

Legislative Analysis



OBSOLETE OR UNNECESSARY REPORTS: REPEAL

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bills 1000 and 1003 as reported from committee
Sponsor: Sen. Jim Stamas

Analysis available at
<http://www.legislature.mi.gov>

Senate Bills 1001 and 1011 as reported
Sponsor: Sen. Peter MacGregor

Senate Bill 1002 as reported
Sponsor: Sen. Thomas Casperson

Senate Bill 1007 as reported
Sponsor: Sen. Dale W. Zorn

Senate Bill 1004 as reported
Sponsor: Sen. Wayne Schmidt

Senate Bill 1008 as reported
Sponsor: Sen. Margaret E. O'Brien

Senate Bill 1005 as reported
Sponsor: Sen. Marty Knollenberg

Senate Bill 1009 as reported
Sponsor: Sen. Vincent Gregory

Senate Bill 1006 as reported
Sponsor: Sen. Mike Shirkey

Senate Bill 1010 as reported
Sponsor: Sen. Mike Kowall

House Committee: Oversight
Senate Committee: Oversight
Complete to 6-7-18

(Enacted as Public Acts 237 and 287-297 of 2018)

SUMMARY:

Senate Bills 1000 through 1011 would amend various acts to delete or repeal requirements for state agency or departmental reports deemed to be obsolete or unnecessary. For example, some bills pertain to one-time reports already provided in the past, while information provided in other reports may be available from other sources or no longer useful, or the reports may also be required by boilerplate in budget bills.

Each bill, except for Senate Bill 1011, would take effect 90 days after being enacted. A more detailed description of the bills follows, organized by department affected.

Michigan Department of Agriculture and Rural Development (MDARD)

Senate Bill 1004 would repeal Public Act 33 of 1881, which pertains to crop and livestock reports. Pursuant to an executive order that transferred certain duties of the Department of State to MDARD, the act requires MDARD to obtain information from each township as to the condition of livestock, the condition and prospects of the growing crops, and the yield of wheat and other farm and fruit products, and to prepare monthly reports regarding that information. [Note: Data on agricultural production and the rural economy are collected and published by the U.S. Department of Agriculture, National Agriculture Statistical Service (NASS), and are available on its website: <https://www.nass.usda.gov/>]

MCL 285.21 and 285.22 (repealed)

Senate Bill 1006 would amend the Michigan Right to Farm Act to delete a provision that requires MDARD to submit an annual report to the House and Senate standing committees having jurisdiction over agriculture and local government on the implementation of the Right to Farm Act. [Note: MDARD is required to submit an appropriations boilerplate report on activities of its Environmental Stewardship Division that includes information on the Right to Farm program. The report is available on the department's website.]

MCL 286.474

Senate Bill 1008 would amend Public Act 162 of 1955 (Liming Material) to delete a requirement that the MDARD director include in an annual report “a correct statement of all analyses made and certificates filed” and revenues from license fees and expenditures related to the liming material regulatory program. [Note: MDARD is required to submit an appropriations boilerplate report on activities of its Pesticide and Plant Pest Management Division that includes information on the fertilizer and soil conditioning regulatory program. The report is available on the department's website.]

MCL 290.535

Senate Bills 1003, 1005, and 1007 would eliminate requirements that MDARD submit annual “timeliness” reports pertaining to the processing of certain license applications within a 90-day time period. The actual requirements that the department process license applications under the affected acts within 90 days of receiving the application would not be eliminated.

Licensure timeliness reports

During the 2003-2004 legislative session, a number of bills were enacted to establish time requirements for the processing of certain regulatory licenses issued by MDARD. If licenses were not issued within the time period, the license fee had to be returned to the applicant and the subsequent renewal fee discounted. The bills also required an annual report on the department's effectiveness in meeting the processing requirements. The reports were required to include the number of applications received and completed within a 90-day period, denied, or not issued within the 90-day period, and also the amount of money returned to those applicants. The department complies with these statutory reporting requirements through an annual “License Timeliness Report.”¹

Senate Bill 1003 would amend the Manufacturing Milk Law of 2001 to delete a provision that requires MDARD to submit an annual report to the Legislature regarding the timeliness of license processing under the act.

MCL 288.670a

Senate Bill 1005 would amend Public Act 287 of 1969 (Pet Shops) to delete the requirement that MDARD submit an annual report to the Legislature regarding the timeliness of licenses issued under the act. [Note: Although MDARD has regulatory authority over pet shops under Public Act 287, the department no longer licenses pet shops and does not routinely inspect pet

¹ The FY 2016-17 report is found on the MDARD website: [Legislative Report: FY 2017 License Timeliness Report](#) 

shops. Currently, the department's regulatory program with respect to pet shops is primarily complaint-based. According to information posted on the department's website, MDARD's Animal Industry Division investigates reportable diseases and the importation of animals to a pet shop, but is not currently licensing pet shops.]

MCL 287.334

Senate Bill 1007 would amend the Food Law to delete a provision that requires MDARD to submit an annual report to the Legislature regarding the timeliness of license processing under the act.

MCL 289.4116

Department of Natural Resources (DNR)

Senate Bill 1000 would amend the Natural Resources and Environmental Protection Act (NREPA). Currently, the DNR is required to submit a variety of annual reports to the Legislature, with some being provided also to the governor and/or the House or Senate Fiscal Agency. The bill would eliminate a number of these annual reports, including reports pertaining to the following:

- For the previous year, the location and acreage of DNR land previously opened to hunting that was closed and why it was closed, and the location and acreage of DNR land previously closed to hunting but opened to compensate for the land being closed to hunting.
- The operation of the DNR for the preceding biennial period.
- The status of the natural resources magazine program as of the end of the fiscal year.
- Information regarding the grants or loans made under Part 5 (Department of Natural Resources).
- The DNR's administration of the expedited review process for certain projects pertaining to sewage disposal and water works systems under NREPA and the expedited review process under Section 4a of the Safe Drinking Water Act pertaining to water main projects.
- Revenues to, expenditures from, and certain activities of the Agriculture Pollution Prevention Fund.
- The Sportsmen Against Hunger Program, regarding if a request for proposals did not yield a bid meeting program requirements. Further, a nonprofit organization receiving the contract to administer the program would still be required to undergo an annual independent financial audit and the audit information and report would still be required to be provided to the DNR, but the bill would eliminate the requirement that it also be provided to the Legislature.
- A biennial report to the governor regarding the DNR's fisheries maintenance operations and the practical results and success of the operations. The DNR would still be required to keep proper books of accounts and records of its transactions and of the operations and experiments in discharging its duties pertaining to fisheries maintenance.
- Fish sold or transferred under Part 487 (Sport Fishing).
- Projects financed under Part 715 (Recreation Bond Implementation).

- An accident report related to the use of personal watercraft, the types of personal flotation devices that were being used, and the injuries that resulted.
- A summarization of reports made by organizers of ORV (off road vehicle) riding or racing events pertaining to children under 16 injured in the organized ORV event.

In addition, the bill would designate the DNR the administrator, for auditing purposes, of the Infrastructure Construction Fund and the Agriculture Pollution Prevention Fund.

Further, the bill would repeal the following sections of NREPA:

- Section 2521, which requires the Department of Environmental Quality, in conjunction with the DNR, to biennially prepare a report that assesses the status of and trends related to the overall state of the natural environment in Michigan.
- Section 20112b, which requires a biennial report on environmental contamination caused by releases that are associated with clandestine drug laboratories.
- Section 32614, which pertains to submerged logs.
- Section 81149, which pertains to the estimate of total unrefunded gasoline sales tax money collected from the sale of gasoline relating to the nonhighway use of ORVs.

MCL 324.504 et al.

Senate Bill 1002 would amend the Michigan Civilian Conservation Corps Act to delete a requirement that the DNR prepare a report for the Legislature pertaining to the accounting of revenues and expenditures of the Michigan Civilian Conservation Corps Endowment Fund.

MCL 409.312a

Michigan Department of Health and Human Services (MDHHS)

Senate Bill 1001 would amend the Foster Care and Adoption Services Act. Currently, MDDHS is required to evaluate a foster parent resource center pilot project on its organization, effectiveness, and success after the project has been in operation for two years. The department must also report the results of that evaluation to the Legislature and include in the report the number of foster parents who utilized the particular resource center, the top 10 concerns raised by those foster parents, and how those concerns were handled. Under the bill, MDDHS would still be required to perform the evaluation, but no longer would have to submit the report to the Legislature on the results.

MCL 722.958

Michigan Department of Corrections (DOC)

Senate Bill 1009 would amend the Corrections Code to delete provisions requiring certain annual reports to be submitted to the Legislature. The reports affected are as follows:

- A report regarding the number of prisoners transferred to or from Michigan correctional facilities under the Interstate Corrections Compact, the costs related to the transfers, and the reasons for the transfers.

- A report on the numbers of parolees returned to a state correctional facility for a violation of parole involving the use of alcohol or a controlled substance during the preceding year, specifying how many are returned after 1 such violation, 2 such violations, 3 such violations, 4 such violations, or 5 or more such violations.
- A report on work projects for which prisoners perform meaningful work on projects that serve the public interest or a charitable purpose and are operated by 501(c)(3) organizations.

MCL 791.211a, 791.240, and 791.265c

Michigan Department of Transportation (MDOT)

Senate Bill 1010 would eliminate “an annual report of its activities” required of the State Transportation Commission under Public Act 286 of 1964.² [Note: The State Transportation Commission also reports on its activities through detailed minutes of its meetings. These minutes are available on the department’s website.]

MCL 247.813

Senate Bill 1011 would repeal Section 32 of the State Aeronautics Code, which requires the State Aeronautics Commission to make a biennial report to the governor covering its operation for the two preceding fiscal years and containing a summary of the commission’s proceedings during those years, a statement of all revenues and expenditures made by the commission, other information the commission deems necessary or useful, and any additional information requested by the governor.³

MCL 259.32 (repealed)

FISCAL IMPACT:

Senate Bills 1000 and 1002 are likely to result in decreased costs for the Department of Natural Resources. The bills strike various requirements for reports on DNR funds and programs established in the Natural Resources and Environmental Protection Act and the Michigan Civilian Conservation Corps Act, respectively. The extent of this cost savings is unclear at present. The bills are unlikely to affect departmental revenues or have a fiscal impact on local units of government.

Senate Bill 1001 would have no significant fiscal impact on the State of Michigan and no fiscal impact on local units of government.

Senate Bills 1003 through 1008: The cost to the Department of Agriculture and Rural Development of producing the current license timeliness report, and the other reports required

² A copy of the most recent report is found on MDOT’s website:
https://www.michigan.gov/documents/mdot/Section_247813_STC_Legislative_Report_Fiscal_Year_2016-2017-Signed_608490_7.pdf

³ See **2017 Annual Report**  and **2016 Annual Report** 

under Public Act 33 of 1891, the Michigan Right to Farm Act, and Public Act 162 of 1955, is nominal. Eliminating these reporting requirements would have a minimal fiscal impact. Much of the information covered by these reports is included in divisional reports required by appropriations boilerplate available on the MDARD website.

Senate Bill 1009 would have no fiscal impact on local units of government and would have a minimal fiscal impact, if any, on the Department of Corrections. Deleting various reporting requirements could reduce administrative costs for the department.

Senate Bills 1010 and 1011: The cost to MDOT of producing the reports required under Public Act 286 of 1964 and the State Aeronautics Code is nominal. Eliminating these reporting requirements would have a minimal fiscal impact. Much of the information required under Public Act 286 of 1964 is available from other sources.

POSITIONS:

Representatives of the State Budget Office and the Office of Regulatory Reinvention, Department of Technology, Management, and Budget, testified in support of the bills. (6-7-18)

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