



# SENATE BILL No. 952

December 8, 1993, Introduced by Senators Ehlers, Hoffman,  
Wartner and Gast and referred to the Committee on  
Finance

A bill to create a Michigan state parks foundation and to  
prescribe the powers and duties of certain state agencies and  
officials

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1       Sec 1    This act shall be known and may be cited as the  
2 "Michigan state parks foundation act"

3       Sec 2    As used in this act

4       (a) "Department" means the director of the department of  
5 natural resources or his or her designee

6       (b) "Director" means the director of the department of natu-  
7 ral resources

8       (c) "Foundation" means the Michigan state parks foundation  
9 created in section 3

10       (d) "State park" means a state park or state recreation area  
11 designated by the director

1       Sec 3     (1) The department shall create a foundation to be  
2 known as the Michigan state parks foundation     The foundation  
3 shall exercise its powers, functions, and duties independently of  
4 the department of natural resources     The foundation shall be  
5 governed by an executive board consisting of the director who  
6 shall serve as a nonvoting ex officio member, and 13 voting mem-  
7 bers who shall be appointed by the governor

8       (2) The members of the foundation who are appointed by the  
9 governor pursuant to subsection (1) shall serve for a term of 4  
10 years or until a successor is appointed, whichever is later,  
11 except that of the members first appointed, 3 shall serve for 1  
12 year, 3 shall serve for 2 years, and 3 shall serve for 3 years

13       (3) If a vacancy occurs on the foundation from the members  
14 appointed by the governor, an appointment shall be made for the  
15 unexpired term in the same manner as the original appointment  
16 The governor may remove appointed foundation members for neglect  
17 of duty or malfeasance in relation to the member's foundation  
18 duties

19       (4) The foundation shall meet immediately upon complete for-  
20 mation and then shall meet at least quarterly

21       (5) Seven members of the foundation shall constitute a  
22 quorum for the conducting of business     The foundation shall  
23 select a chairperson, vice-chairperson, and other officials from  
24 the membership as the members of the foundation consider  
25 necessary

26       (6) A member of the foundation shall not receive  
27 compensation for his or her services but may be reimbursed for

1 expenses incurred in the performance of his or her duties as a  
2 member of the foundation

3 (7) The department shall provide staff assistance to the  
4 foundation as necessary for it to carry out its functions

5 (8) The business the executive board of the foundation may  
6 perform shall be conducted at a public meeting of the board held  
7 in compliance with the open meetings act, Act No 267 of the  
8 Public Acts of 1976, being sections 15 261 to 15 275 of the  
9 Michigan Compiled Laws Public notice of the time, date, and  
10 place of the meetings shall be given in the manner required by  
11 Act No 267 of the Public Acts of 1976

12 Sec 4 The purpose of the foundation is to support the  
13 overall enhancement of the Michigan state parks system and to  
14 foster awareness, appreciation, understanding, and involvement in  
15 the system through focused assistance that is supplementary to  
16 appropriated parks funding

17 Sec 5 The foundation shall do the following

18 (a) Determine those projects or undertakings for which the  
19 foundation will solicit funding In determining projects to  
20 fund, the foundation shall select projects that enhance the use,  
21 preservation, enjoyment, or understanding of the natural and his-  
22 toric resources of the state parks through the following focus  
23 areas of need

24 (1) Education and outreach

25 (11) Visitor information services and interpretive  
26 facilities

- 1        (iii) Support for volunteer activities
- 2        (iv) Employee support program
- 3        (b) Maintain a current list and description of projects for
- 4 which contributions are sought
- 5        (c) Provide for methods by which persons who contribute to
- 6 the foundation projects may be commemorated for their
- 7 contributions
- 8        (d) Advise potential contributors of all tax ramifications
- 9 of contributions to the foundation
- 10       (e) Invest assets of the foundation in any instrument, obli-
- 11 gation, security, or property considered appropriate by the exec-
- 12 utive board of the foundation
- 13       (f) Provide for receiving contributions in lump sums or
- 14 periodic sums
- 15       (g) Administer money collected by the foundation
- 16       (h) Segregate contributions to the foundation into various
- 17 accounts
- 18       (i) Procure insurance against any loss in connection with
- 19 the assets of the foundation or foundation activities
- 20       (j) Enter into contracts on behalf of the foundation
- 21       (k) Define the terms and conditions under which money may be
- 22 disbursed by the foundation
- 23       (l) Contract for goods and services and engage personnel as
- 24 is necessary and engage the services of private consultants,
- 25 actuaries, managers, legal counsel, and auditors for rendering
- 26 professional, management, and technical assistance and advice,
- 27 payable out of any money of the foundation

1 (m) Exercise other powers necessary or convenient to carry  
2 out and effectuate the purposes, objectives, and provisions of  
3 this act, and the purposes of the foundation

4 Sec 6 The foundation shall be managed solely pursuant to  
5 and for the purpose set forth in this act and money or other  
6 assets of the foundation shall not be loaned or otherwise trans-  
7 ferred or used by the state for any purpose other than the pur-  
8 poses of this act

9 Sec 7 The foundation shall annually prepare or cause to  
10 be prepared an accounting which shall be a public document and  
11 shall transmit a copy of the accounting to the governor, the  
12 senate majority and minority leaders, and the Republican and  
13 Democratic leaders of the house of representatives The founda-  
14 tion may also make available the accounting of the foundation to  
15 a contributor to the foundation The accounts of the foundation  
16 shall be subject to annual audits by the state auditor general or  
17 a certified public accountant appointed by the auditor general