

# SENATE BILL NO. 120

February 10, 2021, Introduced by Senator MCBROOM and referred to the Committee on Natural Resources.

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 **commission** is created.

1 ~~as the head of the department of natural resources and may~~  
2 ~~establish general policies related to natural resources management~~  
3 ~~and environmental protection for the guidance of the director. In~~  
4 ~~addition, the commission has appellate authority as provided in~~  
5 ~~section 1101.~~ The commission shall be composed of 7 members, not  
6 more than 4 of whom shall be members of the same political party,  
7 appointed by the governor by and with the advice and consent of the  
8 senate. A member of the commission shall be selected with special  
9 ~~reference to~~ **consideration of** that person's training and experience  
10 related to at least 1 of the principal lines of activities vested  
11 in the department of natural resources and the ability and fitness  
12 of that person to deal with those activities. **If at least 35% of**  
13 **state-owned land is located in the Upper Peninsula, at least 3**  
14 **members of the commission must be residents of the Upper Peninsula**  
15 **who have resided in the Upper Peninsula for at least the previous 5**  
16 **years.**

17 (3) The term of office of each member of the commission ~~shall~~  
18 ~~be~~ **is** 4 years. 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. Each member of the commission  
21 shall hold office until the appointment and qualification of that  
22 member's successor.

23 (4) ~~(3)~~ The commission, within 30 days after having qualified  
24 and annually after that time, shall meet at its office in Lansing  
25 and organize by appointing a secretary, who need not be a member of  
26 the commission. The governor shall appoint a chairperson of the  
27 commission from among its members. ~~who~~ **The chairperson** shall  
28 serve as chairperson at the pleasure of the governor. Four members  
29 of the commission constitute a quorum for the transaction of

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

13 (5) ~~(4) The commission-governor shall appoint and employ a the~~  
 14 **director of the department of natural resources** who shall ~~continue~~  
 15 ~~in office-serve~~ at the pleasure of the ~~commission-governor.~~ The  
 16 director shall appoint 1 or more deputy directors and other  
 17 assistants and employees as are necessary to implement this part  
 18 and any other law of this state affecting the powers and duties of  
 19 the department of natural resources. A person ~~to whom the director~~  
 20 ~~has lawfully delegated decision making authority in writing may~~  
 21 perform a duty or exercise a power conferred by law upon the  
 22 department ~~at the time-when~~ and to the extent the duty ~~and-or~~ power  
 23 is delegated to that person **in writing** by the director. When a  
 24 vacancy in the office of director occurs, or the director is unable  
 25 to perform the director's duties or is absent from ~~the-this~~ state,  
 26 the powers and duties of the director as prescribed by law shall be  
 27 ~~imposed on and transferred~~ to a deputy director until the vacancy  
 28 is filled or the director's inability or absence from ~~the-this~~  
 29 state ceases.

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