

HOUSE BILL NO. 6387

September 21, 2022, Introduced by Reps. LaFave, Markkanen and Damoose and referred to the Committee on Natural Resources 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 of natural resources**
3 **has** the powers and **shall** perform the duties granted and imposed by
4 this act and as 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 as follows:~~

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

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

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

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

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

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

23 (g) **Each member appointed to the commission after the**
24 **effective date of the amendatory act that added this subdivision**
25 **must have held a hunting or fishing license for no less than 4 out**
26 **of the 6 years preceding the member's appointment.**

27 (3) The commission, within 30 days after having qualified and
28 annually after that time, shall meet at its office in Lansing and
29 organize by appointing a secretary, who need not be a member of the

1 commission. The governor shall appoint a chairperson of the
2 commission from among its members, who shall serve as chairperson
3 at the pleasure of the governor. Four members of the commission
4 constitute a quorum for the transaction of business. The business
5 ~~which that~~ the commission may perform ~~shall must~~ be conducted at a
6 public meeting of the commission held in compliance with the open
7 meetings act, ~~Act No. 267 of the Public Acts of 1976, being~~
8 ~~sections 15.261 to 15.275 of the Michigan Compiled Laws. 1976 PA~~
9 **267, MCL 15.261 to 15.275.** Public notice of the time, date, and
10 place of the meeting ~~shall must~~ be given in the manner required by
11 ~~Act No. 267 of the Public Acts of 1976. the open meetings act, 1976~~
12 **PA 267, MCL 15.261 to 15.275.** A meeting may be called by the
13 chairperson and ~~shall must~~ be called on request of a majority of
14 the members of the commission. ~~A The commission may hold a meeting~~
15 ~~may be held as often as necessary and at other places than the~~
16 commissioners' offices at Lansing. The commission shall meet at
17 least once each month.

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

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

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

21 Enacting section 1. This amendatory act does not take effect
 22 unless all of the following bills of the 101st Legislature are
 23 enacted into law:

24 (a) Senate Bill No. ____ or House Bill No. 6385 (request no.
 25 06168'22).

26 (b) Senate Bill No. ____ or House Bill No. 6386 (request no.
 27 06169'22).

28 (c) Senate Bill No. ____ or House Bill No. 6384 (request no.
 29 06170'22).

1 (d) Senate Bill No. ____ or House Bill No. 6383 (request no.
2 06171'22).