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BILL ANALYSIS

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Senate Bill 856 (Substitute S-2 as reported)

Sponsor: Senator Alan L. Cropsey

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 89 (Littering) of the Natural Resources and Environmental Protection Act to require the Michigan Department of Transportation (MDOT), assisted by the Department of Environmental Quality (DEQ) and the Recycling Coordinator (proposed by Senate Bill 854), to conduct or have conducted a comprehensive study of the State's litter problems, and publish the results of the study, within one year after the bill's effective date. The litter study would have to include the incidence of littering in the various areas of the State; a descriptive categorization of areas with the greatest littering and, to the extent possible, the relative incidence of littering in each type of area; and demographic information about people who litter.

With the assistance of the DEQ and the Department of Natural Resources (DNR), Travel Michigan would have to develop, from the study, and administer a marketing program designed to reduce littering in the State. As part of the program, Travel Michigan could work with MDOT to expand Adopt-A-Highway to highways not served by volunteers under that program.

The bill is tie-barred to Senate Bill 721, which would impose a surcharge on solid waste disposed of in landfills, and Senate Bill 790, which would establish a Recycling Advisory Council.

Proposed MCL 324.8911-324.8915

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would add administrative costs to MDOT and the DEQ associated with the requirements to conduct a comprehensive study on the litter problem in Michigan, and to Travel Michigan, the DEQ, and the DNR for the development and implementation of an antilitter marketing campaign. There are no estimates of the costs associated with these new responsibilities although a similar litter study conducted by the State of Ohio cost \$100,000. The costs would depend on the scope of the study and the marketing campaign. Funding for this project could come from revenue generated from the implementation of recommendations of the Recycling Advisory Council proposed by Senate Bill 790.

Article IX, Section 9 of the Michigan Constitution restricts Michigan Transportation Fund (MTF) money credited to MDOT for "the transportation purposes of planning, administering, constructing, reconstructing, financing, and maintaining state, county, city, and village roads, streets, and bridges...". It is unclear whether MDOT's new responsibilities under the bill would be eligible for funding from MTF revenue, in light of the constitutional restriction. Revenue that is not constitutionally restricted also is available to MDOT. Presumably, a portion of that funding could be used to support the new administrative responsibilities necessitated by the bill.

Date Completed: 8-10-04

Fiscal Analyst: Jessica Runnels

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Analysis available @ <http://www.michiganlegislature.org>

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