HOUSE BILL No. 4017

January 13, 2011, Introduced by Reps. Agema, Lori, Genetski, MacMaster, Knollenberg and Johnson and referred to the Committee on Regulatory Reform.

A bill to amend 1994 PA 451, entitled

"Natural resources and environmental protection act,"

(MCL 324.101 to 324.90106) by adding section 1505.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1505. (1) THE DEPARTMENT OF NATURAL RESOURCES AND

2 ENVIRONMENT OR ANY OTHER STATE DEPARTMENT THAT PERFORMS ROUTINE

3 INSPECTIONS UNDER THIS ACT SHALL USE A STRATIFIED RANDOM SAMPLING

4 PROCESS TO SELECT PERSONS TO INSPECT.

5 (2) SUBSECTION (1) DOES NOT APPLY TO ANY OF THE FOLLOWING:

6 (A) AN INSPECTION PERFORMED IN RESPONSE TO A COMPLAINT FROM A

7 THIRD PARTY.

8 (B) AN INSPECTION PERFORMED BECAUSE THE DEPARTMENT OF NATURAL

9 RESOURCES AND ENVIRONMENT OR OTHER STATE DEPARTMENT THAT PERFORMS

10 ROUTINE INSPECTIONS UNDER THIS ACT HAS EVIDENCE THAT A VIOLATION

11 HAS OCCURRED.

12 (C) A FOLLOW-UP INSPECTION TO DETERMINE WHETHER VIOLATIONS

1 IDENTIFIED IN A PREVIOUS INSPECTION HAVE BEEN CORRECTED.

2   (3) THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT OR ANY

3 OTHER STATE DEPARTMENT THAT PERFORMS ROUTINE INSPECTIONS UNDER THIS

4 ACT SHALL ANNUALLY SUBMIT TO THE LEGISLATURE A REPORT ON ALL OF THE

5 FOLLOWING:

6   (A) THE METHODS USED TO COMPLY WITH THIS SECTION.

7   (B) THE NUMBER OF SUCH ROUTINE INSPECTIONS AND THE NUMBER OF

8 INSPECTIONS DESCRIBED IN SUBSECTION (2) THAT WERE PERFORMED BY THAT

9 ENTITY DURING THE PRIOR YEAR.

10   (C) THE LOCATION OF THE INSPECTIONS.

11   (4) AS USED IN THIS SECTION, "STRATIFIED RANDOM SAMPLING

12 PROCESS" MEANS A PROCESS THAT MEETS ALL OF THE FOLLOWING

13 REQUIREMENTS:

14   (A) THE POPULATION IS DIVIDED INTO DISTINCT NONOVERLAPPING

15 SUBGROUPS BASED ON IMPORTANT CHARACTERISTICS.

16   (B) A SAMPLE IS THEN SELECTED FROM EACH SUBGROUP THROUGH A

17 PROCESS IN WHICH EACH PERSON IN THAT SUBGROUP HAS AN EQUAL CHANCE

18 OF BEING SELECTED.

19   (C) THE SIZE OF THE SAMPLE FROM EACH SUBGROUP IS PROPORTIONAL

20 TO THE SIZE OF THE SUBGROUP.