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BILL ANALYSIS

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Senate Bill 438 (as reported without amendment)
Sponsor: Senator Randy Richardville
Committee: Economic Development and Regulatory Reform

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to require the Department of Natural Resources (DNR), the Department of Environmental Quality (DEQ), or any other State department that performs routine inspections under the Act to use a "stratified random sampling process" to select persons to inspect. That requirement, however, would not apply to any of the following:

-- An inspection performed in response to a complaint from a third party.
-- An inspection performed because the DNR, DEQ, or other State department had evidence that a violation had occurred.
-- A follow-up inspection to determine whether violations identified in a previous inspection had been corrected.

The DNR, DEQ, or any other State department that performs routine inspections under NREPA annually would have to submit to the Legislature a report on: the methods used to comply with the bill; the number of routine inspections conducted in compliance with the bill, and the number of inspections excluded from the bill's requirement, that were performed by the department during the previous year; and the location of the inspections.

"Stratified random sampling process" would mean a process that meets all of the following requirements:

-- The population is divided into distinct nonoverlapping subgroups based on important characteristics.
-- A sample then is selected from each subgroup through a process in which each person in that subgroup has an equal chance of being selected.
-- The size of the sample from each subgroup is proportional to the size of the subgroup.

Proposed MCL 324.1505 Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would result in additional administrative workload for State departments. The impact is not determinable.

Date Completed: 6-12-09 Fiscal Analyst: Bruce Baker
Bill Bowerman