

# HOUSE BILL No. 5666

February 14, 2002, Introduced by Rep. Julian and referred to the Committee on House Oversight and Operations.

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,"

by amending section 12a (MCL 28.12a).

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

1           Sec. 12a. In case of injury to any person, or property  
2 damage, or both, ~~heretofore or hereafter~~ caused by the  
3 negligent operation of a motor vehicle belonging to the  
4 ~~Michigan~~ DEPARTMENT OF state police by an officer or ~~employe~~

**HB5666, As Passed House, March 5, 2002**

HB 5666 as amended February 27, 2002

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1 EMPLOYEE of the ~~Michigan~~ DEPARTMENT OF state police, a  
2 complaint ~~with respect thereto~~ may be filed with the  
3 ~~commissioner of the Michigan~~ DIRECTOR OF THE DEPARTMENT OF  
4 state police. An investigation into ~~said~~ THE accident shall be  
5 made as provided in the rules of the ~~Michigan~~ DEPARTMENT OF  
6 state police. ~~In case such~~ IF THAT investigation ~~shall~~  
7 ~~disclose~~ DISCLOSES that ~~said~~ THE accident was due to the neg-  
8 ligence of ~~such~~ THAT officer or ~~employee~~ EMPLOYEE of the  
9 ~~Michigan~~ DEPARTMENT OF state police, and was not due to the  
10 negligence of any other person, a report of ~~such~~ THE investiga-  
11 tion shall be filed in the office of the ~~commissioner of the~~  
12 ~~Michigan~~ DIRECTOR OF THE DEPARTMENT OF state police. After  
13 examination of ~~such~~ THE report and, if in the opinion of ~~said~~  
14 ~~commissioner~~ THE DIRECTOR, reimbursement for ~~such~~ THE injury  
15 to, or property damage, or both, is a proper claim, and if ~~such~~  
16 THE claim ~~shall~~ DOES not exceed \$200.00, ~~he~~ THE DIRECTOR  
17 shall [~~cause to be drawn and shall sign a voucher therefor~~  
18 MAKE RECOMMENDATION FOR] PAYMENT, payable from the appropriation to the  
19 DEPARTMENT OF state police, and shall submit ~~such~~ THE claim and  
20 [~~voucher~~ RECOMMENDATION] to the state administrative board.  
Notwithstanding any  
21 provision of law to the contrary, ~~in case such~~ IF THE claim and  
22 [~~voucher~~ RECOMMENDATION] ~~shall be~~ ARE approved by the state  
administrative  
23 board, the ~~same~~ CLAIM shall be paid [ ~~—, and the auditor general~~  
24 ~~shall draw his warrant therefor on~~ the state treasurer. .]

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JLB