

State; historic sites; law enforcement memorial monument; create.

STATE: Historic sites; LAW ENFORCEMENT: Local police; LAW
ENFORCEMENT: State police

A bill to create the Michigan law enforcement officers memorial monument fund; to establish a commission to govern the monument fund; to prescribe the purpose of the monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; and to provide for dissolution of the commission and monument fund.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan law enforcement officers memorial act".

3 Sec. 2. As used in this act:

4 (a) "Commission" means the Michigan law enforcement officers
5 memorial monument fund commission established in section 4.

6 (b) "Law enforcement officer" means that term as defined in
7 section 2 of the commission on law enforcement standards act,
8 1965 PA 203, MCL 28.602.

(c) "Monument fund" means the Michigan police officers memorial monument fund created in section 3.

(d) "Survivor" means:

(i) A spouse of a law enforcement officer killed on duty.

(ii) A parent of a law enforcement officer killed on duty.

(iii) A sibling of a law enforcement officer killed on duty.

(iv) A child of a law enforcement officer killed on duty.

Sec. 3. The Michigan law enforcement officers memorial monument fund is created as a separate fund in the department of treasury. The state treasurer shall seek appropriate federal tax status for the monument fund. The state treasurer shall credit to the monument fund the money appropriated to the monument fund, money received for the monument fund under section 6, and all interest that accrues on money in the monument fund. The commission may use money in the monument fund as described in this act.

Sec. 4. (1) The Michigan law enforcement officers memorial monument fund commission is established as the governing body of the monument fund. The commission shall consist of all of the following:

(a) The attorney general or his or her designee.

(b) Six members appointed by the governor as follows:

(i) One member who is a police chaplain who has 5 or more years' experience as a police chaplain.

(ii) One member who is a survivor of an officer of the Michigan state police killed while on duty.

1 (iii) One member who is a survivor of an officer of a county
2 sheriff's department killed while on duty.

3 (iv) One member who is a survivor of an officer of a municipi-
4 pal police department of a municipality with a population exceed-
5 ing 500,000 killed while on duty.

6 (v) One member who is a survivor of an officer of a municipi-
7 pal police department of a municipality with a population between
8 50,000 and 499,999 killed while on duty.

9 (vi) One member who is a survivor of an officer of a municipi-
10 pal police department of a municipality with a population under
11 50,000 killed while on duty.

12 (2) Members of the commission shall serve for terms of 4
13 years or until a successor is appointed, whichever is later. If
14 a vacancy occurs on the commission, the vacancy shall be filled
15 in the same manner as the original appointment.

16 (3) The commission shall initially convene within 6 months
17 after the first deposit of money in the monument fund. The com-
18 mission shall meet often enough to expedite the completion of the
19 monument as prescribed in section 5. A majority of the members
20 of the commission constitute a quorum for conducting business.

21 (4) The commission shall conduct its business at public
22 meetings held in compliance with the open meetings act, 1976 PA
23 267, MCL 15.261 to 15.275. A writing prepared, owned, used, in
24 the possession of, or retained by the commission in the per-
25 formance of an official function shall be available to the public
26 in compliance with the freedom of information act, 1976 PA 442,
27 MCL 15.231 to 15.246.

1 Sec. 5. (1) The commission shall oversee the financing,
2 design, and construction of a memorial monument dedicated to law
3 enforcement officers from Michigan who died in the line of duty.
4 The commission shall solicit designs for the monument and shall
5 select the final design.

6 (2) The name of each law enforcement officer who died in the
7 line of duty shall be inscribed on the Michigan law enforcement
8 officers memorial monument.

9 (3) The Michigan law enforcement officers memorial monument
10 shall be located on the grounds of the state capitol.

11 Sec. 6. (1) The commission may accept on behalf of the mon-
12 ument fund grants or gifts from the federal government, an indi-
13 vidual, a public or private corporation, organization, or founda-
14 tion, or any other source. The acceptance and use of federal
15 funds by the commission does not commit state money and does not
16 obligate the legislature to continue the purposes for which fed-
17 eral money is made available. The commission shall transmit
18 money received under this section to the state treasurer for
19 deposit in the monument fund.

20 (2) A person shall not solicit or collect money for the mon-
21 ument fund through the use of telemarketing.

22 (3) A person shall not conduct any fundraising activities in
23 the name of the Michigan law enforcement officers memorial monu-
24 ment fund without prior written approval from the Michigan law
25 enforcement officers memorial monument fund commission.

26 (4) A person shall not use the name or logo of the Michigan
27 law enforcement officers memorial monument fund or commission in

1 any fundraising activity without prior written approval of the
2 commission.

3 (5) A person who violates subsection (2), (3), or (4) is
4 responsible for a civil violation and shall be fined not more
5 than \$100,000.00. Money received from the payment of a civil
6 violation under this section shall be deposited into the fund.

7 Sec. 7. After the completion of construction of the monu-
8 ment pursuant to section 5 and payment of all amounts due in con-
9 nection with the monument, the commission is dissolved. The
10 state treasurer shall credit the department of management and
11 budget with any balance remaining in the monument fund. Money
12 credited to the department of management and budget under this
13 section shall be used to maintain the Michigan law enforcement
14 officers memorial monument.