

HOUSE BILL No. 5194

October 22, 2003, Introduced by Reps. Sheltrown, Brown, Gillard, Elkins, Rivet and Spade 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 2002 PA 107.

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

1 district. A candidate must be a resident of the district. The
2 annual meeting shall be held at a date determined by the board of
3 directors of the district. Notice of the annual meeting shall be
4 published in the official newspaper of record for the area in
5 which the district is located at least 45 days prior to the date
6 of the annual meeting. This notice shall include the date, time,
7 and location of the annual meeting, an agenda of items to be
8 considered at the meeting, and a list of all candidates for
9 directors of the conservation district. A resident of a district
10 who is unable to attend the annual meeting may vote for the
11 directors of the conservation district by absentee ballot **as**
12 **follows:**

13 **(a) In person** at the conservation district office, during
14 regular business hours of the conservation district office, at
15 any time after publication of the notice and prior to the annual
16 meeting.

17 **(b) By mail received at the conservation district office at**
18 **any time after publication of the notice and prior to the annual**
19 **meeting.**

20 **(3)** Director elections shall be certified by the department.
21 A director shall hold office until a successor has been elected
22 and qualified. Vacancies shall be filled by appointment by the
23 board until the next annual meeting.

24 **(4) —(3)—** A majority of the directors constitutes a quorum,
25 and the concurrence of a majority in any matter within their
26 duties is required for its determination. A director is entitled
27 to expenses, including traveling expenses necessarily incurred in

1 the discharge of his or her duties. A director may be paid a per
2 diem for time spent undertaking his or her duties as a director
3 in an amount not to exceed the per diem paid to a member of the
4 commission of agriculture.

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

18 (6) ~~—(5)—~~ The directors shall do all of the following:

19 (a) Provide for the execution of surety bonds for all
20 employees and officers who are entrusted with funds or property.

21 (b) Provide for the keeping of a full and accurate record of
22 all proceedings and of all resolutions, regulations, and orders
23 issued or adopted.

24 (c) Determine the fiscal year of the district.

25 (d) Provide for an annual audit of the accounts of receipts
26 and disbursements.

27 (e) Maintain accurate financial records of receipts and

1 disbursements of state funds, which records shall be made
2 available to the department.

3 (7) ~~—(6)—~~ Any director may be removed by the department upon
4 notice and hearing for neglect of duty or malfeasance in office,
5 but for no other reason.

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