



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 778 (as passed by the Senate)
Sponsor: Senator Patricia L. Birkholz
Committee: Natural Resources and Environmental Affairs

Date Completed: 10-28-05

RATIONALE

Public Act 195 of 1999 amended the Natural Resources and Environmental Protection Act to require the Department of Environmental Quality (DEQ), in conjunction with the Department of Natural Resources (DNR), to prepare a biennial report that assesses the status of and trends related to the overall state of the natural environment in Michigan. Reports under Public Act 195 were issued in 2001 and 2003. The 2003 report notes that "...it can take many years of monitoring data to properly identify and assess the emergence of either a positive or negative variation in the environment." The reporting requirement, however, is set to expire on December 31, 2005. In light of the reports' potential over time to influence the State's environmental management strategy, it has been suggested that the sunset be eliminated.

CONTENT

The bill would amend Part 25 (Environmental Education) of the Natural Resources and Environmental Protection Act to eliminate the December 31, 2005, sunset on a requirement that the Department of Environmental Quality, in conjunction with the Department of Natural Resources, prepare a biennial environmental indicator report.

Under the Act, the report must be based upon environmental indicators identified by the DEQ and the DNR, and upon data obtained through sound scientific methodologies and processes. The Act defines "environmental indicator" as a measure of the state of the natural

environment that can be derived from empirical data. The DEQ must use the most recent data available. If relevant data are not available, the DEQ must include in the report recommendations for gathering data in the future.

The report must be submitted to the Governor, to the standing committees of the Legislature with jurisdiction over issues primarily related to natural resources and the environment, and to the Senate and House Appropriations Subcommittees on environmental quality and natural resources. Additionally, the report must be made available to the public electronically and, upon request, in paper format.

The DEQ and the DNR must monitor efforts in other states and nationally to establish uniformity among environmental indicators that might be included within the report.

MCL 324.2521

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Over time, if they are continued, the biennial reports will constitute a valuable tool in managing the health of the environment in Michigan. They will provide a method to measure the success of the State's environmental programs and assess how limited resources can be used most effectively.

As the more recent environmental indicator report pointed out, "...care should be taken not to understate or overstate the importance of a change that may be observed in any given environmental indicator from one two-year reporting period to the next. Two years is an extremely short time frame for a natural or human-influenced disturbance or corrective action to be realized within most ecosystems." Thus, for the reports to be truly useful in adjusting resource management strategies and developing stewardship policies, the sunset should be eliminated.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have a minimal impact on the Department of Natural Resources and the Department of Environmental Quality. The report is prepared within existing resources of the Departments.

Fiscal Analyst: Bill Bowerman

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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.