

SENATE BILL No. 216

February 17, 2005, Introduced by Senators PATTERSON, BIRKHOLZ, TOY, ALLEN,
VAN WOERKOM, HARDIMAN and HAMMERSTROM and referred to the Committee
on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 41321.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 41321. (1) THE NONNATIVE SPECIES ADVISORY COUNCIL IS
2 CREATED.

3 (2) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

4 (A) FOUR MEMBERS APPOINTED BY THE SENATE MAJORITY LEADER.

5 (B) THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
6 REPRESENTATIVES.

7 (3) THE MEMBERS FIRST APPOINTED TO THE COUNCIL SHALL BE
8 APPOINTED WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

9 (4) MEMBERS OF THE COUNCIL SHALL SERVE FOR TERMS OF 2 YEARS OR

1 UNTIL A SUCCESSOR IS APPOINTED, WHICHEVER IS LATER, EXCEPT THAT 2
2 OF THE MEMBERS FIRST APPOINTED BY THE SENATE MAJORITY LEADER AND 1
3 OF THE MEMBERS FIRST APPOINTED BY THE SPEAKER OF THE HOUSE OF
4 REPRESENTATIVES SHALL SERVE FOR 1 YEAR.

5 (5) IF A VACANCY OCCURS ON THE COUNCIL, THE VACANCY SHALL BE
6 FILLED FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL
7 APPOINTMENT WAS MADE.

8 (6) THE SENATE MAJORITY LEADER OR SPEAKER OF THE HOUSE OF
9 REPRESENTATIVES MAY REMOVE A MEMBER OF THE COUNCIL APPOINTED BY THE
10 SENATE MAJORITY LEADER OR SPEAKER, RESPECTIVELY, FOR INCOMPETENCY,
11 DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN
12 OFFICE, OR ANY OTHER GOOD CAUSE.

13 (7) THE FIRST MEETING OF THE COUNCIL SHALL BE CALLED BY THE
14 SENATE MAJORITY LEADER. AT THE FIRST MEETING, THE COUNCIL SHALL
15 ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT
16 CONSIDERS NECESSARY OR APPROPRIATE. AFTER THE FIRST MEETING, THE
17 COUNCIL SHALL MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE
18 CALL OF THE CHAIRPERSON OR IF REQUESTED BY 2 OR MORE MEMBERS.

19 (8) A MAJORITY OF THE MEMBERS OF THE COUNCIL CONSTITUTE A
20 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COUNCIL.
21 A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR
22 OFFICIAL ACTION OF THE COUNCIL.

23 (9) THE BUSINESS THAT THE COUNCIL MAY PERFORM SHALL BE
24 CONDUCTED AT A PUBLIC MEETING OF THE COUNCIL HELD IN COMPLIANCE
25 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

26 (10) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
27 RETAINED BY THE COUNCIL IN THE PERFORMANCE OF AN OFFICIAL FUNCTION

1 IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL
2 15.231 TO 15.246.

3 (11) MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT COMPENSATION.
4 HOWEVER, MEMBERS OF THE COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL
5 AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR
6 OFFICIAL DUTIES AS MEMBERS OF THE COUNCIL.

7 Enacting section 1. This amendatory act does not take effect
8 unless all of the following bills of the 93rd Legislature are
9 enacted into law:

10 (a) Senate Bill No. 211.

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12 (b) Senate Bill No. 212.

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14 (c) Senate Bill No. 213.

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16 (d) Senate Bill No. 215.

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18 (e) Senate Bill No. 217.

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20 (f) Senate Bill No. 214.

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