

Act No. 576
Public Acts of 2012
Approved by the Governor
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**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Senators Pavlov, Warren, Hansen and Green

ENROLLED SENATE BILL No. 1263

AN ACT to amend 1984 PA 22, entitled "An act to establish the Michigan civilian conservation corps; to prescribe the powers and duties of certain state officers, agencies, and departments; to create and provide for the use of an endowment fund; and to provide for appropriations," 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:

Sec. 13. The legislature annually shall appropriate not less than 85% of the interest and earnings of the endowment fund for the operation of the corps.

Sec. 14. If the director determines that the benefits to the state from the corps can be achieved in a more practicable manner through an entity identified or established pursuant to chapter II, the director may do both of the following:

- (a) Enter into agreements with the entity to provide corpsmembers to the department for work training programs on state-owned lands under control of the department.
- (b) Cease to operate the Michigan civilian conservation corps state program under this chapter.

CHAPTER II

MICHIGAN CIVILIAN CONSERVATION CORPS PARTNERSHIP

Sec. 21. As used in this chapter:

- (a) "Committee" means the Michigan civilian conservation corps partnership steering committee created in section 22.
- (b) "Corps" means the Michigan civilian conservation corps established pursuant to this chapter.
- (c) "Corpsmember" means a participant in the corps.
- (d) "Department" means the department of natural resources.
- (e) "Director" means the director of the department.
- (f) "Resident" means an individual who has in this state the individual's true, fixed, and permanent home and principal establishment to which the individual intends to return whenever absent. An individual is a resident until the individual establishes a permanent establishment outside this state.

Sec. 22. (1) The Michigan civilian conservation corps partnership steering committee is created in the department.

(2) The committee shall consist of the following members, appointed by the director in consultation with the directors of the departments of agriculture and rural development and environmental quality:

- (a) An individual from a statewide conservation organization that has education as a core function.
- (b) An individual from a statewide land conservation organization.
- (c) An individual from a statewide parks and recreation-based organization.

(d) An individual from a statewide conservation organization with a focus on providing natural resource management information and assistance.

(e) Two individuals who serve as faculty members at colleges or universities in this state who are involved with internships related to natural, cultural, or recreational resources within this state.

(f) An individual who works for a state government employment assistance agency.

(g) An individual from a national work program.

(h) An individual from a state department involved with state history and archaeology.

(i) An individual from a statewide trails organization.

(j) An individual from a statewide community foundation.

(k) An individual from a statewide business organization.

(l) An individual from a statewide manufacturing organization.

(m) An individual from a statewide farming organization.

(n) An employee of the department.

(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) 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.

(5) The director may remove a member of the committee for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(6) The first meeting of the committee shall be called by the board member from the department. 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 quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members of the committee.

(7) A majority of the 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.

(8) 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.

(9) 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.

(10) 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.

Sec. 23. (1) The committee shall seek out an entity that is willing to establish and operate a Michigan civilian conservation corps, in compliance with this chapter, for the purpose of doing all of the following:

(a) Conserving, improving, and developing this state's natural, cultural, and recreational resources.

(b) Enhancing, preserving, and maintaining public lands and waters through the employment of residents of this state in work training programs.

(c) Providing field experience and training to residents of this state who are interested in pursuing natural, cultural, and recreational resource-related careers.

(d) Enhancing public access, recreation opportunities, and natural resource-based economic activities on public lands.

(2) If the committee is unable to identify a suitable entity to operate a Michigan civilian conservation corps under subsection (1), the committee may incorporate a Michigan civilian conservation corps under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3193, for the purposes of this chapter.

(3) Following identification of a suitable entity under subsection (1) or the establishment of the nonprofit Michigan civilian conservation corps under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3193, the committee shall cease to operate.

Sec. 24. (1) Work training programs conducted by the corps shall provide corpsmembers with work experience related to the conservation, improvement, or development of natural, cultural, and recreational resources and the enhancement, preservation, and maintenance of public lands, waters, and historic and archaeological resources that will increase corpsmembers' likelihood of obtaining future employment or enhancing future educational opportunities, or both. Work experience may include, but is not limited to, all of the following:

(a) Planting, pruning, and cutting of trees.

(b) Restoration or development of lakes, ponds, and waterways to be used as hunting and fishing sites and for other recreational purposes.

- (c) Wildlife habitat development or enhancement.
 - (d) Parks and recreational site development or restoration.
 - (e) Trail development or restoration.
 - (f) Flood and drainage control programs, such as the cleaning and repair of waterways.
 - (g) Prevention of shore and soil erosion.
 - (h) Litter removal.
 - (i) Assistance in fire prevention and suppression.
 - (j) Assistance with conducting prescribed ecological fire treatments.
 - (k) Assistance in times and places of natural disasters.
 - (l) Reclamation of strip-mined land.
 - (m) Insect and pest control.
 - (n) Survey, protection, maintenance, and restoration of historic structures and archaeological sites.
 - (o) Survey and analysis of parks, recreation sites, and trails.
 - (p) Outreach and educational programs.
 - (q) Activities that lead to improved public access, recreation opportunities, and natural resource based economic activities on public lands.
 - (r) Administration or supervision of projects operated by the corps.
- (2) Work training programs shall be undertaken on lands open for public use and shall be selected on the basis of the natural, cultural, or recreational resource benefits each offers, the opportunities for public use each offers, and the on-the-job training value of each.
- (3) Work experience shall not include work on any project for removal or cleaning up of any toxic waste or other hazardous substance.

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

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

- (a) Senate Bill No. 1261.
- (b) Senate Bill No. 1262.
- (c) Senate Bill No. 1264.
- (d) Senate Bill No. 1265.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor