

HOUSE BILL NO. 5719

May 09, 2024, Introduced by Reps. Martin, Prestin, Markkanen, Cavitt, Jaime Greene and Alexander and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 501 (MCL 324.501).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 501. (1) A department of natural resources for this state
2 is created. ~~which shall possess~~**The department has** the powers and
3 **shall** perform the duties granted and imposed by this act and as
4 otherwise provided by law.

5 (2) The commission of natural resources is created as the head

1 of the department of natural resources and may establish general
2 policies related to natural resources management and environmental
3 protection for the guidance of the director. In addition, the
4 commission has appellate authority as provided in section 1101. The
5 commission ~~shall be~~ **is** composed of 7 members, ~~not~~ **subject to the**
6 **following:**

7 (a) **No** more than 4 ~~of whom shall~~ **members may** be members of the
8 same political party. ~~, appointed by the~~

9 (b) **The** governor ~~by and~~ **shall appoint each member** with the
10 advice and consent of the senate.

11 (c) A member of the commission ~~shall~~ **must** be selected with
12 special reference to that ~~person's~~ **individual's** training and
13 experience related to at least 1 of the principal lines of
14 activities vested in the department of natural resources and the
15 ability and fitness of that ~~person~~ **individual** to deal with those
16 activities.

17 (d) The term of office of each member of the commission ~~shall~~
18 ~~be~~ **is** 4 years.

19 (e) The governor shall fill a vacancy occurring in the
20 membership of the commission and may remove a member of the
21 commission for cause after a hearing.

22 (f) Each member of the commission shall hold office until the
23 appointment and qualification of that member's successor.

24 (3) The commission, within 30 days after having qualified and
25 annually after that time, shall meet at its office in Lansing and
26 organize by appointing a secretary, who need not be a member of the
27 commission. The governor shall appoint a chairperson of the
28 commission from among its members, who shall serve as chairperson
29 at the pleasure of the governor. Four members of the commission

1 constitute a quorum for the transaction of business. The business
 2 ~~which that~~ the commission may perform ~~shall~~**must** be conducted at a
 3 public meeting of the commission held in compliance with the open
 4 meetings act, Act No. ~~267 of the Public Acts of 1976, being~~
 5 ~~sections 15.261 to 15.275 of the Michigan Compiled Laws.~~**1976 PA**
 6 **267, MCL 15.261 to 15.275.** Public notice of the time, date, and
 7 place of the meeting ~~shall~~**must** be given in the manner required by
 8 Act No. ~~267 of the Public Acts of 1976.~~**the open meetings act, 1976**
 9 **PA 267, MCL 15.261 to 15.275.** A meeting may be called by the
 10 chairperson and ~~shall~~**must** be called on request of a majority of
 11 the members of the commission. ~~A~~**The commission may hold a** meeting
 12 ~~may be held as often as necessary and at other places than the~~
 13 commissioners' offices ~~at~~**in** Lansing. The commission shall meet at
 14 least once each month. **The commission shall conduct the**
 15 **commission's meetings with video conferencing in a manner that**
 16 **permits 2-way communication so that public participants can hear**
 17 **members of the commission and can be heard by members of the**
 18 **commission and other participants during a public comment period.**

19 (4) The commission shall appoint and employ a director who
 20 ~~shall continue in office~~**serves** at the pleasure of the commission.
 21 The director shall appoint 1 or more deputy directors and other
 22 assistants and employees as are necessary to implement this part
 23 and any other law of this state affecting the powers and duties of
 24 the department of natural resources. A person to whom the director
 25 has lawfully delegated decision making authority in writing may
 26 perform a duty or exercise a power conferred by law ~~upon~~**on** the
 27 department at the time and to the extent the duty and power is
 28 delegated to that person by the director. ~~When~~**If** a vacancy in the
 29 office of director occurs, or the director is unable to perform the

1 director's duties or is absent from ~~the~~**this** state, the powers and
2 duties of the director as prescribed by law ~~shall~~**must** be ~~imposed~~
3 ~~on and~~ transferred to a deputy director until the vacancy is filled
4 or the director's inability or absence from ~~the~~**this** state ceases.

5 (5) The compensation of the deputy directors, the assistants,
6 and the employees and the number of assistants and employees ~~shall~~
7 ~~be~~**are** subject to the approval of the state administrative board.
8 The members of the commission shall not receive compensation under
9 this part, but each member and the other officers and employees of
10 the department of natural resources ~~shall be~~**are** entitled to
11 reasonable expenses while traveling in the performance of their
12 duties prescribed by this act. The salaries and expenses authorized
13 under this act ~~shall~~**must** be paid out of the state treasury in the
14 same manner as the salaries of other state officers and employees
15 are paid. The department of **technology**, management, and budget
16 shall furnish suitable offices and office equipment, ~~at~~**in** Lansing,
17 for the use of the department of natural resources. Each member of
18 the commission and the director shall qualify by taking and
19 subscribing to the ~~constitutional~~ oath of office **prescribed in**
20 **section 1 of article XI of the state constitution of 1963** and by
21 filing ~~it~~**the oath** in the office of the secretary of state.