



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bills 5990, 5993, and 5995 through 6005 (as passed by the House)

Sponsor: Representative Pamela Hornberger (H.B. 5990)
Representative Steve Marino (H.B. 5993)
Representative Brandt Iden (H.B. 5995)
Representative Julie Alexander (H.B. 5996)
Representative Joseph N. Bellino, Jr. (H.B. 5997)
Representative Jeffrey R. Noble (H.B. 5998)
Representative Michele Hoytenga (H.B. 5999)
Representative Beau Matthew LaFave (H.B. 6000)
Representative Steven Johnson (H.B. 6001)
Representative Sue Allor (H.B. 6002 & 6003)
Representative Diare Rendon (H.B. 6004)
Representative Roger Hauck (H.B. 6005)

House Committee: Oversight
Senate Committee: Oversight

Date Completed: 6-6-18

CONTENT

House Bill 5990 would repeal a section of the Firefighters Training Council Act that requires the Firefighters Training Council to submit to the Governor and the Legislature an annual report that includes certain information.

House Bills 5993 and 5996 would amend the Insect Pest and Plant Disease Act and the Grade A Milk Law, respectively, to delete provisions requiring the Department of Agriculture and Rural Development to submit to the Legislature reports on certain licensing activities.

House Bill 5995 would repeal Section 4 of the Veteran Right to Employment Services Act, which requires an agency or department that administers a federally- or State-funded employment services or job training program to submit to the Senate and House of Representatives standing committees that have responsibility for military affairs an annual report identifying each of the employment services or job training services or programs provided by that agency or department to veterans and the procedures it employed to ensure compliance with the Act.

House Bill 5997 would repeal a section of the Community Corrections Act that requires the Office of Community Corrections to submit to the Legislature certain reports.

House Bill 5998 would repeal Section 11 of Public Act 123 of 1893, which governs the Michigan School for the Blind. Section 11 requires the Board of Control, superintendent, and other officers of the School to submit to the Governor and Legislature a biennial report containing certain information regarding the progress, condition, and needs of the School, and certain fiscal information.

House Bill 5999 would repeal a section of the Insurance Code that requires the Insurance Commissioner to submit to the Governor and the Legislature certain reports regarding competition in the small employer carrier health market.

House Bill 6000 would repeal a section of the Michigan Fireworks Safety Act that required the State Fire Marshal to submit to the Legislature a report containing certain information.

House Bill 6001 would repeal Section 15 of the State Food Stamp Distribution Act, which requires the Family Independence Agency (now part of the Department of Health and Human Services) to conduct a quarterly accounting of all coupons (coupons, stamps, or other types of certificates created under the Supplemental Nutrition Assistance Program and redeemable for food) received from the United States Department of Agriculture, and to report, by December 31 of each year, to the chairpersons of the Senate and House of Representatives Appropriations Committees on the number of coupons, if any, that cannot be accounted for and for which the State bears liability.

House Bill 6002 would amend the Single State Construction Code Act to delete a reference to Section 21 of the Michigan Fireworks Safety Act.

House Bill 6003 would amend the Motor Fuels Quality Act to delete a requirement that the Director of the Department of Agriculture and Rural Development (MDARD) submit to the Legislature reports containing information regarding certain applications submitted to MDARD.

House Bill 6004 would amend the Insurance Tax Act to delete a provision requiring the State Treasurer to notify the Legislature if the State's Federal Low-Income Home Energy Assistance Program block grant allotment is less than the full home heating credit amount.

House Bill 6005 would amend the DNA Identification Profiling System Act to delete a requirement that the Director the Michigan State Police report to the Legislature concerning the rate of DNA sample collection, DNA identification profiling, and the collection of assessments from certain misdemeanor and felony offenses specified in the Act.

House Bills 5995, 5997, 5999, 6001, and 6003 would take effect 90 days after their enactment. House Bills 6000 and 6002 are tie-barred.

All of the bills, except House Bill 5995, 5998, and 6005, are described in more detail below.

House Bill 5990

The Firefighters Training Council Act created the Firefighters Training Council, and requires the State Fire Marshal, with Council approval, to prepare and publish rules that establish minimum standards for certification as a fire service member. The standards must to comply with the Michigan Occupational Safety and Health Administration General Industry Safety Standard, R 408.17411 of the Michigan Administrative Code. To maintain compliance with that Standard, the employer of a fire service member must provide initial and continued training to the member commensurate with and specific to the duties that he or she is expected to perform.

Section 7 of the Act requires the Council to submit to the Governor and the Legislature an annual report that includes pertinent data regarding the standards established and the degree of participation of organized fire departments and public safety departments in the training programs established under the Act.

The bill would repeal Section 7.

House Bills 5993 and 5996

The Insect Pest and Plant Disease Act and the Grade A Milk Law require the Director of the Department of Agriculture and Rural Development, by December 1 of each year, to submit a report to the Senate and House of Representatives standing committees concerned with agriculture issues, and food issues under the Grade A Milk Law. The Director must include all of the following information in the report concerning the preceding fiscal year:

- The number of initial and renewal applications MDARD received and completed within 90 days after an applicant files a complete application.
- The number of applications denied.
- The number of applicants not issued a license within the appropriate time period and the amount of money returned to the licensees and registrants for license fees.

The requirement in the Insect Pest and Plant Disease Act concerns applications for a license to sell nursery stock. The requirement in the Grade A Milk Law concerns applications for a milk plant license or a license or permit for a receiving station or a transfer station.

The bills would delete the reporting requirements.

House Bill 5997

The Community Corrections Act requires the State Community Corrections Advisory Board to adopt minimum standards, policies, and rules for community corrections programs (programs that are operated by or contracted for by a city, county, or group of counties, or operated by a nonprofit service agency, and that offer programs, services, or both, instead of incarceration in prison, and are locally operated and provide a continuum of programming options from pretrial through post-adjudication).

Section 12 of the Act requires the Office of Community Corrections, by November 1 of each year, to submit an annual report detailing the individual requests received by the Board for funding under the Act, and the programs and plans approved for funding.

Also, by March 1 and September 1 of each year, the Office must submit a biannual report detailing the effectiveness and programs funded under the Act, and listing any instances of noncompliance with agreements between the Department of Corrections (DOC) and city, county, city-county, or regional advisory boards or nonprofit service agencies for the operation of community corrections programs.

The annual and biannual reports must be submitted to the Department of Management, Technology, and Budget; the DOC; the members of the Senate standing committees on criminal justice, urban affairs, and economic development; the members of the House standing committee on corrections; the members of the Senate and House Appropriations subcommittees on corrections; and the Senate and House Fiscal Agencies.

The bill would repeal Section 12.

House Bill 5999

Section 3721 of the Insurance Code requires the Insurance Commissioner (now the Director of the Department of Insurance and Financial Services) to make an annual determination as to whether a reasonable degree of competition in the small employer carrier health market exists on a statewide basis, and to issue a report delineating specific classifications and kinds or types of insurance, if any, where competition does not exist and any suggested statutory or other changes necessary to increase or encourage competition.

The Commissioner must issue a supplemental report if the results of the initial report are disputed or if the Commissioner determines that circumstances that the report was based on have changed.

The Commissioner must submit the reports to the following:

- The Governor.
- The Clerk of the House of Representatives.
- The Secretary of the Senate.
- The members of the Senate and House standing committees on insurance and health issues.

The bill would repeal Section 3721.

House Bills 6000 and 6002

Section 21 of the Michigan Fireworks Safety Act required the State Fire Marshal, by October 1, 2013, to submit to the Legislature a report that detailed both of the following:

- The costs associated with the inspection of retail locations under the Act.
- The types and number of violations of the Act.

House Bill 6000 would repeal Section 21.

House Bill 6002 would amend the Single State Construction Code Act to delete a reference to Section 21 of the Michigan Fireworks Safety Act.

House Bill 6003

The Motor Fuels Quality Act requires the Director of the Department of Agriculture and Rural Development to submit a report by December 1 of each year to the Senate and House standing committees concerned with motor fuel quality issues. The Director must include all of the following information in the report concerning the preceding fiscal year:

- The number of initial and renewal applications for a distributor or retail dealer of gasoline, diesel fuel, biodiesel, or hydrogen fuel MDARD received and completed within 120 days after the application was received.
- The number of applications denied.
- The number of applicants not issued a license within the appropriate time period and the amount of money returned to the licensees and registrants for license fees.

The bill would delete the reporting requirement. The bill also would delete a similar reporting requirement pertaining to a dispensing permit for certain dispensing facilities.

House Bill 6004

The Income Tax Act permits a claimant to claim a credit for heating fuel costs of the claimant's homestead in the State. However, the credit is allowed only if there has been a Federal appropriation for the Federal fiscal year in the tax year of Federal Low-Income Home Energy Assistance Program (LIHEAP) block grant funds of any amount. If the amount of Federal LIHEAP block grant funds available for the home heating credit is less than the full home heating credit amount, each individual credit claimed under the Act must be reduced by a certain amount.

The Act requires the State Treasurer to notify all of the following each State fiscal year that the Federal LIHEAP block grant allotment to the State of that fiscal year is less than the full home heating credit amount:

- The chairpersons and vice-chairpersons of the Senate and House Appropriations Committees.
- The Senate and House committees on taxation, finance, and energy and technology-related issues.

The bill would delete this notification requirement.

MCL 29.367 (H.B. 5990)
286.209 (H.B. 5993)
35.1094 (H.B. 5995)
288.503a (H.B. 5996)
791.412 (H.B. 5997)
393.111 (H.B. 5998)
500.3721 (H.B. 5999)
28.471 (H.B. 6000)
400.765 (H.B. 6001)
125.1528 (H.B. 6002)
290.646 & 290.649i (H.B. 6003)
206.527a (H.B. 6004)
28.176 (H.B. 6005)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bills would result in minimal fiscal savings, if any, for the following State departments: the Department of Licensing and Regulatory Affairs (House Bills 5990, 6000, and 6002); the Department of Agriculture and Rural Development (House Bills 5993, 5996, and 6003); the Department of Corrections (House Bill 5997); the Department of Education (House Bill 5998); the Department of Insurance and Financial Services (House Bill 5999); the Department of Health and Human Services (House Bill 6001); the Department of Treasury (House Bill 6004); and the Michigan State Police (House Bill 6005); as well as various State Departments and agencies involved with veterans' employment programs (House Bill 5995). By deleting various provisions requiring the Departments or State agencies to prepare and submit reports of certain activity to the Legislature and, in some cases, the Governor, the bills could reduce administrative costs for the Departments.

The bills would have no fiscal impact on local government.

Fiscal Analyst: Bruce Baker
Ryan Bergan
John Maxwell
Elizabeth Raczowski
Cory Savino
Michael Siracuse

SAS\S1718\s5990sa

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.