

# Legislative Analysis

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## STATE PARKS

**Senate Bill 1279 as passed by the Senate**  
**Sponsor: Sen. Jason E. Allen**

**Senate Bill 1280 as passed by the Senate**  
**Sponsor: Sen. Patricia L. Birkholz**

**Senate Bill 1281 as passed by the Senate**  
**Sponsor: Sen. Tony Stamas**

**Senate Committee: Natural Resources and Environmental Affairs**  
**House Committee: Conservation and Outdoor Recreation**

**Complete to 9-14-04**

## A SUMMARY OF SENATE BILLS 1279-1281 AS PASSED BY THE SENATE 6-23-04

### **Senate Bill 1279 - Income Tax Checkoff**

The bill would amend the Income Tax Act (MCL 206.437) to create an income tax check-off permitting taxpayers to designate at least \$2 - subtracted from their refund or added to their tax liability - on their income tax returns to the Michigan State Parks Endowment Fund. The checkoff would be available for tax year 2004, and each subsequent tax year.

In each year, an amount equal to the total amount designated under the checkoff, less an amount for administrative costs - would be appropriated from the general fund and deposited into the Michigan State Parks Endowment Fund. The checkoff would have to be clear and unambiguously printed on the first page of the tax return.

### **Senate Bill 1280 - Citizens Committee for Michigan State Parks**

The bill would amend Part 741 of the Natural Resources and Environmental Protection Act (MCL 324.74101 and 324.74102a) to establish the Citizens Committee for Michigan State Parks, a 17-member advisory committee generally charged with the responsibility for maintaining and preserving the state's state parks and its programs.

**Duties.** The bill specifies that the duties of the committee would include the following:

- Advise the governor, Natural Resources Commission, and legislature on state parks policy, and provide guidance on state park development, management, and planning issues.
- Develop a broad variety of programs, facilities, and services for individuals utilizing the state parks.

- Inform and educate the public on the importance of, and need for, state parks.
- Involve citizens in the planning and development of state parks, and ensure that facilities, programs, and projects are barrier-free and accessible to all individuals.
- Establish and maintain effective public relations regarding state parks.
- Provide advice on financial planning and budgetary support for state parks.
- Act as a liaison between agencies to ensure a cooperative effort to provide effective and economical services at state parks.
- Evaluate state parks programs, facilities, services, and relationship.
- Advise the Department of Natural Resources on the “gem of the park award”, “volunteer of the year award”, and “employee of the year award” (proposed in SB 1281).

**Membership.** The 17 members of the committee would be appointed by the director of the DNR in consultation with the NRC, with initial appoints be made within 60 days after the bill’s effective date. The term of office would be four years, except that initial appointments would be for staggered terms of two, three, and four years. Committee members would not be compensated for their service, though they could be reimbursed for actual and necessary expenses incurred while acting in their official capacity as committee members.

A member could be removed from office for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance, or any other good cause, upon a majority vote of members. A member would have to be removed if he or she did not attend four consecutive committee meetings.

**Procedures.** The DNR director would call the first committee meeting, at which time the committee would elect a chair and officers from its membership. After the first meeting, the committee would have to meet at least twice per year, and at the call of the chair or upon request from at least nine committee members.

A quorum of six members would be needed for the transaction of business at a meeting, and a majority of members would be needed for official action of the committee. Committee meetings would have to comply with the provisions of the Open Meetings Act, and documents utilized by the committee in the course of an official function would be subject to the Freedom of Information Act.

Proposed policy positions would have to be provided to members at least one week prior to the meeting at which it is acted upon. The committee could adopt an emergency resolution (foregoing the one week notice requirement) upon the approval of a three-quarters majority of those present at the meeting.

## **Senate Bill 1281 - State Parks Awards Program**

The bill would amend Part 741 of the Natural Resources and Environmental Protection Act (MCL 324.74124) to require the Department of Natural Resources to create three annual awards related to the preservation and maintenance of the state park system.

-- The “gem of the parks” award would be awarded in recognition of key state parks and their contribution to the entire state park system.

-- The “volunteer of the year” award would be awarded to recognize outstanding individuals who donate time or money to support the state park system.

-- The “employee of the year” award would be award to recognize outstanding state park system employees.

The DNR would have to develop a set of criteria for the awards that considers contribution to the preservation of the state’s natural resources and environment, amount of money donated, and length of time donated or years employed. In addition, the DNR would be required to forward the names of award recipients to the appropriate legislative standing committees.

### **FISCAL IMPACT:**

**Senate Bill 1279** - The proposed income tax refund designation would provide additional revenue to the Michigan State Parks Endowment Fund. A similar designation for the Nongame Wildlife Fund generated \$534,400 in FY 1998-99. Actual income to the Michigan State Parks Endowment Fund would depend on the number of taxpayers choosing to make a donation and amounts donated.

**Senate Bill 1280** - There would be no fiscal impact on the State or on local governmental units. The expenses of the Citizen’s Committee for Michigan State Parks are not expected to be significant. Costs of the committee can be absorbed within the existing DNR annual appropriation.

**Senate Bill 1281** - This bill would not have a fiscal impact on the State or on local governmental units.

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