

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.902 Environmental management authority; creation; powers; appointment, terms, and removal of members; quorum; compensation; business conducted at public meeting; writings; election of officers.

Sec. 902. (1) The governing body of any city within whose corporate boundaries a state park comprises more than 75% of the land area and the governing body of any such state park or, if there is none, the department, may create an environmental management authority for that city. An authority may contract and be contracted with, sue and be sued, and take action in the courts of this state. An authority, once created, shall exercise its powers as an autonomous entity, independent of any state department.

(2) An authority shall be governed by a board of directors consisting of 5 voting members and 2 nonvoting ex officio members who are appointed as follows:

(a) One individual appointed by the state park governing body or the department if there is no qualifying state park.

(b) One individual appointed by the chair of the state park governing body or the department if there is no qualifying state park.

(c) One individual appointed by the governing body of the city.

(d) One individual appointed by the mayor of the city.

(e) One individual appointed by agreement of at least 3 of the 4 individuals appointed pursuant to subdivisions (a), (b), (c), and (d).

(f) The director of the department of management and budget, or an employee of the department of management and budget who is designated by the director of the department of management and budget, shall serve as a nonvoting ex officio member.

(g) One member of the joint capital outlay subcommittee of the appropriations committees of the senate and house of representatives, appointed by the chair of that subcommittee, shall serve as a nonvoting ex officio member.

(3) Voting members of the board shall serve terms of 4 years. Vacancies shall be filled in the same manner as the original appointment for an unexpired term. Of the members first appointed, the members appointed by the chair of the state agency and the mayor of the city shall serve for 2 years, the members appointed by the state agency and the governing body of the city shall serve for 3 years, and the member appointed by agreement of the other members shall serve for 4 years. Ex officio nonvoting members do not have fixed terms of office.

(4) An individual appointed by the governing body of a city or by the mayor may be removed in the same manner as provided by the city's charter.

(5) A majority of the members of a board constitutes a quorum for the purpose of conducting business and exercising the powers of the authority. Official action may be taken by an authority upon the vote of a majority of the board members present, unless the bylaws of the authority require a larger number.

(6) Members of the board shall not receive compensation for services as members of an authority but are entitled to necessary expenses, including travel expenses, incurred in the discharge of their duties.

(7) The business that an authority may perform shall be conducted at a public meeting of the authority held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(8) A writing prepared, owned, or used by an authority in the performance of an official function shall be made available in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(9) At its first meeting, a board shall elect a chairperson and any other officers it considers necessary. The authority shall meet at least quarterly.

History: 1994, Act 451, Eff. Mar. 30, 1995.

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