

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

***** 324.41405 THIS SECTION IS REPEALED BY ACT 286 OF 2011 EFFECTIVE DECEMBER 21, 2015

324.41405 Aquatic invasive species advisory council; creation; membership; appointment; vacancy; removal; first meeting; election of chairperson and officers; quorum; compliance with open meetings act; writings subject to freedom of information act; compensation; reimbursement; technical advisory committees.

Sec. 41405. (1) The aquatic invasive species advisory council is created within the department of environmental quality.

(2) The council shall consist of the following:

- (a) The director of the department of environmental quality or his or her designee.
- (b) The director of the department of natural resources or his or her designee.
- (c) The director of the department of agriculture and rural development or his or her designee.
- (d) The director of the state transportation department or his or her designee.
- (e) The attorney general or his or her designee.
- (f) The following members appointed by the governor:
 - (i) A representative of the United States department of the interior, national park service.
 - (ii) A representative of an association of Great Lakes shipping companies.
 - (iii) A representative of the horticulture industry.

(iv) A representative of a regional association of businesses that has an international port operator as a member.

(g) The following members appointed by the senate majority leader:

- (i) A representative of a statewide private conservation organization.
 - (ii) A representative of the Great Lakes commission.
 - (iii) A representative of a statewide association of businesses.
 - (iv) A representative of an association of Indian tribes.
 - (v) A representative of a public university with an aquatic research center.
- (h) The following members appointed by the speaker of the house of representatives:
- (i) A representative of a regional or national private conservation organization.
 - (ii) A representative of an association of industries in the Great Lakes region.
 - (iii) A representative of a public utility.
 - (iv) A representative of a statewide association of local units of government.
 - (v) A representative of a statewide association of aquaculture businesses.

(3) The members first appointed to the council shall be appointed within 30 days after the effective date of this section. Members of the council shall serve for the life of the council.

(4) If a vacancy occurs on the council, the vacancy shall be filled in the same manner as the original appointment was made. The appointing officer may remove a member of the council for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(5) The first meeting of the council shall be called by the director of the department of environmental quality or his or her designee. At the first meeting, the council shall elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the council shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 3 or more members.

(6) A majority of the members of the council constitute a quorum for the transaction of business at a meeting of the council. The council may adopt bylaws governing its organization and procedure. Unless otherwise provided in its bylaws, a majority of the members present and serving are required for official action of the council.

(7) The business that the council may perform shall be conducted at a public meeting of the council held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(8) A writing prepared, owned, used, in the possession of, or retained by the council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) Members of the council shall serve without additional state compensation. However, members of the council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the council.

(10) The council may appoint technical advisory committees of individuals with relevant specific

technical, scientific, or legal expertise, or relevant expertise in a trade listed in section 41409, or may appoint such individuals as adjunct members of the council without voting rights.

History: Add. 2011, Act 285, Imd. Eff. Dec. 21, 2011.

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