

**POLICE OFFICERS MEMORIAL
MONUMENT FUND**

House Bill 4770

Sponsor: Rep. Pat Gagliardi

Committee: House Oversight and Ethics

Complete to 9-8-97

A SUMMARY OF HOUSE BILL 4770 AS INTRODUCED 5-8-97

The bill would create a new act, named the "Michigan Police Officers Memorial Act," to create a separate fund in the Department of Treasury and a Michigan police officers memorial monument fund commission to complete a monument on the grounds of the state Capitol dedicated to police officers from Michigan who died in the line of duty and inscribed with the name of each police officer who died in the line of duty. ("Police officer" would mean that term as defined in the Michigan Law Enforcement Officers Training Council Act.)

The fund. The state treasurer would seek appropriate federal tax status for the monument fund and credit to the fund any appropriated money, any public or private grants or gifts, and interest that accrued on money in the fund, though the bill would explicitly prohibit collecting or soliciting money for the fund through telemarketing. The acceptance and use of federal funds (by the commission) wouldn't commit state money nor obligate the legislature to continue the purposes for which federal money was made available.

Any money remaining in the monument fund after the monument had been completed would be credited to the Department of Management and Budget, which would have to use it to maintain the monument.

The commission. The commission would consist of the attorney general (or his or her designee) and two members appointed by the governor, one from a list of at least three candidates provided by MICOPS (Michigan Concerns of Police Survivors, a Michigan nonprofit corporation for the survivors of Michigan police officers who are killed in the line of duty), or its successor, and one a police chaplain who had at least five years' experience as a police chaplain. Commission members would serve four-year terms (or until a successor were appointed, whichever were later). Vacancies would be filled in the same way as the original appointment.

The bill would require the commission to initially convene within six months after the first deposit of money into the monument fund, and meet often enough thereafter to "expedite the completion of the monument" as required by the bill. The commission, which could use the money in the monument fund as described in the bill, would be the fund's governing body. It would oversee the financing and construction of the memorial monument, including soliciting and selecting the design for the monument. The commission would be dissolved after the completion of the construction of the memorial monument and after all amounts due in connection with the monument had been paid.

A majority of the members of the three-member commission would constitute a quorum for conducting business, and all of the commission's business would have to be conducted at public meetings held in compliance with the Open Meetings Act. Writings prepared, owned, used, in the possession of, or kept by the commission in the performance of an official function would have to be available to the public under the Freedom of Information Act.

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.