL

1 FIRST RESPONDER, EMERGENCY MEDICAL TECHNICIAN, EMERGENCY MEDICAL
2 TECHNICIAN SPECIALIST, PARAMEDIC, OR EMERGENCY MEDICAL SERVICES
3 INSTRUCTOR-COORDINATOR.

4 (H) ~~—(e)—~~ "Executive director" means the executive director of
5 the commission appointed under section 12.

6 (I) ~~—(f)—~~ "Felony" means a violation of a penal law of this
7 state or another state that is either of the following:

8 (i) Punishable by a term of imprisonment greater than 1 year.

9 (ii) Expressly designated a felony by statute.

10 (J) ~~—(g)—~~ "Fund" means the law enforcement officers training
11 fund created in section 13.

12 (K) ~~—(h)—~~ "Law enforcement officer minimum standards" means
13 standards established by the commission under this act that a
14 person must meet to be eligible for certification under section
15 9a(1) .

16 (L) ~~—(i)—~~ "Law enforcement officer of a Michigan Indian tribal
17 police force" means a regularly employed member of a police force
18 of a Michigan Indian tribe who is appointed pursuant to former 25
19 CFR 12.100 to 12.103.

20 (M) ~~—(j)—~~ "Michigan Indian tribe" means a federally recognized
21 Indian tribe that has trust lands located within this state.

22 (N) ~~—(k)—~~ "Multicounty metropolitan district" means an entity
23 authorized and established pursuant to state law by 2 or more
24 counties with a combined population of not less than 3,000,000, for
25 the purpose of cooperative planning, promoting, acquiring,
26 constructing, owning, developing, maintaining, or operating parks.

27 (O) ~~—(l)—~~ "Police officer" or "law enforcement officer" means,

1 unless the context requires otherwise, any of the following:

2 (i) A regularly employed member of a law enforcement agency
3 authorized and established pursuant to law, including common law,
4 who is responsible for the prevention and detection of crime and
5 the enforcement of the general criminal laws of this state. Police
6 officer or law enforcement officer does not include a person
7 serving solely because he or she occupies any other office or
8 position.

9 (ii) A law enforcement officer of a Michigan Indian tribal
10 police force, subject to the limitations set forth in section 9(3).

11 (iii) The sergeant at arms or any assistant sergeant at arms of
12 either house of the legislature who is commissioned as a police
13 officer by that respective house of the legislature as provided by
14 the legislative sergeant at arms police powers act, 2001 PA 185,
15 MCL 4.381 to 4.382.

16 (iv) A law enforcement officer of a multicounty metropolitan
17 district, subject to the limitations of section 9(7).

18 (v) A county prosecuting attorney's investigator sworn and
19 fully empowered by the sheriff of that county.

20 (vi) Until December 31, 2007, a law enforcement officer of a
21 school district in this state that has a membership of at least
22 20,000 pupils and that includes in its territory a city with a
23 population of at least 180,000 as of the most recent federal
24 decennial census.

25 (vii) A fire arson investigator from a fire department within a
26 city with a population of not less than 750,000 who is sworn and
27 fully empowered by the city chief of police.

1 (P) ~~—(m)—~~ "Rule" means a rule promulgated pursuant to the
2 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
3 24.328.

4 Sec. 14. (1) The amounts annually appropriated by the
5 legislature from the law enforcement officers training fund shall
6 be paid by the state treasurer as follows:

7 (a) In accordance with the accounting laws of the state upon
8 certification of the executive director to reimburse an amount not
9 to exceed the training costs incurred for each officer meeting the
10 recruitment standards prescribed pursuant to this act during the
11 period covered by the allocation, plus an amount not to exceed the
12 necessary living expenses incurred by the officer that are
13 necessitated by training requiring that he or she be away from his
14 or her residence overnight.

15 (B) IN ACCORDANCE WITH THE ACCOUNTING LAWS OF THE STATE UPON
16 CERTIFICATION OF THE EXECUTIVE DIRECTOR TO REIMBURSE AN AMOUNT NOT
17 TO EXCEED THE TRAINING COSTS INCURRED FOR EMERGENCY MEDICAL
18 SERVICES PERSONNEL MEETING THE EDUCATION STANDARDS PRESCRIBED UNDER
19 THIS ACT AND THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.1101 TO
20 333.25211, FOR THE COMPLETION OF AN EMERGENCY MEDICAL SERVICES
21 EDUCATION PROGRAM, PLUS AN AMOUNT NOT TO EXCEED THE NECESSARY
22 LIVING EXPENSES INCURRED THAT ARE NECESSITATED BY TRAINING
23 REQUIRING THAT HE OR SHE BE AWAY FROM HIS OR HER RESIDENCE
24 OVERNIGHT.

25 (C) ~~—(b)—~~ For the maintenance and administration of law
26 enforcement officer testing and certification provided for by this
27 act.

1 (2) If the money in the fund to be appropriated by the
2 legislature for the training and living expenses described in
3 subsection (1) are insufficient to allocate the amount for training
4 and living purposes, the amount shall be reduced proportionately.

5 (3) An allocation shall not be made from the fund under this
6 section to a training agency or to a city, county, township, or
7 village or agency of the state that has not, throughout the period
8 covered by the allocation, adhered to the standards established by
9 the commission as applicable to either training or to personnel
10 recruited or trained by the training agency, city, county,
11 township, or village or agency of the state during that period.

12 (4) Expenditures from the fund to be appropriated by the
13 legislature for law enforcement officer testing and certification
14 described in subsection (1) shall not exceed the revenue generated
15 from fees collected pursuant to section 11(1)(i) and (j).