



# SENATE BILL No. 139

January 17, 1995, Introduced by Senator CHERRY  
and referred to the Committee on Government  
Operations.

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 within 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 and  
11 businesses who have concerns regarding the state's system of  
12 environmental protection and resource management, and assist them  
13 in 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 (g) Investigate complaints regarding violations of environ-  
5 mental laws and rules promulgated under those laws, or regarding  
6 state agencies not enforcing environmental laws.

7 (h) Assist individuals, businesses, and local units of gov-  
8 ernment in obtaining information regarding permit applications  
9 and the permit process, but refrain from intervening on behalf of  
10 any party after the process has commenced.

11 Sec. 5. All agencies of state government shall cooperate  
12 fully with the ombudsman, and shall assist the ombudsman in the  
13 performance of his or her duties and responsibilities under this  
14 act.

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

18 Sec. 7. The responsibilities granted to the ombudsman under  
19 this act shall not limit or affect any existing rights of public  
20 participation or appeals related to any programs in any state  
21 agency, and are intended to be in addition to any such existing  
22 processes.

23 Sec. 8. This act shall take effect October 1, 1995.