
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
September 9, 2011
Detroit, Michigan

COMMISSION MEMBERS PRESENT

Mr. John Buczek, representing the Fraternal Order of Police
Sheriff James Bosscher, representing the Michigan Sheriffs' Association
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
Capt. Kari Kusmierz representing Col. Kriste Kibbey Etue, Michigan State Police
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Commander Dwayne Love, representing Chief Ralph Godbee, Detroit Police Department
Mr. Thomas Cameron, representing Attorney General Bill Schuette
Director Kurt Jones, representing the Michigan Association of Chiefs of Police
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Chief Richard Mattice, representing the Michigan Association of Chiefs of Police
Mr. James DeVries, representing the Police Officers Association of Michigan
D/Sgt. Chris Luty, representing the Michigan State Police Troopers Association

COMMISSION MEMBERS EXCUSED

Mr. Fred Timpner, representing the Michigan Association of Police
Sheriff Robert Pickell, representing the Michigan Sheriffs' Association
Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs' Association
Mr. Martin Bandemer, representing the Detroit Police Officers Association
Mr. Richard Weiler, representing the Police Officers Labor Council

OTHERS PRESENT

Mr. David Harvey, MCOLES Executive Director
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Mr. John Szczubelek, Assistant Attorney General and Commission Counsel
Mr. John Steele, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Patrick Hutting, MCOLES Staff

GUESTS (signing in)

Mr. Tim Bolles, Michigan State Police
Mr. Dan Kuhn, POAM
Mr. John T. Barr, POAM

Mr. Thomas Funke, POAM
Mr. Jerry Radovic, POAM
Mr. Thomas Scherer, POAM

GUESTS (CONTINUED)

Mr. Tim Lewis, POAM
Mr. Gregg Allgeier, POAM
Mr. Dave LaMontaine, POAM
Mr. James Tignanelli, POAM
Mr. Kevin Loftis, POAM

Mr. Paul Postal, POAM
Mr. Matthew Vanciere, POAM
Mr. Mark Zacks, POAM
Mr. Wayne Beerbower, POAM

CALL TO ORDER

The Commission meeting was called to order by Chairman Bosscher at 10:10 a.m. on September 9, 2011 at the MGM Grand, Detroit, Michigan.

INTRODUCTIONS

Chairman Bosscher introduced himself and asked the Commission members and audience to do the same. He then thanked Commissioner DeVries and the POAM for hosting the meeting.

Chairman Bosscher requested a moment of silence to honor those in our profession that made the ultimate sacrifice on September 11, 2001.

ACCEPTANCE OF THE JUNE 15, 2011 COMMISSION MEETING MINUTES

A **MOTION** was made by Mr. Jones and supported by Mr. Wendling to approve the June 15, 2011 Commission meeting minutes as written.

A **VOTE** was taken. The **MOTION** carried.

ADDITIONS/CHANGES TO THE AGENDA

There were no additions or changes to the Agenda.

PUBLIC COMMENT

There was no public comment.

CHAIR'S REPORT

Law Enforcement Officer Position Report – Chairman Bosscher stated the LEO Population Report was sent to the Commission prior to the meeting. He pointed out that since we started tracking the numbers in 2001, the number of positions is down 3,132.

Special Use Requests – Chairman Bosscher stated that the Special Use Request activity report was provided as part of the electronic distribution of Commission materials. There were no questions.

Grant Adjustment Requests - Chairman Bosscher stated that the Grant Adjustment Requests Activity Report was provided in the Commission materials. There were no questions.

DIRECTOR'S REPORT

License Relinquishment - Mr. Harvey advised that we had two voluntary license relinquishments as part of a plea bargain. No Commission action was needed. However, there was a third relinquishment which was more complicated.

Mr. Szczubelek provided the Commission with background information that when an officer is convicted of a felony, he or she can relinquish their license in lieu of having it revoked through the MCOLES administrative hearing process.

Currently there is a case involving a Kent County officer who wants to relinquish his license for only five years instead of permanently. We are currently reviewing documents from the circuit court to determine if that was the judge's understanding. If it is determined that the agreement was for five years and the court accepted the agreement, there is nothing we can do except re-visit the issue if the officer reapplies for his license in five years. Mr. Szczubelek advised he would get back with the Commission when more information was obtained.

COMMITTEE REPORTS

Executive Committee – Chairman Bosscher advised that the Executive Committee met prior to the Commission Meeting. He stated that the Committee discussed the registration of the Executive Director as a lobbyist and based on legal advice felt that it was in the best interest of MCOLES to have Mr. Harvey register as a lobbyist. Chairman Bosscher advised that the Committee recommends adopting Commission Resolution 2011-07 which authorizes Mr. David L. Harvey to register as a lobbyist.

A **MOTION** was made by Chief Olko and supported by Mr. DeVries to adopt Commission Resolution 2011-07 authorizing the Executive Director of MCOLES to register as a lobbyist.

A **VOTE WAS TAKEN**. The **MOTION** carried unanimously.

Chairman Bosscher also reported on the IADLEST meeting in Baltimore attended by Mr. Harvey.

Statute Review Committee – Mr. Buczek advised that the Statute Review Committee met on August 22, 2011. The following topics were discussed:

- **Ethics** – Revisions are complete and no further discussion was needed.
- **Regular Employment** – The Committee was presented with four options with regard to Regular Employment.
 - 1) Make no changes
 - 2) Implement the 520 hour standard
 - 3) Set the standard as a combination of training and hours worked
 - 4) Mandate training only and remove the word “regular” from the definition

There was considerable discussion of the options. The recommendation that resulted from the Committee meeting is a Resolution that will be considered under New Business.

- **Medical Standards** – The Committee was advised that as written, the administrative rule governing the medical standards needed to be revised to better comply with the ADA. After discussion, the recommendation from the Committee was to amend the rule. A Resolution will be presented to the Commission under New Business.
- **Grants** – A recommendation was made to the Statute Review Committee that it would be beneficial to incorporate some statute changes into the grant program. Ms. Kramp highlighted several points that were discussed all of which are incorporated into a resolution which will be considered under New Business.

NEW BUSINESS

Commission Resolution 2011-08 on Regular Employment – Mr. Harvey explained to the Commission that research with regard to Regular Employment dates back to 1985. A focus group was also formed to obtain a current perspective from the field on the issue and this feedback was incorporated into Commission Resolution 2011-08 which addresses the changes in Regular Employment.

A **MOTION** was made by Mr. Buczek and supported by Commander Love to adopt Commission Resolution 2011-08.

There was a discussion concerning certain parts of the Resolution which defines Regular Employment in terms of hours worked combined with training. An explanation was provided as to why the standard was going to be advisory and not mandatory. Mr. DeVries was concerned and in opposition with regard to Section B of the Resolution. He felt it circumvents the authority of the chief and sheriff. He also felt there was too much ambiguity in the language.

A **MOTION** was made by Mr. DeVries and supported by Mr. Luty to remove Section B of Commission Resolution 2011-08.

A **VOTE** was taken. The **MOTION** failed with ten members voting against the motion and Mr. DeVries and Mr. Luty voting for the motion.

Chairman Bosscher asked if any further discussion was needed on the original motion to adopt Commission Resolution 2011-08. No further discussion was needed.

A **VOTE** was taken to adopt Commission Resolution 2011-08 as written. The Resolution was adopted by majority vote with Mr. DeVries and Mr. Luty voting against adoption of the Resolution.

Commission Resolution 2011-09 Medical Standards Administrative Rule – A brief explanation of Commission Resolution 2011-09 was provided which authorizes the Executive Director to seek an emergency administrative rule rescission and to amend Rule 28.14304 by deleting subsection (d).

A **MOTION** was made by Mr. Bretz and supported by Mr. Buczek to adopt Commission Resolution 2011-09.

A **VOTE** was taken. The **MOTION** carried unanimously.

Commission Resolution 2011-10 on Statutory Changes related to the Michigan Justice Training Fund – Mr. Harvey discussed the changes to the MJTF contained in Commission Resolution 2011-10.

A **MOTION** was made by Mr. Buczek and supported by Mr. Wendling to adopt Commission Resolution 2011-10.

A **VOTE** was taken. The **MOTION** carried unanimously.

OLD BUSINTESS:

There was no old business.

MISCELLANEOUS:

Mr. Tignanelli, President of the POAM, welcomed and thanked everyone for attending. He invited everyone to lunch after the meeting.

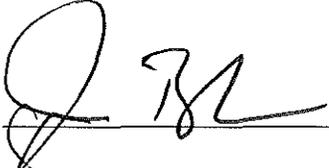
NEXT MEETING: Wednesday, October 19, 2011
MCOLES Offices, Lansing, Michigan

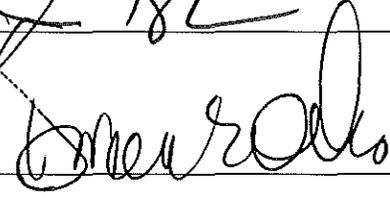
ADJOURNMENT

A **MOTION** was made by Chief Olko and supported by Commander Love to adjourn the meeting.

A **VOTE** was taken. The **MOTION** passed.

The meeting adjourned at 11:03 a.m.

APPROVED BY  ON 10-19-2011

WITNESSED BY  ON 10/19/2011



*Commission Resolution 2011-07
A Resolution for Lobbyist Registration*

WHEREAS, Michigan Compiled Laws Sections 4.411 through 4.431 require individuals who are compensated or reimbursed to lobby public officials on behalf of an employer or client more than \$550.00 during any 12-month period to register as a Lobbyist Agent; and

WHEREAS, the Commission contemplates that Executive Director David L. Harvey may perform lobbying activities sufficient to meet the threshold for registration as a Lobbying Agent; now

THEREFORE BE IT RESOLVED that the Commission on Law Enforcement Standards:

- a. Directs David L. Harvey to take all steps necessary to register as a Lobbying Agent; and
- b. Directs David L. Harvey to report to the Commission the status of this effort; and
- c. Directs David L. Harvey to take all steps necessary for compliance with the requirements of Michigan Compiled Law Sections 4.411 through 4.431.

Adopted by the Michigan Commission on Law Enforcement Standards on September 9, 2011.

A handwritten signature in black ink, appearing to read "James Bosscher", written over a horizontal line.

James Bosscher



MCOLES
Michigan Commission on Law Enforcement Standards

*Commission Resolution 2011-08
A Resolution on Regular Employment*

WHEREAS, the Michigan Commission on Law Enforcement Standards has the authority under Section 11(1)(e) of the Commission on Law Enforcement Standards Act to make recommendations to the legislature on matters pertaining to the qualification and training of law enforcement officers; and

WHEREAS, the Commission is currently considering several proposed amendments to the Act; and

WHEREAS, Sections 2(1)(i) and 9(5) of the Commission on Law Enforcement Standards Act uses the term "regularly employed" to describe law enforcement officers licensed under the Act; and

WHEREAS, the term "regularly employed" is not defined in the Act; and

WHEREAS, the Commission has determined that the purpose of requiring law enforcement officers to be "regularly employed" is to ensure continuing proficiency and professionalism in law enforcement; and

WHEREAS, the Commission seeks to propose an amendment to the Act that will address the problem of a lack of definition of the term "regularly employed" and also implement policies to promote continuing proficiency and professionalism in law enforcement; and

WHEREAS, Section 11(1)(d) of the Act authorizes the Commission to cooperate with state, federal, and local police agencies to establish and conduct local or area schools, or regional training centers for instruction and training of law enforcement officers of this state and of cities, counties, townships, and villages; and

WHEREAS, the Commission has drafted recommended amendments to Section 9b of the Act that will authorize the Commission to pursue discretionary revocation of law enforcement officer licenses; and

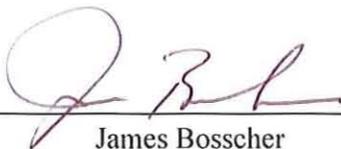
WHEREAS, Michigan common law authorizes occupational licensing authorities to suspend or revoke occupational licenses in situations where a licensee presents a threat to public health, safety or welfare; and

WHEREAS, Section 9(1) requires the Commission to consider the varying factors and special requirements of local police agencies in promulgating law enforcement officer minimum standards; now

THEREFORE BE IT RESOLVED, that the Michigan Commission on Law Enforcement Standards:

- a. Shall submit to the Legislature, as part of its recommendations for amendments to the Commission on Law Enforcement Standards Act, that Sections 2(l)(i) and 9(5) of the Act be amended by deleting the term "regularly" from these subsections; and
- b. Shall submit to the Legislature, as part of its recommendations for amendments to the Commission on Law Enforcement Standards Act, that Section 9b of the Act be amended by authorizing the Commission to promulgate administrative rules allowing the discretionary revocation of a law enforcement officer license where a licensee presents a threat to public health, safety or welfare; and
- c. Shall make an advisory recommendation to all law enforcement agencies that all licensed law enforcement officers, including those who are employed full-time, or less than full-time, work as a licensed law enforcement officer a minimum of 120 hours annually and satisfactorily complete a program of minimum in-service training, and publish and communicate those recommendations to law enforcement agencies; and
- d. Directs MCOLES staff to formulate and recommend to the Commission policies for counting and tracking the number of hours worked by officers, which will account for, among other considerations, medical and other leaves of absence, and employment for less than an entire calendar year; and
- e. Directs MCOLES staff to formulate and recommend to the Commission standards for the content and procedures to implement these minimum in-service training standards; and
- f. Directs MCOLES staff to formulate and recommend to the Commission policies for publishing and communicating these advisory recommendations; and
- g. Shall not effectuate these advisory recommendations as an amendment to the Commission on Law Enforcement Standards Act or an administrative rule.

Adopted by the Commission on Law Enforcement Standards on September 9, 2011


James Bosscher



MCOLES
Michigan Commission on Law Enforcement Standards

***Commission Resolution 2011-09
A Resolution on Medical Standards Administrative Rules***

WHEREAS, Section 48(1) of the Michigan Administrative Procedures Act authorizes an administrative agency to seek concurrence from the Governor to promulgate emergency administrative rules to preserve the public health, safety, or welfare; and

WHEREAS, several sections of the Michigan Commission on Law Enforcement Standards Act authorizes the Commission to promulgate administrative rules; and

WHEREAS, the Commission finds that the preservation of the public health, safety, or welfare requires the promulgation of an emergency administrative rule to ensure that 1999 AC, R 28.14204 complies with the Americans With Disabilities Act and the Michigan Persons With Disabilities Civil Rights Act; now

THEREFORE BE IT RESOLVED that the Commission:

- a. Authorizes MCOLES staff to seek concurrence from the Governor for promulgation of an emergency administrative rule to amend Rule 28.14204 by deleting subsection (d), and renumbering the subsequent subsections to account for the amendment; and
- b. Directs MCOLES staff to inform the Commission on the status of this effort; and
- c. Directs MCOLES staff and Legal Counsel to draft and recommend to the Commission further proposed revisions of Rule 28.14204.

Adopted by the Michigan Commission on Law Enforcement Standards on September 9, 2011.


James Bosscher



MCOLES
Michigan Commission on Law Enforcement Standards

***Commission Resolution 2011-10
Resolution on Statutory Changes Related to the
Michigan Justice Training Fund***

WHEREAS, Section 48(1) of the Michigan Administrative Procedures Act authorizes an Whereas the Michigan Commission on Law Enforcement Standards has the authority under Section 11(1)(e) of the Commission on Law Enforcement Standards Act to make recommendations to the legislature on matters pertaining to qualification and training of law enforcement officers; and

WHEREAS, Executive Order 2001-5 combines the former Michigan Justice Training Act with the Commission on Law Enforcement Standards Act into a single statute; and

WHEREAS, the Commission is currently considering several proposed amendments to the portions of the combined statute that govern the administration of the Michigan Justice Training Fund; now

THEREFORE BE IT RESOLVED that the Commission on Law Enforcement Standards shall recommend the following proposed amendments to the sections of the Commission on Law Enforcement Standards Act pertaining to the administration of the Michigan Justice Training Fund:

Michigan justice training fund; creation; disposition of certain monies and investment earnings.

- (1) The Michigan justice training fund is created in the state treasury.
- (2) The Michigan justice training fund shall only be used as provided under this act.
- (3) Monies from law enforcement distributions that are required to be returned to the Michigan justice training fund as provided in section ___ shall be deposited into the Michigan justice training fund, and shall only be used for law enforcement distributions.
- (4) Monies distributed as grant awards that are required to be returned to the Michigan justice training fund as required in section ___ shall be deposited into the Michigan justice training fund and shall only be used for grant awards.
- (5) Investment earnings from the Michigan justice training fund assets shall be deposited in the Michigan justice training fund.

Michigan justice training fund; definitions.

As used in this act:

(a) "Alcoholic liquor" means that term as defined in the Michigan Liquor Control Code of 1998, 1998 PA 58, MCL 436.1105(3), or any successor provision.

(b) "Criminal justice in-service training" means a criminal justice program, education or training designed and intended to enhance the direct delivery of criminal justice services by eligible training participants.

(c) "Grant funds" means monies paid to grant recipients from the Michigan justice training fund, as provided in this act.

(d) "Grant recipient" means an entity eligible to receive grants from the Michigan justice training fund, including any of the following:

(i) An agency, department, division, bureau, board, commission, council, or authority of the state or of a city, village, township, or county.

(ii) A state supported college or university.

(iii) A community college.

(iv) Any agency or entity of the judicial branch of government of this state.

(v) A consortium or other joint venture comprised of or entered into by any of the above entities.

(e) "Law enforcement agency" means an entity that is established and maintained in accordance with the laws of this state and is authorized by the laws of this state to appoint or employ law enforcement officers, as defined in section 2 of this act.

(f) "Law enforcement distribution" means monies paid to law enforcement agencies annually in two semi-annual installments as provided in this act.

(g) "Law enforcement officer" means an individual licensed under this act, as defined in section 2 of this act.

(h) "Professional association" means a national, state, or local police union, or an association or fraternal organization of police officers, correctional officers, or prosecuting attorneys.

Michigan justice training fund; law enforcement distributions.

The commission shall pay law enforcement distributions, and law enforcement agencies shall expend and return law enforcement distributions, as follows:

(1) The commission shall annually distribute 60% of the Michigan justice training fund, in 2 semi-annual installments, on dates determined by the commission.

(2) In calculating the law enforcement distribution, the commission shall include undistributed portions of the Michigan justice training fund and monies that have been returned to the Michigan justice training fund, as provided in subsection 13.

(3) The amount of available monies shall be based on fund balances determined as of March 31 and September 30.

(4) Law enforcement distributions shall be paid on a per capita basis, calculated as follows:

(a) The commission shall conduct an annual registration of law enforcement officers to verify the number of hours actually compensated by the jurisdiction, not to exceed 2080

hours per year, for each full-time and part-time law enforcement officer during the most recent elapsed calendar year.

(b) The per capita basis shall be determined by dividing the total number of hours actually compensated by the jurisdiction by 2,080, rounded down to the nearest whole number.

(c) Each eligible law enforcement agency shall receive a minimum annual distribution of \$500.00.

(5) The commission shall pay a law enforcement distribution to the unit of government or other employing or appointing entity with which a law enforcement agency is affiliated, for the benefit of a law enforcement agency.

(6) A law enforcement agency receiving a law enforcement distribution shall only expend it for travel costs as provided in this section, and for:

(a) Training that is designed and intended to enhance the direct delivery of criminal justices services by law enforcement officers.

(b) Direct costs, including:

(i) Regular hourly personnel rate for salaries of instructors for actual time spent developing, preparing, and delivering training.

(ii) Actual cost of training materials necessary to and used for the direct delivery of training.

(iii) Reasonable rental cost or purchase price of equipment items necessary to and used solely for the direct delivery of training. A law enforcement agency may not make an equipment purchase that exceeds \$5,000.00 or 10% of its annual distribution without prior written approval of the commission.

(iv) Rental of training facilities, only if adequate facilities owned or operated by the law enforcement agency are not available.

(v) A flat rate, tuition, or subscription paid to a training provider, other than the law enforcement agency, for the delivery of criminal justice training as provided under this act.

(7) A law enforcement agency may only expend monies from a law enforcement distribution for travel costs incurred to participate in a criminal justice training program, excluding out-of-state student travel reimbursement, as follows:

(i) The program offers training for which expenditures of law enforcement distributions are authorized under this act and is conducted for not less than 6 hours within any 24 hour period.

(ii) Tuition costs for in-state and out-of-state training, if the course is registered through the MCOLES Information and Tracking Network prior to the dates on which the training is conducted.

(iii) Registration costs for out-of-state conferences and conventions, if the law enforcement agency submits a special use request to the commission and the commission approves the expenditure prior to attendance.

(iv) Instructor travel reimbursement. For purposes of this provision, applicable reimbursement rates are those published by the Michigan Department of Technology, Management & Budget, or its successor agency, and are subject to change at any time during a funding period.

(v) In-state training participant travel reimbursement, if the course is registered through the MCOLES Information and Tracking Network prior to the dates on which the

training is conducted. For purposes of this restriction, applicable reimbursement rates are those published by the Michigan Department of Technology, Management & Budget, or its successor agency, and are subject to change at any time during a funding period.

(8) A law enforcement agency may only expend monies from a law enforcement distribution for out-of-state training participant travel reimbursement if all of the following requirements are met:

(i) The travel is for the purpose of participating in a learning experience produced through reading, listening, observing, performing problem-solving, or interacting with others, the object of which is the introduction or enhancement of knowledge, skills, and judgment directly related to the performance of professional criminal justice tasks currently assigned or assignable.

(ii) The travel is required to obtain or maintain skills or certification in a field of specialization related to the execution of the duties of law enforcement officers provided to the general public or related to the execution of administrative duties that enhance the ability of law enforcement officers to perform duties provided to the general public.

(iii) The certification in a field of specialization is not available in Michigan.

(iv) The course cannot be conducted in Michigan.

(v) The course is approved by the commission and registered through the MCOLES Information and Tracking Network prior to the dates on which the training is conducted.

(9) A law enforcement agency receiving a law enforcement distribution shall not expend it for:

(a) Training individuals who are not law enforcement officers.

(b) Travel expenditures in excess of or in violation of the expenditure rates authorized for members of the state classified civil service. For purposes of this restriction, applicable reimbursement rates are those published by the Michigan Department of Technology, Management & Budget, or its successor agency, and are subject to change at any time during a funding period.

(10) A law enforcement agency that receives a law enforcement distribution shall maintain records of law enforcement distribution revenues and expenditures separate from other funding sources.

(11) If the commission determines that a law enforcement agency has expended a law enforcement distribution for costs not allowed under this act, the commission may declare the agency ineligible to receive further law enforcement distributions for a period to be determined by the commission and the monies expended in violation of this act must be returned to the Michigan justice training fund.

(12) A law enforcement agency receiving a law enforcement distribution shall expend the entire distribution within 2 years after receiving it. If the law enforcement agency fails to expend the entire distribution within 2 years after receiving it, the law enforcement agency shall not be eligible to receive further law enforcement distributions until the entire distribution is expended and reported as prescribed by the commission.

(13) Beginning with the distribution period immediately following the effective date of this section, the portions of any law enforcement distribution that have not been expended within 5 years after the date they were received must be returned to the Michigan justice training fund.

Michigan justice training fund; grant awards.

The commission may distribute grant awards, and grant recipients shall expend grant monies, as follows:

(1) The commission may distribute grant awards after making the distributions required under section ___ and the expenditures required under section ___.

(2) The commission may distribute grant awards subject to written conditions that shall be provided to grant recipients when or before the awards are distributed. A grant recipient may petition the commission in writing for forbearance or other relief from conditions imposed by the commission upon the distribution of grant awards.

(3) The commission may distribute grant awards only to grant recipients and may not distribute grant awards to a professional association.

(4) A grant recipient shall expend grant monies received under this act only for:

(a) Training that is designed and intended to enhance the direct delivery of criminal justice services by employees of the grant recipient, or employees of entities that are eligible to receive grants under this act.

(b) Training presented by a grant recipient or by a contractual service provider retained by a grant recipient.

(c) Actual cost of training materials necessary to and used for the direct delivery of training.

(d) Reasonable rental cost or purchase price of equipment items necessary to and used solely for the direct delivery of training.

(e) Reasonable hourly salaries of instructors and developers for actual time spent developing, preparing, and delivering training.

(5) A grant recipient shall not expend grant monies for:

(a) Travel expenditures in excess of or in violation of the expenditure rates authorized for members of the state classified civil service. For purposes of this restriction, applicable reimbursement rates are those published by the Michigan Department of Technology, Management & Budget, or its successor agency, and are subject to change at any time during a funding period.

(b) Travel costs incurred to participate in a criminal justice in-service training program, unless the program is solely for training for which expenditures of grant monies are authorized under this act.

(6) A grant recipient shall maintain records of grant award revenues and expenditures separate from other funding sources.

(7) If the commission determines that a grant recipient has expended grant monies for the payment of unreasonable costs or costs not authorized under this act, the grant monies must be returned to the Michigan justice training fund and may only be used for grant awards.

(8) Grant recipients shall submit applications for grant awards to the commission in the manner prescribed by the commission. The commission shall publish application procedures on its website.

Michigan justice training fund; administrative expenses.

The commission shall annually expend an amount from the Michigan Justice training fund to cover the following expenses:

(1) The reasonable expenses of providing staff services to the commission for administering the Michigan Justice training fund and performing and enforcing the statutory requirements of this act.

(2) Actual expenses incurred by members of the commission, excluding expenditures for alcoholic liquor, and including travel expenses. For purposes of this restriction, applicable reimbursement rates are those published by the Michigan Department of Technology, Management & Budget, or its successor agency for Boards and Commissions, and are subject to change at any time during a funding period.

Michigan justice training fund; annual reports and registration of courses.

(1) Each law enforcement agency receiving a law enforcement distribution under this act and each grant recipient receiving grant awards under this act shall report to the commission on expenditures of monies received from the Michigan justice training fund, in a manner and on intervals to be determined by the commission. Each training program financed in whole or in part by a law enforcement distribution or grant from the Michigan justice training fund shall be separately identified in the report.

(2) Criminal justice in-service training courses shall be registered through the MCOLES Information and Tracking Network. If a course is not registered through the MCOLES Information and Tracking Network, law enforcement distributions and grant monies may not be expended for the costs of those courses.

(3) Law enforcement agencies and grant recipients shall report to the commission the training participants who attended each training session for which funding was provided in whole or in part by this act, in a manner prescribed by the commission.

(4) If the commission determines that a grant recipient has failed to comply with the requirements of this section, the commission may declare the grant recipient ineligible to receive further grant awards for a period to be determined by the commission.

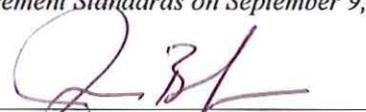
Michigan justice training fund; audit of books, records, and accounts.

The books, records, and accounts of the Michigan justice training commission may be subject to audit by the auditor general every five years.

Michigan justice training fund; rules.

The commission may promulgate rules governing the administration and use of the Michigan justice training fund.

Adopted by the Michigan Commission on Law Enforcement Standards on September 9, 2011.


James Bosscher