



SENATE BILL No. 762

July 20, 1993, Introduced by Senators HOFFMAN, DINGELL, GAST, KOIVISTO and EHLERS and referred to the Committee on Natural Resources and Environmental Affairs.

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 WITHIN
8 THE DEPARTMENT OF NATURAL RESOURCES. The committee shall consist
9 of ~~3~~ 4 members of the senate appointed by the senate majority

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

1 knowledgeable about, or interested in, biological diversity and
2 conservation or are knowledgeable about scientific and technolog-
3 ical issues related to biological diversity and its impact on
4 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 SEPTEMBER 15, 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 SEPTEMBER 15, 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 SEPTEMBER 15, 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 MARCH 15, 1994, 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 SEPTEMBER 15, 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.