

HOUSE BILL No. 5145

(As amended by the Senate, March 14, 2002)

October 4, 2001, Introduced by Reps. Mead, Ehardt, Pumford, DeVuyst, LaSata, Gilbert, Van Woerkom, Hager, Stamas, Caul, Shackleton, Allen, Sheltroun, Stewart, Spade, Julian, Bovin and Rivet and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 9307 (MCL 324.9307), as amended by 1998 PA
463.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9307. (1) A conservation district board shall consist
2 of 5 directors, elected or appointed as provided in this part.
3 The directors shall designate a chairperson annually.
4 (2) The term of office of each director shall be 4 years.
5 All directors shall be elected at an annual meeting by residents
6 of the district. The election shall be nonpartisan and the
7 directors shall be elected by the residents of the district at
8 large. At least 60 days prior to the annual meeting, a candidate
9 for conservation district director must file at the conservation
10 district office — a petition signed by 5 residents of the

1district. A candidate must be a resident of the district. The
2annual meeting shall be held ~~within 30 days following the close~~
3~~of the fiscal year of the district. The fiscal year of the dis-~~
4~~trict shall be~~ AT A DATE determined by the board of directors of
5the district. Notice of the annual meeting shall be published in
6the official newspaper of record for the area in which the dis-
7trict is located at least 45 days prior to the date of the annual
8meeting. This notice shall include the date, time, and location
9of the annual meeting, an agenda of items to be considered at the
10meeting, and a list of all candidates for directors of the con-
11servation district. A resident of a district who is unable to
12attend the annual meeting may vote for the directors of the con-
13servation district by absentee ballot at the conservation dis-
14trict office, during regular business hours of the conservation
15district office, at any time after publication of the notice and
16prior to the annual meeting. Director elections shall be certi-
17fied by the department. A director shall hold office until a
18successor has been elected and qualified. Vacancies shall be
19filled by appointment by the board until the next annual
20meeting.

21 (3) A majority of the directors constitutes a quorum, and
22the concurrence of a majority in any matter within their duties
23is required for its determination. A director is entitled to
24expenses, including traveling expenses necessarily incurred in
25the discharge of his or her duties. A director may be paid a per
26diem for time spent undertaking his or her duties as a director

1 in an amount not to exceed the per diem paid to a member of the
2 commission of agriculture.

3 (4) The directors may employ a secretary, technical experts,
4 and such other officers, agents, and employees, permanent and
5 temporary, as they may require, and shall determine their quali-
6 fications, duties, and compensation. The directors may call upon
7 the attorney general of the state for legal services as they may
8 require. The directors may delegate to their chairperson, to 1
9 or more directors, or to 1 or more agents or employees any powers
10 and duties that they consider proper. The directors shall fur-
11 nish to the department, upon request, copies of ordinances,
12 rules, regulations, orders, contracts, forms, and other documents
13 that they adopt or employ, and any other information concerning
14 their activities that the department may require in the per-
15 formance of its duties under this part.

16 (5) The directors shall ~~provide~~ DO ALL OF THE FOLLOWING:

17 (A) PROVIDE for the execution of surety bonds for all
18 employees and officers who are entrusted with funds or property.

19 ~~;~~ ~~shall provide~~

20 (B) PROVIDE for the keeping of a full and accurate record of
21 all proceedings and of all resolutions, regulations, and orders

22 issued or adopted. ~~;~~ ~~shall provide~~

23 (C) DETERMINE THE FISCAL YEAR OF THE DISTRICT.

24 (D) PROVIDE for an annual audit of the accounts of receipts
25 and disbursements. ~~;~~ ~~and shall maintain~~

1 (E) MAINTAIN accurate financial records of receipts and
2 disbursements of state funds, which records shall be made
3 available to the department.

4 (6) Any director may be removed by the department upon
5 notice and hearing for neglect of duty or malfeasance in office,
6 but for no other reason.

7 (7) ~~(6)~~ The directors may invite the legislative body of
8 any municipality or county located near the territory comprised
9 within the district to designate a representative to advise and
10 consult with the directors of the district on all questions of
11 program and policy that may affect the property, water supply, or
12 other interests of the municipality or county.