

SFA

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

Senate Bill 862

Sponsor: Senator John D. Cherry, Jr.

Committee: Natural Resources and Environmental Affairs

Date Completed: 3-13-90

RECEIVED

APR 18 1990

Mich. State Law Library

SUMMARY OF SENATE BILL 862 as introduced 3-13-90:

The bill would create the "Environmental Ombudsman Act" to establish the "Office of the Environmental Ombudsman" within the Legislative Council. The bill would take effect on October 1, 1990.

The executive officer of the proposed Office would be the Environmental Ombudsman. The Ombudsman would be appointed by the Legislative Council for one nonrenewable six-year term. The Ombudsman could be removed for cause before the term of office expired. If the Ombudsman failed to serve for the length of the term, a successor would have to be appointed for a nonrenewable six-year term. The Ombudsman would have to do all of the following:

- Act within State government on behalf of individuals who had concerns about the State's system of environmental protection and natural resources management; assist individuals in directing and communicating those concerns to the proper State agency; and serve as a liaison between the public and the State agencies involved with environmental and natural resources issues.
- Assist the public in gaining access to the environmental decision-making process and in obtaining thorough, efficient, and timely responses regarding related questions.
- Recommend to the Legislature and State agencies, methods to improve public participation in decision-making related to natural resources and environmental issues.
- Compile, maintain, and make available upon request, a list of citizen advisory committees within State agencies that are involved with environmental and natural resource issues.

The Ombudsman's responsibilities under the bill could not limit or affect any existing rights of public participation or appeals pertaining to State agencies, but would be in addition to any such processes. The Council would have to establish procedures for approving the Office's budget, spending funds, and hiring personnel. The bill would require all agencies of State government to cooperate with the Ombudsman's Office and to assist the Ombudsman in performing his or her duties and responsibilities.

Legislative Analyst: P. Affholter

S.B. 862 (3-13-90)

FISCAL IMPACT

The bill would result in increased costs to the State. The annual budget for the Office of Environmental Ombudsman would depend on approval of the Legislative Council. A minimal staff of one professional and one clerical worker would cost approximately \$100,000.

Fiscal Analyst: B. Bowerman

S8990\S862SA

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

SENATE ANALYSIS SECTION

SENATE BILL 862

ANALYSIS FIRST

SEE SB 757