

SENATE BILL No. 137

February 1, 2005, Introduced by Senator CROPSEY and referred to the Committee on Judiciary.

A bill to amend 1972 PA 295, entitled
"Forensic polygraph examiners act,"
by amending section 10 (MCL 338.1710).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) Upon application and payment of the required fee,
2 a person **FULFILLING THE FOLLOWING** is qualified to receive a license
3 as an examiner:

4 (a) ~~Who is~~ **IS** at least 18 years of age.

5 (b) ~~Who is~~ **IS** a citizen of the United States.

6 (c) ~~Who has~~ **HAS** not been under sentence for the commission
7 of a felony within 5 years prior to his **OR HER** application,
8 including parole, probation, or actual incarceration.

1 (d) ~~Who has~~ **HAS** either 1 of the following, **SUBJECT TO**
2 **SUBSECTION (2)** :

3 (i) An academic degree, at least at the baccalaureate level,
4 from an accredited college or university, with ~~such~~ **AN** academic
5 degree to include specialized study in 1 academic major, or 2
6 academic minor areas ~~which~~ **THAT** the board determines to be
7 suitable for and related to specialization as an examiner.

8 (ii) A high school diploma or its equivalent from an accredited
9 high school and at least 5 years of continuous investigative
10 experience with a recognized governmental law enforcement or
11 governmental investigative agency.

12 ~~After December 31, 1974, all applicants shall have received~~
13 ~~at least 60 semester hours of academic credit at the college level,~~
14 ~~or its equivalent, from an accredited college or university, and~~
15 ~~after December 31, 1979, all applicants shall have received an~~
16 ~~academic degree, at least at the baccalaureate level, from an~~
17 ~~accredited college or university, with such academic degree to~~
18 ~~include specialized study in 1 academic major, or 2 academic minor~~
19 ~~areas which the board determines to be suitable for and related to~~
20 ~~specialization as an examiner.~~

21 (e) ~~Who has~~ **HAS** either 1 of the following:

22 (i) ~~Who has~~ **HAS** satisfactorily completed an internship
23 training program approved by the board.

24 (ii) ~~Who satisfies~~ **SATISFIES** the board that he **OR SHE** has
25 training or experience equivalent to ~~such~~ an internship training
26 program **DESCRIBED IN SUBPARAGRAPH (i)** .

27 (f) ~~Who furnishes~~ **FURNISHES** the board with satisfactory

1 proof that he **OR SHE** has suitable experience in the personal
2 administration of polygraph examinations during ~~his~~ **AN**
3 internship, or its equivalent.

4 (g) ~~Who furnishes~~ **FURNISHES** the board with ~~completed~~
5 ~~fingerprint cards in duplicate~~ **A COMPLETED FINGERPRINT CARD**,
6 bearing the applicant's fingerprints and such other identifying
7 information or certification as to ~~the~~ **THEIR** authenticity
8 ~~thereof~~ as the board may reasonably require **AND ARRANGES FOR THE**
9 **CONDUCT OF A CRIMINAL HISTORY CHECK THAT FAILS TO DEMONSTRATE**
10 **INELIGIBILITY UNDER THIS SECTION. THE BOARD SHALL SUBMIT THE**
11 **APPLICANT'S FINGERPRINTS ALONG WITH THE APPROPRIATE STATE AND**
12 **FEDERAL FEES TO THE DEPARTMENT OF STATE POLICE FOR A CRIMINAL**
13 **HISTORY CHECK. THE DEPARTMENT OF STATE POLICE MAY THEN FORWARD THE**
14 **FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR A CRIMINAL**
15 **HISTORY CHECK. THE FEE SHALL BE PAID BY THE APPLICANT AND SHALL**
16 **ACCOMPANY THE SUBMISSION OF THE FINGERPRINTS TO THE BOARD. THE**
17 **INFORMATION OBTAINED AS A RESULT OF THE CRIMINAL HISTORY CHECK OF**
18 **AN APPLICANT SHALL BE LIMITED TO OFFICIALLY DETERMINING THE**
19 **CHARACTER AND FITNESS OF THE APPLICANT FOR LICENSING PURPOSES.**

20 (h) ~~Who has~~ **HAS** not previously had an examiner's license, or
21 its equivalent, refused, revoked, suspended or otherwise
22 invalidated for ~~cause duly shown which~~ **A REASON THAT** would also
23 represent lawful grounds for revoking or denying applicant's
24 license under this act.

25 (i) ~~Where~~ **UPON** reasonable investigation, satisfies the board
26 that no substantial derogatory information exists regarding
27 applicant's loyalty, honesty, or integrity as would reasonably and

1 prudently justify denying him **OR HER** a license.

2 (j) ~~Who has~~ **HAS** continuously resided in this state or has
3 been continuously eligible to apply for an absentee voter's ballot
4 for the general elections in this state for at least 6 calendar
5 months immediately ~~prior to~~ **BEFORE** the date of ~~his~~ **THE**
6 application; or any combination of these 2 requirements ~~which~~
7 **THAT** totals at least 6 calendar months.

8 (k) ~~Who has~~ **HAS** satisfactorily passed required qualifying
9 examinations conducted by the board, or under its supervision, to
10 determine his **OR HER** competency to obtain a license to practice as
11 an examiner, ~~but~~ **EXCEPT THAT** the applicant first shall have
12 satisfied all the other requirements in this section before taking
13 such **A** qualifying examination.

14 (2) **AFTER DECEMBER 31, 1974, ALL APPLICANTS SHALL HAVE**
15 **RECEIVED AT LEAST 60 SEMESTER HOURS OF ACADEMIC CREDIT AT THE**
16 **COLLEGE LEVEL, OR ITS EQUIVALENT, FROM AN ACCREDITED COLLEGE OR**
17 **UNIVERSITY, AND AFTER DECEMBER 31, 1979, ALL APPLICANTS SHALL HAVE**
18 **RECEIVED AN ACADEMIC DEGREE, AT LEAST AT THE BACCALAUREATE LEVEL,**
19 **FROM AN ACCREDITED COLLEGE OR UNIVERSITY, WITH SUCH ACADEMIC DEGREE**
20 **TO INCLUDE SPECIALIZED STUDY IN 1 ACADEMIC MAJOR, OR 2 ACADEMIC**
21 **MINOR AREAS WHICH THE BOARD DETERMINES TO BE SUITABLE FOR AND**
22 **RELATED TO SPECIALIZATION AS AN EXAMINER.**