

ELIMINATE ELECTRONIC FILING ADVISORY BOARD

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Senate Bill 477 as passed by the Senate

Sponsor: Sen. Jason E. Allen

House Committee: House Oversight, Elections, and Ethics

Senate Committee: Local, Urban and State Affairs

First Analysis (3-3-06)

BRIEF SUMMARY: The bill would delete provisions that created the Electronic Filing Advisory Board, which disbanded 60-days after issuing its February 2003 report.

FISCAL IMPACT: The bill would have no fiscal impact.

THE APPARENT PROBLEM:

Some statutes include provisions creating a committee or board to perform such tasks as overseeing the law's implementation or evaluating whether certain goals were achieved. At times, these statutes also include a date by which the committee or board is to wrap-up its activities or present its findings. Once that date has passed or the committee or board has performed its function, it usually disbands or stops meeting. While these bodies are essentially defunct, references to them remain in the laws that created them.

Members of the Senate have introduced legislation that would eliminate outdated provisions of that law concerning boards that no longer meet, having fulfilled their statutory obligations. This bill is one of ten bills drafted for that purpose.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Campaign Finance Act to delete provisions that created the Electronic Filing Advisory Board. Under the act, the board was dissolved 60 days after issuing its February 2003 report.

Currently under the law, the secretary of state is required to implement an electronic filing and Internet disclosure system that permits the campaign committees that are required to file statements or reports to file them electronically. The reports are then disclosed on a website. Beginning with the annual campaign statement that was due January 31, 2004, each committee required to file with the secretary of state—that is, those that received or expended \$20,000 or more in the preceding calendar year, or expected to do so in the current calendar year—has been required to electronically file all statements and reports required under the act. Senate Bill 477 would retain these provisions.

A now-outdated provision of the law required the creation of a five-member Electronic Filing Advisory Board that did all of the following:

** Monitored the voluntary electronic filing of campaign statements in the 2000 and 2002 election cycle by candidate committees that received or spent more than \$20,000 in the preceding election cycle.

**Monitored the Internet disclosure of the electronically filed campaign statements.

** By February 1, 2003, prepared and submitted to members of the legislature a report on the effectiveness and ease of use of the electronic filing and internet disclosure system.

Senate Bill 477 would eliminate these outdated provisions.

HOUSE COMMITTEE ACTION:

The House Oversight, Elections, and Ethics Committee reported out the Senate-passed version of Senate Bill 477 without amendments. Some of the information in this analysis is derived from the Senate Fiscal Agency's analysis of Senate Bills 471-481, dated 7-19-05.

ARGUMENTS:

For:

When a statutorily created committee, board, or other body has completed the task for which it was created and then disbands, the act that created the body should be amended to remove the outdated provision from the code. Such timely editing ensures coherence within the code, eliminating obsolete references that cause confusion to all but the most ardent historian of the laws.

POSITIONS:

No positions were advanced.

Legislative Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.