

## REPEAL REQUIREMENTS FOR CERTAIN REVIEW BODIES FROM NREPA

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**Senate Bills 393 and 394 (S-2) as passed by the Senate**  
**Sponsor: Sen. Rosemary Bayer**  
**House Committee: Natural Resources, Environment, Tourism,  
and Outdoor Recreation**  
**Senate Committee: Regulatory Affairs**  
**Complete to 1-24-24**

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

### SUMMARY:

Senate Bills 393 and 394 would amend the Natural Resources and Environmental Protection Act (NREPA) by repealing the sections that created the Environmental Science Advisory Board and the Environmental Permit Review Commission and established the corresponding duties of each body. The bills would also amend other sections that reference the board and commission and make other complementary changes.

**Senate Bill 393** would repeal Part 26 of NREPA, which contains provisions relating to the Environmental Science Advisory Board. The board was originally established within the Department of Technology, Management, and Budget (DTMB),<sup>1</sup> but was moved into the Department of Environment, Great Lakes, and Energy (EGLE) and abolished by Executive Reorganization Order 2019-1.<sup>2</sup>

MCL 324.2601 to 324.2611 (repealed)

**Senate Bill 394** would repeal sections 1313 to 1317 of NREPA, along with section 88 of the Administrative Procedures Act (APA). The sections of NREPA proposed for repeal relate to the Environmental Permit Review Commission, which is housed in EGLE. Section 88 of the APA addresses contested cases for a permit issued by EGLE and subject to the review commission.

Three other sections of NREPA would be modified as follows:

Sections 1301 and 1307 would be amended by removing references to definitions or substantive provisions relevant to the sections that would be repealed by SB 394.

Section 1311 would be amended by changing the date by which the director of the Department of Natural Resources (DNR) must submit an annual report to the standing committees and appropriations subcommittees of the House and Senate with jurisdiction over issues overseen by the department. This report contains information about the number and types of permits applied for and granted by the department, as

<sup>1</sup> Public Act 269 of 2018: <https://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-0652-E214064B.pdf>

<sup>2</sup> ERO 2019-1: <http://legislature.mi.gov/doc.aspx?mcl-324-99923>

well as information on reasons for denial of permits. The bill would change the deadline for the report's submission from December 1 to January 15.

MCL 324.1301, 324.1307, and 324.1311 (amended)  
MCL 324.1313 to 324.1317 and 24.288 (repealed)

**FISCAL IMPACT:**

Senate Bills 393 and 394 are unlikely to affect costs or revenues for EGLE or local governments.

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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.