

HOUSE BILL No. 4897

June 7, 1989, Introduced by Reps. Scott, Bartnik, Middaugh, Sikkema, Hart and Niederstadt and referred to the Committee on Conservation, Recreation and Environment.

A bill to create the office of the environmental ombudsman; and to prescribe the powers and duties of the office and 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 "environmental ombudsman act".

3 Sec. 2. As used in this act:

4 (a) "Council" means the legislative council established
5 under section 15 of article IV of the state constitution of
6 1963.

7 (b) "Ombudsman" means the environmental ombudsman created in
8 section 3.

9 Sec. 3. (1) The office of the environmental ombudsman is
10 created in the council.

1 (2) The principal executive officer of the office of the
2 environmental ombudsman is the environmental ombudsman.

3 (3) The ombudsman shall be appointed by the council for 1
4 nonrenewable 6-year term. If the ombudsman fails to serve for
5 the entire 6-year period, a successor shall be selected for a
6 nonrenewable 6-year term. The ombudsman may be removed by the
7 council before the expiration of his or her term for cause.

8 Sec. 4. The ombudsman shall perform all of the following
9 duties and responsibilities:

10 (a) Act within state government on behalf of individuals who
11 have concerns regarding the state's system of environmental pro-
12 tection and resource management, and assist individuals in
13 directing and communicating their concerns to the appropriate
14 state agency.

15 (b) Assist the public in gaining access to the environmental
16 decision-making process before any final decision is rendered by
17 a state agency.

18 (c) Assist the public in obtaining efficient, thorough, and
19 timely responses regarding natural resources and environmental
20 protection questions.

21 (d) Recommend to appropriate state agencies and the legisla-
22 ture methods by which public participation in natural resources
23 and environmental decision-making could be improved.

24 (e) Compile, maintain, and make available upon request a
25 complete list of all citizen advisory committees within state
26 agencies that are involved with natural resources and
27 environmental issues.

1 (f) Serve as a liaison between the public and the state
2 agencies involved with natural resources and environmental
3 issues.

4 Sec. 5. All agencies of state government shall cooperate
5 fully with the ombudsman, and shall assist the ombudsman in the
6 performance of his or her duties and responsibilities under this
7 act.

8 Sec. 6. The council shall establish procedures for approv-
9 ing the budget of the office, for expending funds, and for the
10 employment of any personnel of the ombudsman.

11 Sec. 7. The responsibilities granted to the ombudsman under
12 this act shall not limit or affect any existing rights of public
13 participation or appeals related to any programs in any state
14 agency, and are intended to be in addition to any such existing
15 processes.

16 Sec. 8. This act shall take effect April 15, 1989.

17 Sec. 9. This act shall not take effect unless all of the
18 following bills of the 85th Legislature are enacted into law:

19 (a) Senate Bill No. ____ or House Bill No. 4895 (request
20 no. 00692'89).

21 (b) Senate Bill No. ____ or House Bill No. 4896 (request
22 no. 00693'89).