



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 778 (as enrolled)

PUBLIC ACT 313 of 2005

Sponsor: Senator Patricia L. Birkholz

Senate Committee: Natural Resources and Environmental Affairs

House Committee: Natural Resources, Great Lakes, Land Use, and Environment

Date Completed: 3-8-06

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 2005 report was released early in 2006. The 2003 and 2005 reports note 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, was set to expire on December 31, 2005. In light of the reports' potential over time to influence the State's environmental management strategy, it was suggested that the sunset be eliminated.

submitted by October 1, 2008, and every third year after that.

The bill took effect on December 27, 2005.

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.

CONTENT

The bill amended 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 an environmental indicator report.

Additionally, the bill eliminated language requiring the first report to be submitted by October 1, 2001, and by October 1 every other year. Instead, the report must be

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

Environmental indicators—such as invasive species, trends in game fish populations, and land cover—are often the first measure of a threat to wildlife, forestland, or water resources. Over time, the periodic 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 2003 and 2005 environmental indicator reports 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, to make the reports truly useful in adjusting resource management strategies and developing stewardship policies, the bill eliminated the sunset and established a triennial reporting requirement.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill will 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: Jessica Runnels

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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.