

HOUSE BILL No. 5950

September 11, 1990, Introduced by Rep. Stupak and referred to the Committee on Senior Citizens and Retirement.

A bill to amend Act No. 59 of the Public Acts of 1935, entitled as amended

"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,"

as amended, being sections 28.1 to 28.15 of the Michigan Compiled Laws, by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 59 of the Public Acts of 1935, as
2 amended, being sections 28.1 to 28.15 of the Michigan Compiled
3 Laws, is amended by adding section 4a to read as follows:

4 SEC. 4A. (1) A PERSON EMPLOYED BY THE DEPARTMENT AS A LAW
5 ENFORCEMENT OFFICER WHO IS INJURED WHILE PERFORMING EMPLOYMENT
6 DUTIES SHALL RECEIVE FULL WAGES FROM THE DEPARTMENT UNTIL PAYMENT
7 OF BENEFITS BEGINS UNDER THE WORKER'S DISABILITY COMPENSATION ACT
8 OF 1969, ACT NO. 317 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS
9 418.101 TO 418.941 OF THE MICHIGAN COMPILED LAWS. AFTER PAYMENT
10 OF THE WORKER'S DISABILITY COMPENSATION BENEFITS BEGINS, THE
11 EMPLOYEE SHALL RECEIVE, IN ADDITION TO THE WORKER'S DISABILITY
12 COMPENSATION BENEFITS, A SUPPLEMENT FROM THE DEPARTMENT WHICH
13 TOGETHER WITH THE WORKER'S DISABILITY COMPENSATION BENEFITS SHALL
14 EQUAL BUT NOT EXCEED THE NORMAL WEEKLY NET WAGE OF THE EMPLOYEE
15 AT THE TIME OF THE INJURY. THIS SUPPLEMENT SHALL ONLY APPLY
16 WHILE THE PERSON IS AN EMPLOYEE OF THE DEPARTMENT OR OF THE
17 DEPARTMENT OF NATURAL RESOURCES AND IS RECEIVING THE WORKER'S
18 DISABILITY COMPENSATION BENEFITS QUALIFYING FOR SUPPLEMENTAL DUTY
19 DISABILITY PAY UNDER THE RULES AND PROCEDURES OF THE CIVIL SERV-
20 ICE COMMISSION.

21 (2) AN EMPLOYEE WHO IS RECEIVING WORKER'S DISABILITY COMPEN-
22 SATION BENEFITS DUE TO AN INJURY COVERED BY THIS SECTION ON THE
23 EFFECTIVE DATE OF THIS SECTION SHALL BE ENTITLED TO BENEFITS FROM
24 THAT DATE FORWARD. FRINGE BENEFITS NORMALLY RECEIVED BY AN
25 EMPLOYEE SHALL REMAIN IN EFFECT DURING THE TIME THE EMPLOYEE
26 RECEIVES THE SUPPLEMENT PROVIDED BY THIS SECTION.

(3) AS USED IN THIS SECTION:

(A) "NORMAL WEEKLY NET WAGE" INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

(i) REGULAR SALARY.

(ii) REGULAR SALARY THAT IS DEFERRED PURSUANT TO A STATE DEFERRED COMPENSATION PROGRAM.

(iii) REGULAR SALARY THAT IS DEFERRED PURSUANT TO A STATE DEFERRED HOURS COMPENSATION PROGRAM.

(iv) EMERGENCY RESPONSE COMPENSATION.

(B) "PERFORMING EMPLOYMENT DUTIES" INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

(i) RENDERING DIRECT SERVICES TO THE PUBLIC.

(ii) ENFORCING A LAW OF THIS STATE, INCLUDING THE ENFORCEMENT OF A LAW BY A STATE POLICE OFFICER WHILE OFF DUTY.

(iii) PERFORMING AN ASSIGNED DUTY.

(iv) TRAINING TO BECOME A STATE POLICE OFFICER, STATE SECURITY EMPLOYEE, OR MOTOR CARRIER ENFORCEMENT OFFICER.

(C) "PERSON EMPLOYED BY THE DEPARTMENT AS A LAW ENFORCEMENT OFFICER" INCLUDES ALL OF THE FOLLOWING:

(i) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE.

(ii) A STATE POLICE OFFICER APPOINTED UNDER SECTION 4.

(iii) A SPECIAL STATE POLICE OFFICER APPOINTED UNDER SECTION 6A.

(iv) A STATE POLICE RESERVE OFFICER APPOINTED UNDER SECTION 6B.

(v) A STATE SECURITY EMPLOYEE APPOINTED UNDER SECTION 6C.

1 (vi) A MOTOR CARRIER ENFORCEMENT OFFICER APPOINTED UNDER
2 SECTION 6D.