

# SENATE BILL No. 1263

September 12, 2012, Introduced by Senators PAVLOV, WARREN, HANSEN and GREEN and referred to the Committee on Natural Resources, Environment and Great Lakes.

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 13 (MCL 409.313) and by adding section 14 and chapter II; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 13. The legislature annually shall appropriate a ~~sum~~  
2 ~~sufficient to implement this act.~~ **NOT LESS THAN 85% OF THE INTEREST**  
3 **AND EARNINGS OF THE ENDOWMENT FUND FOR THE OPERATION OF THE CORPS.**

4       **SEC. 14. IF THE DIRECTOR DETERMINES THAT THE BENEFITS TO THE**  
5 **STATE FROM THE CORPS CAN BE ACHIEVED IN A MORE PRACTICABLE MANNER**  
6 **THROUGH AN ENTITY IDENTIFIED OR ESTABLISHED PURSUANT TO CHAPTER II,**  
7 **THE DIRECTOR MAY DO BOTH OF THE FOLLOWING:**

8       **(A) ENTER INTO AGREEMENTS WITH THE ENTITY TO PROVIDE**

1 CORPSMEMBERS TO THE DEPARTMENT FOR WORK TRAINING PROGRAMS ON LANDS  
2 UNDER CONTROL OF THE DEPARTMENT.

3 (B) CEASE TO OPERATE THE MICHIGAN CIVILIAN CONSERVATION CORPS  
4 STATE PROGRAM UNDER THIS CHAPTER.

5 CHAPTER II MICHIGAN CIVILIAN CONSERVATION CORPS PARTNERSHIP  
6 SEC. 21. AS USED IN THIS CHAPTER:

7 (A) "COMMITTEE" MEANS THE MICHIGAN CIVILIAN CONSERVATION CORPS  
8 PARTNERSHIP STEERING COMMITTEE CREATED IN SECTION 22.

9 (B) "CORPS" MEANS THE MICHIGAN CIVILIAN CONSERVATION CORPS  
10 ESTABLISHED PURSUANT TO THIS CHAPTER.

11 (C) "CORPSMEMBER" MEANS A PARTICIPANT IN THE CORPS.

12 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL RESOURCES.

13 (E) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

14 (F) "RESIDENT" MEANS AN INDIVIDUAL WHO HAS IN THIS STATE THE  
15 INDIVIDUAL'S TRUE, FIXED, AND PERMANENT HOME AND PRINCIPAL  
16 ESTABLISHMENT TO WHICH THE INDIVIDUAL INTENDS TO RETURN WHENEVER  
17 ABSENT. AN INDIVIDUAL IS A RESIDENT UNTIL THE INDIVIDUAL  
18 ESTABLISHES A PERMANENT ESTABLISHMENT OUTSIDE THIS STATE.

19 SEC. 22. (1) THE MICHIGAN CIVILIAN CONSERVATION CORPS  
20 PARTNERSHIP STEERING COMMITTEE IS CREATED IN THE DEPARTMENT.

21 (2) THE COMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS,  
22 APPOINTED BY THE DIRECTOR IN CONSULTATION WITH THE DIRECTORS OF THE  
23 DEPARTMENTS OF AGRICULTURE AND RURAL DEVELOPMENT AND ENVIRONMENTAL  
24 QUALITY:

25 (A) AN INDIVIDUAL FROM A STATEWIDE CONSERVATION ORGANIZATION  
26 THAT HAS EDUCATION AS A CORE FUNCTION.

27 (B) AN INDIVIDUAL FROM A STATEWIDE LAND CONSERVATION

1 ORGANIZATION.

2 (C) AN INDIVIDUAL FROM A STATEWIDE PARKS AND RECREATION-BASED  
3 ORGANIZATION.

4 (D) AN INDIVIDUAL FROM A STATEWIDE CONSERVATION ORGANIZATION  
5 WITH A FOCUS ON PROVIDING NATURAL RESOURCE MANAGEMENT INFORMATION  
6 AND ASSISTANCE.

7 (E) TWO INDIVIDUALS WHO SERVE AS FACULTY MEMBERS AT PUBLIC  
8 UNIVERSITIES OR COLLEGES WHO ARE INVOLVED WITH INTERNSHIPS RELATED  
9 TO NATURAL, CULTURAL, OR RECREATIONAL RESOURCES WITHIN THIS STATE.

10 (F) AN INDIVIDUAL WHO WORKS FOR A STATE GOVERNMENT EMPLOYMENT  
11 ASSISTANCE AGENCY.

12 (G) AN INDIVIDUAL FROM A NATIONAL WORK PROGRAM.

13 (H) AN INDIVIDUAL FROM A STATE DEPARTMENT INVOLVED WITH STATE  
14 HISTORY AND ARCHAEOLOGY.

15 (I) AN INDIVIDUAL FROM A STATEWIDE TRAILS ORGANIZATION.

16 (J) AN INDIVIDUAL FROM A STATEWIDE COMMUNITY FOUNDATION.

17 (K) AN INDIVIDUAL FROM A STATEWIDE BUSINESS ORGANIZATION.

18 (L) AN INDIVIDUAL FROM A STATEWIDE MANUFACTURING ORGANIZATION.

19 (M) AN INDIVIDUAL FROM A STATEWIDE FARMING ORGANIZATION.

20 (N) AN EMPLOYEE OF THE DEPARTMENT.

21 (3) THE MEMBERS FIRST APPOINTED TO THE COMMITTEE SHALL BE  
22 APPOINTED WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

23 (4) IF A VACANCY OCCURS ON THE COMMITTEE, THE DIRECTOR SHALL  
24 MAKE AN APPOINTMENT FOR THE UNEXPIRED TERM IN THE SAME MANNER AS  
25 THE ORIGINAL APPOINTMENT.

26 (5) THE DIRECTOR MAY REMOVE A MEMBER OF THE COMMITTEE FOR  
27 INCOMPETENCE, DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR

1 NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

2 (6) THE FIRST MEETING OF THE COMMITTEE SHALL BE CALLED BY THE  
3 BOARD MEMBER FROM THE DEPARTMENT. AT THE FIRST MEETING, THE  
4 COMMITTEE SHALL ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND  
5 OTHER OFFICERS AS IT CONSIDERS NECESSARY OR APPROPRIATE. AFTER THE  
6 FIRST MEETING, THE COMMITTEE SHALL MEET AT LEAST QUARTERLY, OR MORE  
7 FREQUENTLY AT THE CALL OF THE CHAIRPERSON OR IF REQUESTED BY A  
8 MAJORITY OF THE MEMBERS OF THE COMMITTEE.

9 (7) A MAJORITY OF THE MEMBERS OF THE COMMITTEE CONSTITUTE A  
10 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE  
11 COMMITTEE. A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE  
12 REQUIRED FOR OFFICIAL ACTION OF THE COMMITTEE.

13 (8) THE BUSINESS THAT THE COMMITTEE MAY PERFORM SHALL BE  
14 CONDUCTED AT A PUBLIC MEETING OF THE COMMITTEE HELD IN COMPLIANCE  
15 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

16 (9) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR  
17 RETAINED BY THE COMMITTEE IN THE PERFORMANCE OF AN OFFICIAL  
18 FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442,  
19 MCL 15.231 TO 15.246.

20 (10) MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT  
21 COMPENSATION. HOWEVER, MEMBERS OF THE COMMITTEE MAY BE REIMBURSED  
22 FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE  
23 OF THEIR OFFICIAL DUTIES AS MEMBERS OF THE COMMITTEE.

24 SEC. 23. (1) THE COMMITTEE SHALL SEEK OUT AN ENTITY THAT IS  
25 WILLING TO ESTABLISH AND OPERATE A MICHIGAN CIVILIAN CONSERVATION  
26 CORPS, IN COMPLIANCE WITH THIS CHAPTER, FOR THE PURPOSE OF DOING  
27 ALL OF THE FOLLOWING:

1 (A) CONSERVING, IMPROVING, AND DEVELOPING THIS STATE'S  
2 NATURAL, CULTURAL, AND RECREATIONAL RESOURCES.

3 (B) ENHANCING, PRESERVING, AND MAINTAINING PUBLIC LANDS AND  
4 WATERS THROUGH THE EMPLOYMENT OF RESIDENTS OF THIS STATE IN WORK  
5 TRAINING PROGRAMS.

6 (C) PROVIDING FIELD EXPERIENCE AND TRAINING TO RESIDENTS OF  
7 THIS STATE WHO ARE INTERESTED IN PURSUING NATURAL, CULTURAL, AND  
8 RECREATIONAL RESOURCE RELATED CAREERS.

9 (2) IF THE COMMITTEE IS UNABLE TO IDENTIFY A SUITABLE ENTITY  
10 TO OPERATE A MICHIGAN CIVILIAN CONSERVATION CORPS UNDER SUBSECTION  
11 (1), THE COMMITTEE MAY INCORPORATE A MICHIGAN CIVILIAN CONSERVATION  
12 CORPS UNDER THE NONPROFIT CORPORATION ACT, 1982 PA 162, MCL  
13 450.2101 TO 450.3193, FOR THE PURPOSES OF THIS CHAPTER.

14 (3) FOLLOWING IDENTIFICATION OF A SUITABLE ENTITY UNDER  
15 SUBSECTION (1) OR THE ESTABLISHMENT OF THE NONPROFIT MICHIGAN  
16 CIVILIAN CONSERVATION CORPS UNDER THE NONPROFIT CORPORATION ACT,  
17 1982 PA 162, MCL 450.2101 TO 450.3193, THE COMMITTEE SHALL CEASE TO  
18 OPERATE.

19 SEC. 24. (1) WORK TRAINING PROGRAMS CONDUCTED BY THE CORPS  
20 SHALL PROVIDE CORPSMEMBERS WITH WORK EXPERIENCE RELATED TO THE  
21 CONSERVATION, IMPROVEMENT, OR DEVELOPMENT OF NATURAL, CULTURAL, AND  
22 RECREATIONAL RESOURCES AND THE ENHANCEMENT, PRESERVATION, AND  
23 MAINTENANCE OF PUBLIC LANDS, WATERS, AND HISTORIC AND  
24 ARCHAEOLOGICAL RESOURCES THAT WILL INCREASE CORPSMEMBERS'  
25 LIKELIHOOD OF OBTAINING FUTURE EMPLOYMENT OR ENHANCING FUTURE  
26 EDUCATIONAL OPPORTUNITIES, OR BOTH. WORK EXPERIENCE MAY INCLUDE,  
27 BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

1 (A) PLANTING, PRUNING, AND CUTTING OF TREES.

2 (B) RESTORATION OR DEVELOPMENT OF LAKES, PONDS, AND WATERWAYS  
3 TO BE USED AS HUNTING AND FISHING SITES AND FOR OTHER RECREATIONAL  
4 PURPOSES.

5 (C) WILDLIFE HABITAT DEVELOPMENT OR ENHANCEMENT.

6 (D) PARKS AND RECREATIONAL SITE DEVELOPMENT OR RESTORATION.

7 (E) TRAIL DEVELOPMENT OR RESTORATION.

8 (F) FLOOD AND DRAINAGE CONTROL PROGRAMS, SUCH AS THE CLEANING  
9 AND REPAIR OF WATERWAYS.

10 (G) PREVENTION OF SHORE AND SOIL EROSION.

11 (H) LITTER REMOVAL.

12 (I) ASSISTANCE IN FIRE PREVENTION AND SUPPRESSION.

13 (J) ASSISTANCE WITH CONDUCTING PRESCRIBED ECOLOGICAL FIRE  
14 TREATMENTS.

15 (K) ASSISTANCE IN TIMES AND PLACES OF NATURAL DISASTERS.

16 (L) RECLAMATION OF STRIP-MINED LAND.

17 (M) INSECT AND PEST CONTROL.

18 (N) SURVEY, PROTECTION, MAINTENANCE, AND RESTORATION OF  
19 HISTORIC STRUCTURES AND ARCHAEOLOGICAL SITES.

20 (O) SURVEY AND ANALYSIS OF PARKS, RECREATION SITES, AND  
21 TRAILS.

22 (P) OUTREACH AND EDUCATIONAL PROGRAMS.

23 (Q) ADMINISTRATION OR SUPERVISION OF PROJECTS OPERATED BY THE  
24 CORPS.

25 (2) WORK TRAINING PROGRAMS SHALL BE UNDERTAKEN ON LANDS OPEN  
26 FOR PUBLIC USE AND SHALL BE SELECTED ON THE BASIS OF THE NATURAL,  
27 CULTURAL, OR RECREATIONAL RESOURCE BENEFITS EACH OFFERS, THE

1 OPPORTUNITIES FOR PUBLIC USE EACH OFFERS, AND THE ON-THE-JOB  
2 TRAINING VALUE OF EACH.

3 (3) WORK EXPERIENCE SHALL NOT INCLUDE WORK ON ANY PROJECT FOR  
4 REMOVAL OR CLEANING UP OF ANY TOXIC WASTE OR OTHER HAZARDOUS  
5 SUBSTANCE.

6 Enacting section 1. Sections 6 and 12 of the Michigan civilian  
7 conservation corps act, 1984 PA 22, MCL 409.306 and 409.312, are  
8 repealed.

9 Enacting section 2. This amendatory act does not take effect  
10 unless all of the following bills of the 96th Legislature are  
11 enacted into law:

12 (a) Senate Bill No. 1261.

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14 (b) Senate Bill No. 1262.

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16 (c) Senate Bill No. 1264.

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18 (d) Senate Bill No. 1265.

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