



# HOUSE BILL No. 5165

October 26, 1993, Introduced by Reps. Bodem, Alley, Middaugh, Yokich, Llewellyn, DeMars, Gnodtke, Randall, Bender, Allen, McNutt, Gernaat, Hammerstrom, Byrum, Anthony, Bobier, Hill, Rhead, Wetters, Shepich and Kukuk and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend sections 5 and 7 of Act No. 93 of the Public Acts of 1992, entitled "Biological diversity conservation act," being sections 299.235 and 299.237 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 5 and 7 of Act No. 93 of the Public  
2 Acts of 1992, being sections 299.235 and 299.237 of the Michigan  
3 Compiled Laws, are amended to read as follows:

4 Sec. 5. (1) ~~Not later than 30 days after the effective~~  
5 ~~date of this act, the senate majority leader and the speaker of~~  
6 ~~the house of representatives shall create a~~ THE joint legisla-  
7 tive working committee on biological diversity IS CREATED IN THE  
8 LEGISLATURE. The committee shall consist of ~~3~~ 4 members of the

1 senate appointed by the senate majority leader and ~~3~~ 2 members  
2 of the house of representatives appointed by the ~~speaker~~  
3 REPUBLICAN LEADER of the house of representatives AND 2 MEMBERS  
4 OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE DEMOCRATIC  
5 LEADER OF THE HOUSE OF REPRESENTATIVES. MEMBERS OF THE COMMITTEE  
6 SHALL BE APPOINTED BY THE SENATE MAJORITY LEADER AND THE REPUBLI-  
7 CAN AND DEMOCRATIC LEADERS OF THE HOUSE OF REPRESENTATIVES WITHIN  
8 30 DAYS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
9 THIS SENTENCE. At least 1 of the committee members appointed  
10 from ~~each house~~ THE SENATE shall be a member of the minority  
11 party of ~~that house~~ THE SENATE, and at least 1 of the committee  
12 members appointed from each house shall be a member of a standing  
13 committee that primarily addresses legislation pertaining to  
14 environmental protection and natural resources, or wildlife and  
15 fisheries management, and agriculture. The committee may estab-  
16 lish and organize 1 or more scientific advisory boards to provide  
17 the committee with specific expertise as the committee considers  
18 necessary or helpful. If 1 or more scientific advisory boards  
19 are established, each board shall include individuals with exper-  
20 tise pertaining to the area of resource management at issue. The  
21 representatives shall include at least 1 individual employed by a  
22 state department or agency; 1 or more individuals employed by a  
23 university or college who work in applied research; and 1 or more  
24 individuals who work in basic research. The committee may con-  
25 sult with other individuals who are qualified representatives of  
26 industry and environmental groups. In fulfilling its duties  
27 under this act, the committee may consult with individuals and

1 groups who are knowledgeable about, or interested in, biological  
2 diversity and conservation or are knowledgeable about scientific  
3 and technological issues related to biological diversity and its  
4 impact on human habitat.

5 (2) The function of the committee shall be to prepare a rec-  
6 ommended state strategy for conservation of biological diversity  
7 and to report on the costs, benefits, and other implications of  
8 the strategy. Upon the request of the committee, state depart-  
9 ments and state agencies shall submit reports containing the  
10 information required under section 6 to the committee to enable  
11 the committee to prepare the state strategy and fulfill its func-  
12 tions under this act. The state strategy shall in part be based  
13 on information provided to the committee in these reports  
14 required under this section.

15 (3) The committee shall meet as soon as possible upon forma-  
16 tion and then shall meet at least quarterly. The committee shall  
17 at its initial meeting develop a timeline establishing when spe-  
18 cific reports are due from each of the reporting departments from  
19 which the committee requests reports. However, all reports  
20 required under section 6(1) shall be submitted to the committee  
21 by a reporting department ~~within 1 year of the effective date of~~  
22 ~~this act~~ BY DECEMBER 30, 1994. The committee shall provide  
23 assistance to the reporting department as the committee considers  
24 necessary or helpful in developing the state strategy.

25 (4) The committee shall hold regularly scheduled meetings  
26 and the business of the committee shall be conducted at public  
27 meetings held in compliance with the open meetings act, Act

1 No. 267 of the Public Acts of 1976, being sections 15.261 to  
2 15.275 of the Michigan Compiled Laws. Public notice of the time,  
3 date, and place of meeting shall be given in the manner required  
4 by Act No. 267 of the Public Acts of 1976.

5 (5) A writing prepared, owned, used, in the possession of,  
6 or retained by the committee shall be made available to the  
7 public in compliance with the freedom of information act, Act  
8 No. 442 of the Public Acts of 1976, being sections 15.231 to  
9 15.246 of the Michigan Compiled Laws.

10 (6) The committee shall hold public hearings to solicit  
11 input from individuals and entities regarding biological  
12 diversity.

13 (7) The committee shall be dissolved ~~2 years after the~~  
14 ~~effective date of this act~~ ON DECEMBER 30, 1995.

15 Sec. 7. (1) Based on information received from the report-  
16 ing departments and other sources identified in section 5(1), the  
17 committee shall develop a state strategy that includes, but is  
18 not limited to, consideration of all of the following:

19 (a) Reduction of cumulative adverse impacts of all state  
20 departments and agencies on biological diversity.

21 (b) Responsibility of each reporting department to conserve  
22 biological diversity and determine the costs of such actions.

23 (c) Methods of cooperation among reporting departments,  
24 other states, and provinces concerning ecosystems management.

25 (d) Establishment of cooperative programs among governmental  
26 agencies, public and private ventures, universities and colleges,  
27 and the private sector.

1 (e) Identification of habitats and species of special  
2 concern and methods to protect them.

3 (f) Prevention of extinction of species.

4 (g) Provisions for the long-term viability of ecosystems and  
5 ecosystem processes.

6 (h) Development of areas demonstrating management techniques  
7 that conserve or restore native biological diversity.

8 (i) Development of broad-based educational efforts regarding  
9 the importance of biological diversity and the need for  
10 conservation.

11 (j) Development of criteria for evaluating the progress of  
12 this state in implementing the strategy.

13 (k) The effects on human beings or the environment, taking  
14 into account the economic, social, and environmental costs and  
15 benefits of the conservation of biological diversity.

16 (l) The effects of conserving biological diversity on agri-  
17 culture and forestry.

18 (2) ~~Within 1 year after the effective date of this act~~ BY  
19 DECEMBER 30, 1994, the committee shall submit to the legislature  
20 a report detailing progress made toward development of the  
21 strategy.

22 (3) ~~Within 18 months after the effective date of this act~~  
23 BY JUNE 30, 1995, the committee shall circulate a draft of the  
24 report described in subsection (4), and conduct a public hearing  
25 regarding the content of the draft report.

1       (4) ~~Within 2 years after the effective date of this act~~ BY  
2 DECEMBER 30, 1995, the committee shall approve and submit to the  
3 legislature a report containing all of the following:

4       (a) The recommended state strategy.

5       (b) Summaries of all written comments and reporting depart-  
6 ment reports received by the committee pertaining to the work of  
7 the committee.

8       (c) An evaluation of reports submitted by reporting  
9 departments.

10      (d) An evaluation of the cumulative impacts of the reporting  
11 departments on the biological diversity of this state.

12      (e) Recommendations pertaining to legislative options.

13      (f) Recommendations regarding whether the definitions in  
14 this act should be revised.

15      (g) Recommendations regarding whether there is a need to  
16 establish a biological diversity education center to set research  
17 priorities and provide leadership and coordination pertaining to  
18 fulfilling the policy of this state to maintain biological  
19 diversity.

20      (h) Recommendations concerning research priorities and per-  
21 sonnel training to facilitate the implementation of the state  
22 strategy.