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

BILL ANALYSIS

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

Senate Bill 393 (as reported without amendment)
Senate Bill 394 (Substitute S-2 as reported)
Sponsor: Senator Rosemary Bayer
Committee: Regulatory Affairs

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.[1]

Senate Bill 394 (S-2) 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.

MCL 342.2601-324.2611 (repealed) (S.B. 393)
    324.1301 et al. (S.B. 394)

BRIEF RATIONALE

According to testimony before the Senate Committee on Regulatory Affairs, each EPRC meeting typically includes at least seven members from EGLE and the Michigan Office of Administrative Hearings and Rules. These meetings are time consuming; staff must compile large administrative records for EPRC members to read, and each contested case takes two to three meetings. Additionally, sometimes EPRC members are asked to make legal judgments beyond the member's technical qualifications. It has been suggested that the EPRC be abolished to save time and avoid redundancy as contested cases also go through local EGLE permit staff, permit supervisors, district supervisors, and EGLE staff in Lansing.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

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

Date Completed: 10-27-23

Fiscal Analyst: Jonah Houtz
Elizabeth Raczkowski

---

[1] Executive Order 2019-06 abolished the Board.