

Legislative Analysis



UPKEEP AND MAINTENANCE OF MICHIGAN LAW ENFORCEMENT OFFICERS MEMORIAL MONUMENT

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House Bill 4821 (H-1) as reported from committee
Sponsor: Rep. Timothy Beson
Committee: Military, Veterans and Homeland Security
Complete to 9-27-21

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 39 of 2022)

BRIEF SUMMARY: House Bill 4821 would amend the Michigan Law Enforcement Officers Memorial Act to expand the duties of the Michigan Law Enforcement Officers Memorial Fund Commission to include, subject to appropriation, keeping up and maintaining the monument.

FISCAL IMPACT: The bill would have no fiscal impact on state or local government. (See **Fiscal Information**, below, for more information.)

THE APPARENT PROBLEM:

The Michigan Law Enforcement Officers Memorial Monument is intended to provide a place to gather and pay tribute to Michigan law enforcement officers who have fallen in the line of duty.¹ According to committee testimony, there are names of fallen law enforcement officers that are waiting to be included on the monument. However, the current construction of the law hinders the Michigan Law Enforcement Officers Memorial Fund Commission's ability to contract the task of etching the names on the monument, as the commission's duties do not include the maintenance and upkeep of the monument. The bill was introduced to add maintenance and upkeep of the monument to the commission's duties.

THE CONTENT OF THE BILL:

Under the act, the commission's responsibilities include overseeing the financing, design, and construction of a memorial monument dedicated to certain law enforcement officers, as well as soliciting designs for the monument and selecting the final design.

The bill would additionally require that the commission maintain and provide upkeep for the monument, subject to appropriation.

MCL 28.785

BACKGROUND INFORMATION:

The Michigan Law Enforcement Officers Memorial Monument is located in the Veterans Memorial Park, at the corner of Allegan Street and Butler Boulevard, directly south of the Vietnam Veterans Memorial in downtown Lansing. The site location was chosen in 2006, and the design was chosen in 2007 and modified in 2017. Construction of the monument began in 2018, and a dedication ceremony was held on July 27, 2019.

¹ For more information, see <https://www.michigan.gov/mleom/>

FISCAL INFORMATION:

The bill would have no fiscal impact on state or local government. The commission is a self-financing commission authorized to receive funds from grants or gifts from the federal government; an individual; a public or private corporation, organization, or foundation; or any other source. The continuation of the commission primarily would allow for the maintenance and upkeep of the Michigan Law Enforcement Officers Memorial Monument beyond what the current balance of the fund would allow, assuming the fund could no longer accept funds after the commission was dissolved. Commission members serve without compensation, but may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

The bill's requirements would be subject to appropriation. The Department of Technology, Management, and Budget is currently authorized by section 818 in annual state appropriations acts for General Government to receive and expend money from the Michigan Law Enforcement Officers Memorial Fund for maintenance costs. Maintenance costs include engraving, landscaping, mowing, lighting, and utilities. The balance in the fund as of May 31, 2021, was \$194,457. Projected expenditures for FY 2020-21 are estimated to be \$107,800.

ARGUMENTS:

For:

Supporters of the bill argue that, in order to properly honor fallen law enforcement officers, the monument must be kept current with the names of those who recently sacrificed their lives in the line of duty. Unfortunately, there is currently a growing list of names waiting to be included on the monument. Because the law currently doesn't require the Michigan Law Enforcement Officers Memorial Fund Commission to maintain and upkeep the monument, no one is in charge of ensuring that new names are etched on the monument. Supporters argue that it is imperative that the commission be charged with the responsibility for ensuring that new names are included on the monument so that Michiganders can continue to honor law enforcement officers who have fallen in the line of duty.

Against:

No arguments against the bill were presented during House committee testimony.

POSITIONS:

A representative of the Michigan Fraternal Order of Police testified in support of the bill. (6-8-21)

The Police Officers Association of Michigan indicated support for the bill. (6-15-21)

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