



SENATE BILL No. 293

February 16, 1995, Introduced by Senators GOUGEON, SHUGARS, CISKY, MC MANUS and SCHUETTE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend Act No. 17 of the Public Acts of 1921, entitled as amended

"An act to provide for the protection and conservation of the natural resources of the state; to provide and develop facilities for outdoor recreation; to create a conservation department; to define the powers and duties thereof; to provide rules and regulations concerning the use and occupancy of lands and property under its control and penalties for the violation thereof; to provide for the transfer to said department of the powers and duties now vested by law in certain boards, commissions and officers of the state; and for the abolishing of the boards, commissions and offices the powers and duties of which are hereby transferred,"

as amended, being sections 299.1 to 299.10 of the Michigan Compiled Laws, by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 17 of the Public Acts of 1921, as
2 amended, being sections 299.1 to 299.10 of the Michigan Compiled
3 Laws, is amended by adding section 4a to read as follows:

1 SEC. 4A. (1) PRIOR TO IMPLEMENTATION OF A PROGRAM
2 ESTABLISHED AFTER THE EFFECTIVE DATE OF THIS SECTION THAT IMPOSES
3 NEW REGULATIONS ON LOCAL UNITS OF GOVERNMENT, THE DEPARTMENT
4 SHALL PREPARE AN ECONOMIC IMPACT STATEMENT THAT DETAILS THE
5 EFFECT OF THE NEW REGULATIONS ON THE LOCAL ECONOMY.

6 (2) AN ECONOMIC IMPACT STATEMENT PREPARED UNDER SUBSECTION
7 (1) SHALL USE GENERALLY ACCEPTED METHODOLOGY, SHALL DETAIL BOTH
8 SHORT-TERM AND LONG-TERM ECONOMIC EFFECTS OF THE REGULATION,
9 SHALL REVIEW THE ALTERNATIVES INCLUDING THE NULL ALTERNATIVE, AND
10 SHALL INCLUDE THE FOLLOWING INFORMATION:

11 (A) A DESCRIPTION OF THE REGULATION, THE PURPOSE OF THE REG-
12 ULATION, THE LEGAL AUTHORITY FOR THE REGULATION, AND THE PLAN FOR
13 IMPLEMENTING THE REGULATION.

14 (B) A DETERMINATION OF THE NEED FOR THE REGULATION AND THE
15 EXPECTED BENEFIT OF THE REGULATION.

16 (C) A DETERMINATION THAT THE REGULATION IS THE MOST
17 COST-EFFECTIVE METHOD FOR ACHIEVING THE STATED PURPOSE.

18 (D) A DETERMINATION THAT THE REGULATION REPRESENTS THE MOST
19 EFFICIENT ALLOCATION OF PUBLIC AND PRIVATE RESOURCES TO ACHIEVE
20 THE STATED PURPOSE.

21 (E) THE SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND
22 ENFORCING THE REGULATION.

23 (F) A DETERMINATION OF THE PROBABLE RESULT OF THE REGULATION
24 IN TERMS OF THE NUMBER OF PUBLIC AND PRIVATE JOBS THAT WILL BE
25 CREATED, RETAINED, OR ELIMINATED.

26 (G) A DETERMINATION OF THE RELATIVE IMPACT OF THE REGULATION
27 ON BUSINESSES OF DIFFERING SIZES.

1 (H) A DETERMINATION OF THE EFFECT OF THE REGULATION ON
2 COMPETITION WITHIN THE STATE, WITH OTHER STATES, AND WITH REGIONS
3 ON THE REGULATED COMMUNITY, AND ON POTENTIAL GLOBAL COMPETITION.

4 (I) A DETERMINATION OF THE EFFECT OF THE REGULATION ON THE
5 STATE TAX BASE.

6 (J) A DETERMINATION OF THE EFFECT OF THE REGULATION ON THE
7 COST OF LIVING.

8 (K) A DESCRIPTION OF ANY INCREASE OR DECREASE IN COSTS TO
9 THE STATE AND ITS POLITICAL SUBDIVISIONS, INCLUDING REVENUES THAT
10 MAY BE LOST BECAUSE OF THE REGULATION AND THE ESTIMATED DOLLAR
11 MEASURE OF THE COSTS.

12 (L) A CONCLUSION AS TO THE ECONOMIC IMPACT OF THE REGULATION
13 UPON ALL PERSONS SUBSTANTIALLY AFFECTED BY IT, INCLUDING AN ANAL-
14 YSIS CONTAINING A DESCRIPTION AS TO WHICH PERSONS WILL BEAR THE
15 COSTS OF THE ACTION AND WHICH PERSONS WILL BENEFIT DIRECTLY AND
16 INDIRECTLY FROM THE ACTION.

17 (3) AN ECONOMIC IMPACT STATEMENT THAT OMITTS ANY INFORMATION
18 REQUIRED BY SUBSECTION (2) SHALL SPECIFICALLY NOTE ITS OMISSION,
19 THE REASON FOR ITS OMISSION, THE IMPORTANCE OF ANY RELEVANT
20 INFORMATION SO OMITTED TO A COMPLETE AND REALISTIC ASSESSMENT OF
21 THE ECONOMIC IMPACT OF THE REGULATION, AND THE ADDITIONAL TIME
22 AND EFFORT REQUIRED TO OBTAIN ANY INFORMATION NEEDED FOR THE
23 ASSESSMENT.

24 (4) IN PREPARING AN ECONOMIC IMPACT STATEMENT UNDER THIS
25 SECTION, THE DEPARTMENT SHALL CONSULT WITH APPROPRIATE FEDERAL,
26 STATE, AND LOCAL AGENCIES. ALL STATE AGENCIES SHALL COOPERATE
27 WITH THE DEPARTMENT IN PREPARING AN ECONOMIC IMPACT STATEMENT.

1 (5) UPON COMPLETION OF AN ECONOMIC IMPACT STATEMENT UNDER
2 THIS SECTION, THE DEPARTMENT SHALL PROVIDE A COPY OF THE ECONOMIC
3 IMPACT STATEMENT TO THE STANDING COMMITTEES OF THE LEGISLATURE
4 THAT PRIMARILY CONSIDER ISSUES PERTAINING TO THE PROTECTION OF
5 NATURAL RESOURCES AND THE ENVIRONMENT AND TO THE SENATE AND HOUSE
6 APPROPRIATIONS COMMITTEES. ADDITIONALLY, THE DEPARTMENT SHALL
7 MAKE THE ECONOMIC IMPACT STATEMENT AVAILABLE TO ANY PERSON UPON
8 REQUEST.