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Senate Bill 393 and 394 (as introduced 6-15-23)  
Sponsor: Senator Rosemary Bayer  
Committee: Regulatory Affairs

Date Completed: 10-19-23

## **CONTENT**

**Senate Bill 393 would repeal Part 26 (Environmental Science Advisory Board) of the Natural Resources and Environmental Protection Act (NREPA), which established the Environmental Science Advisory Board (Board) to advise the Governor and any State office, agency, or department on issues affecting the protection of the environment or management of natural resources in the State, upon request of the Governor.<sup>1</sup>**

**Senate Bill 394 would repeal Sections 1313 through 1317 of Part 13 (Permits) of NREPA, which generally establish the Environmental Permit Review Commission (EPRC) and prescribe the process by which the EPRC must advise the Director of the Department of Environment, Great Lakes, and Energy (EGLE) on disputes related to permits and permit applications. The bill also would delete a reference to these Sections within Part 13.**

Senate Bill 394 is described in greater detail below.

Specifically, the EPRC may review petitions for permit application review and petitions for review of a final permit decision by the Director of EGLE. The Director may call a panel of three Commission members, based on areas of expertise, to form an environmental permit panel to review and advise on permit applications. In a contested case regarding a permit, an administrative law judge must preside, make the final decision, and issue the final decision and order for EGLE. Following a petition for review of a final decision on a contested case, the panel must review the petition and may adopt, remand, modify, or reverse the decision. The bill would repeal this language.

MCL 324.2601-324.2611 (repealed) (S.B. 393)  
324.1301 et al. (S.B. 394)

Legislative Analyst: Eleni Lionas

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Jonah Houtz  
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<sup>1</sup> Executive Order 2019-06 abolished the Board.

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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.