

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

Senate Bill 978

Sponsor: Senator John J. H. Schwarz, M.D.

Committee: Health Policy

Date Completed: 9-5-90

**RECEIVED****OCT 24 1990**SUMMARY OF SENATE BILL 978 as introduced 5-24-90:

The bill would amend the Public Health Code to:

Mich. State Law Library

- Revise current provisions on Schedule 1 controlled substances and place within the schedule certain chemical compounds that have pharmacological effects similar to those possessed by Schedule 1 and Schedule 2 controlled substances. (Commonly known as "designer drugs", these substances are manufactured to have pharmacological effects that are substantially similar to the effects of Schedule 1 and 2 drugs, but the substances vary slightly in chemical composition.)
- Provide that an agent or employee of a licensed "researcher" would be exempt from licensure requirements, and lawfully could possess controlled substances or prescription forms if the agent or employee were acting in the usual course of his or her business or employment.

MCL 333.7212 and 333.7303

Legislative Analyst: L. Arasim

FISCAL IMPACT

According to the Department of State Police, the effect of this bill would be to require much more detailed and exact descriptions of chemicals and substances currently defined as Schedule 1, and some Schedule 2, controlled substances in the Public Health Code. As an example, current practices for identifying marihuana require, on average, 15 minutes of time for the lab technician. Under the provisions and requirements of the bill, the chemist would have to identify chemically tetrahydrocannabinol (a compound in marihuana), a process that the Department estimates would require two hours. The exact costs are unavailable at this time and would depend on the amount of additional analysis time required and the number of cases analyzed.

Further, by expanding the number of substances that are included in Schedule 1, and thereby increasing the number of individuals who are subject to prosecution for controlled substances violations, the bill would result in an indeterminate expenditure increase for the State Department of Corrections in FY 1990-91 and subsequent years. The indeterminate increase would be the result of the following primary factors:

- The date the bill would take effect during FY 1990-91.
- The number of individuals who would be affected by the bill.
- How sentencing judges would respond to the new provisions and the length of sentence imposed.

S.B. 978 (9-5-90)

Finally, with regard to cost analysis, individuals serving a sentence would cost the State \$25,000 per annum (plus inflation adjustment).

Fiscal Analyst: M. Hansen  
B. Burghardt

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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.

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BILL ANALYSIS

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Senate Bill 979

Sponsor: Senator Robert Geake

Committee: Human Resources and Senior Citizens

RECEIVED

Date Completed: 5-24-90

JUN 28 1990

SUMMARY OF SENATE BILL 979 as introduced 5-24-90

The bill would amend the juvenile code to delete provisions that:

- Require a case service plan to contain a schedule for at least weekly visitation between parent and child, unless it would be harmful to the child. (The agency responsible for a child's supervision currently is required to prepare a case service plan aimed at keeping the child in the most family-like setting available and as near to the parents' home as is consistent with the best interests and special needs of the child.)
- Specify that if a child is placed in foster care following charges of abuse or neglect, a review hearing must be held at least every 91 days during the first year of foster care and after the first year, not more than 182 days after a permanency planning hearing is held. (At a permanency planning hearing the court reviews the status of the child and the progress being made toward the child's return home, and decides whether the child should return home.)
- Specify that at a review hearing, the court is required to review compliance with the case service plan concerning services provided to the child and his or her parent, guardian, or custodian and whether the parent, guardian, or custodian complied with and benefited from the services, and concerning visitation with the child.

MCL 712A.18f and 712A.19

Legislative Analyst: L. Burghardt

FISCAL IMPACT

This bill would, in effect, repeal Public Act 224 of 1988, which mandated weekly foster care parental visitation and frequent case review hearings. The FY 1989-90 Department of Social Services budget added funding for staff and associated costs related to these requirements. Repeal of these requirements would generate an estimated savings of (\$10,000,000) Gross, (\$8,000,000) GF/GP.

Fiscal Analyst: S. Angelotti

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