

SFA

BILL ANALYSIS

RECEIVED

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

MAR 15 1988

Senate Bill 568

Sponsor: Senator Jack Welborn

Committee: Criminal Justice, Urban Affairs, and Economic Development

Date Completed: 2-24-88

Mich. State Law Library

SUMMARY OF SENATE BILL 568 as introduced 11-19-87:

Senate Bill 568 would create the "Michigan Water Resources, Research and Education Act" to do all of the following:

- Create the "Water Resources, Research and Education Institute".
- Establish a board of trustees for the Institute.
- Specify the powers and responsibilities of the board.
- Specify requirements of various State departments pertaining to the operations of the Institute.

Board of Trustees

The bill would establish a 10-member board of trustees to have general supervision over the proposed Water Resources, Research and Education Institute. The board would consist of the following:

- The Governor or the Governor's designee, as a nonvoting member.
- The Superintendent of Public Instruction, or his or her designee.
- The Director of the Department of Natural Resources or the Director's designee.
- The Director of the Department of Public Health or the Director's designee.
- Three individuals appointed by the Senate Majority Leader.
- Three individuals appointed by the Speaker of the House of Representatives.

Appointed members would serve for a term of four years and vacancies would have to be filled in the same manner as original appointment. A chairman would have to be selected by the board from among its members. The board would have to meet at the call of the chairperson and meetings would have to comply with the Open Meetings Act. A majority of board members would constitute a quorum and action of the board would be by a majority of votes cast.

Powers and Responsibilities of the Board

The bill would require the Institute's board of trustees to identify all of the following:

- An organizational structure for the Institute that specified operation as a nonprofit entity.
- An appropriate site in the Traverse City area in which to locate the Institute.
- Likely private sector participants in the establishment of the Institute.
- Funding sources for the Institute. (The board also would be required to apply for Federal and foundation grants.)
- Estimated start-up construction and organizational costs. (The board also would be required to establish yearly operating budgets.)

The board also would have to specify the relationship of the Institute to all postsecondary educational and research entities and to study how to transfer research conducted by the Institute to the private sector.

Under the bill, the Institute could employ personnel or contract with persons, agencies, or institutions to conduct all necessary studies, research, development, educational programs with telecommunication outreach, monitoring, and surveillance while cooperating closely with other State agencies and institutions. It also could implement an educational outreach program, which would have to be available to all residents of Michigan and emphasize the need to include the early teaching of water resource topics in elementary and secondary education. Further, the Institute would be permitted to do any of the following:

- Survey, monitor, and coordinate all water studies and research within Michigan and other states surrounding the Great Lakes.
- Locate or associate the Institute with Northwestern Michigan College or the Great Lakes Maritime Academy, or both, while maintaining full operational autonomy.
- Work closely with other persons to initiate and conduct continuing studies of diversion of Michigan waters and waters of the Great Lakes.
- Implement a statewide water plan emphasizing existing groundwater programs.
- Provide services and consultation upon request.
- Establish and operate a water resources museum within or associated with the Institute.
- Establish and operate an interdisciplinary computerized water data bank and library with international telecommunication capabilities.
- Make laboratory space, consultation, or services for research, investigation, surveillance, or monitoring of water resources available at the Institution's discretion.
- Establish within the Institute an international center with satellite operations to link studies and research with similar operations in other countries and states. (The center would have to emphasize pollution control measures, maintenance of water purity, water diversion, and academic exchanges as well as general information.)

Requirements of State Departments

The bill would require the Department of Education to provide staff and services to the board of trustees as necessary for the bill's implementation. Upon the request of the board, the Departments of Natural Resources, Attorney General, Public Health, Management and Budget, Commerce, and Agriculture would be required to "provide assistance and consultation to the board". In addition, the bill would authorize Michigan colleges and

S.B. 568 (2-24-88)

universities to "provide advice and consultation services to the board".

Legislative Analyst: P. Affholter

FISCAL IMPACT

Although, the intent of the bill would seem to be to create a private entity, the actual legal effect is that it still appears to create a State agency and, as drafted, the agency would be in effect for only two years as the entity would not be created within a State department. (See Constitution of Michigan of 1963, Article V, Sections 2 and 4.) The administrative costs to the State would be about \$30,000 to \$50,000 the first year. There could be indeterminate costs to Northwestern Michigan College depending on location costs and the number of people to be employed.

Fiscal Analyst: A. Rich

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.