

Act No. 392
Public Acts of 2004
Approved by the Governor
October 15, 2004
Filed with the Secretary of State
October 15, 2004
EFFECTIVE DATE: October 15, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Senators Birkholz, Allen, Hardiman, Kuipers, McManus, Stamas, Barcia, George and Brown

ENROLLED SENATE BILL No. 1280

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 74101 (MCL 324.74101), as added by 1995 PA 58, and by adding section 74102a.

The People of the State of Michigan enact:

Sec. 74101. As used in this part:

- (a) "Committee" means the citizens committee for Michigan state parks created in section 74102a.
- (b) "Fund" means the state park improvement fund created in section 74108.
- (c) "Improvement program" means the construction, reconstruction, development, improvement, bettering, operating, maintaining, and extending a facility at a state park, including a site improvement, impoundment, road and parking lot, toilet building, concession building, shelter building, bathhouse, utility, outdoor center, visitor service facility, ski area, ski tow, ski shelter, and administration unit.
- (d) "Motor vehicle" means a vehicle that is self-propelled.
- (e) "State park" means a state park or state recreation area designated by the director.
- (f) "State park revenues" means all revenues collected for state parks, including but not limited to, motor vehicle permits, concession fees, nonmotorized trail permits, fees, leases, camping fees, sale of farm animals from Maybury state park, donations, and gifts.

Sec. 74102a. (1) The citizens committee for Michigan state parks is created within the department.

(2) The committee shall consist of 17 individuals appointed by the director with the advice of the commission.

(3) The members first appointed to the committee shall be appointed within 60 days after the effective date of the amendatory act that added this section.

(4) Members of the committee shall serve for terms of 4 years or until a successor is appointed, whichever is later, except that of the members first appointed 6 shall serve for 4 years, 6 shall serve for 3 years, and 5 shall serve for 2 years.

(5) If a vacancy occurs on the committee, the director shall make an appointment for the unexpired term in the same manner as the original appointment.

(6) The committee may remove a member of the committee for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause upon a majority vote of the members. An individual shall be removed from the committee if he or she does not attend 4 consecutive meetings of the committee.

(7) The first meeting of the committee shall be called by the director. At the first meeting, the committee shall elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the committee shall meet at least twice each year, or more frequently at the call of the chairperson or if requested by 9 or more members.

(8) Nine members of the committee constitute a quorum for the transaction of business at a meeting of the committee. A majority of the members present and serving are required for official action of the committee.

(9) The business that the committee may perform shall be conducted at a public meeting of the committee held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(10) A writing prepared, owned, used, in the possession of, or retained by the committee in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(11) Members of the committee shall serve without compensation. However, members of the committee may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the committee.

(12) The committee shall do all of the following:

(a) Advise and make recommendations to the governor, the commission, and the legislature on state parks policy and provide guidance on state parks development, management, and planning issues.

(b) Seek the development of a broad variety of programs, facilities, and services for our citizens utilizing the state parks.

(c) Inform and educate the public about the importance of and need for state parks.

(d) Strive to involve citizens in the planning and development of state parks and to ensure that the facilities, programs, and projects are barrier-free and accessible to all citizens.

(e) Establish and maintain effective public relations regarding state parks, utilizing all appropriate communications media.

(f) Advise on financial planning and pursue adequate budget support for state parks.

(g) Serve as a liaison and coordinate with other agencies to ensure a cooperative effort to provide the most effective and economical services possible at state parks.

(h) Evaluate the state parks programs, facilities, services, and relationships periodically to assure that the committee's goals and objectives are being achieved.

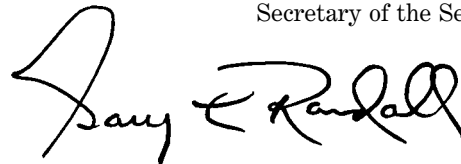
(i) Advise and make recommendations to the department on the gem of the parks award, the state parks volunteer of the year award, and the state parks employee of the year award established under section 74124.

(13) The chairperson of the committee shall ensure that all proposed policy positions of the committee are sent to the committee members at least 1 week in advance of the meeting at which the policy position will be acted upon. The committee may adopt an emergency resolution that has not been sent to committee members at least 1 week prior to a meeting of the committee, but only upon the approval of 3/4 of those present at the meeting.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor