

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 651 (as enrolled)
Sponsor: Senator Ken Sikkema
Senate Committee: Natural Resources and Environmental Affairs
House Committee: Conservation and Outdoor Recreation

PUBLIC ACT 504 of 2000

Date Completed: 4-17-01

RATIONALE

According to the Department of Environmental Quality (DEQ), sediment is the greatest pollutant by volume entering the State's lakes and streams. Erosion and excess sedimentation result in loss of fertile topsoil, filling of lakes and streams, increased flooding, impact on water quality, damage to plant and animal life, and structural damage to buildings and roads. With the rapid growth of homes and industries in Michigan, construction apparently is one of the major causes of accelerated soil erosion and sedimentation. Reportedly, without proper planning and management of soil erosion prevention and sedimentation controls, every acre under construction can potentially cause the wash-off of up to 65 to 70 tons of sediment per year into nearby lakes, streams, wetlands, and county drains. Once the sediment is in a drain or drainage system, the load evidently is carried to the Great Lakes or must be cleaned from the drainage system at a significant cost.

A permit is required for any earth change that disturbs one or more acres, or is within 500 feet of a lake or stream (although plowing and tilling for crop production, and specific logging and mining activities, do not require permits). An applicant for a permit must submit a soil erosion and sedimentation control plan. Typical elements of such a plan for construction activities include temporary diversions to channel upslope run-off around the disturbed site, and sediment removal devices such as a silt fence, or sediment trap or basin to treat the sediment-laden run-off downslope of the site. Local units are primarily responsible for issuing and enforcing these permits. Apparently, DEQ audits indicated a widespread discrepancy between various local programs in which certain local enforcement agencies had implemented well-managed and effective soil erosion programs while others lacked in the development of quality programs. Some people suggested that DEQ review and approval of local soil erosion programs would bring consistency to the local level and provide higher and more rigorous soil

erosion and sedimentation control standards.

Previously, it was a State civil infraction subject to a \$500 maximum fine to conduct regulated earth changes without a permit or in violation of permit conditions or Part 91 of the Natural Resources and Environmental Protection Act. It was suggested that this penalty was insufficient and needed to be increased to encourage more compliance with soil erosion and sedimentation control measures.

CONTENT

The bill amended Part 91 (Soil Erosion and Sedimentation Control) of the Natural Resources and Environmental Protection Act to require the Department of Environmental Quality to review a county's, municipality's, or public agency's soil erosion and sedimentation control program and approve or disapprove of the program; allow a county board of commissioners to provide for soil erosion and sedimentation control by ordinance, rather than by resolution; establish a municipal or State civil infraction fine of up to \$2,500 for a violation of Part 91, a \$10,000 fine for each day a person knowingly violates Part 91 or knowingly makes a false statement in an application, and a \$25,000 fine for each day a person knowingly violates Part 91 after receiving a notice; allow the DEQ to charge fees for administering a soil erosion and sedimentation control training program; create the "Soil Erosion and Sedimentation Control Training Fund"; and exempt certain metallic mineral mining activity and oil and gas well exploration and development activity from the permit requirements pertaining to earth changes.

The bill took effect on January 11, 2001. A detailed description of the bill follows.

County

Ordinance. Under the Act, a county is responsible for administering and enforcing Part 91 throughout the county except within a city, village, or charter township that has in effect an ordinance conforming to these provisions, or with regard to land uses of authorized public agencies approved by the DEQ. The bill retains this provision but, in the exceptions, refers to a municipality that has assumed the responsibility for soil erosion and sedimentation control (rather than a city, village, or charter township), and to earth changes of authorized public agencies (rather than land uses). (The Act defines "earth change" as a human-made change in the natural cover or topography of land, including cut and fill activities, that may result in or contribute to soil erosion or sedimentation of water; the term does not include plowing or tilling soil for the purpose of crop production. The bill defines "municipality" as a city; a village; a charter township; or a general law township located in a county with a population of 200,000 or more.)

Under the Act, a county board of commissioners, by resolution, must designate a county agency, or a soil conservation district upon concurrence of the district, as the county enforcing agency responsible for administration and enforcement in the name of the county. The resolution may set forth a schedule of fees for inspections, plan reviews, and permits and may set forth other matters relating to the administration and enforcement of Part 91 and the rules promulgated under it. The bill provides that instead of or in addition to a resolution, a county board of commissioners may provide by ordinance for soil erosion and sedimentation control in that county. An ordinance may be more restrictive than Part 91 and the rules, but must not legalize what is unlawful under Part 91 and the rules. If an ordinance is more restrictive, the county enforcing agency must notify a person receiving a permit that the ordinance is more restrictive than Part 91 and the rules. The ordinance must incorporate by reference the rules promulgated under Part 91 that do not conflict with a more restrictive ordinance, and may set forth matters that the county board of commissioners considers necessary or desirable. The ordinance may provide penalties for a violation that are consistent with the penalties provided in the bill.

Under the Act, a copy of a county's resolution must be forwarded to the DEQ. The bill requires a copy of a resolution or ordinance to be forwarded to the DEQ for its review and approval. The Department must forward a copy to the conservation district for that county for review and comment.

Report. The Department must prepare and submit, by December 31, 2001, a report to the standing committees of the Senate and House with jurisdiction over issues primarily related to natural resources and

the environment. The report must detail the number and the substance of complaints that the DEQ has received related to county ordinances that have been adopted under the bill that are more restrictive than Part 91 and the rules promulgated under it.

Department Review and Approval. The bill requires the DEQ, within three years after the bill's effective date, to conduct an initial review of each county's soil erosion and sedimentation control program under a schedule established by the DEQ. If approved, a county program is valid for a five-year period. After the initial review, the DEQ must review a county's program every five years, at least six months before the five-year period expires. The DEQ must approve a county's program if the county has passed a resolution or enacted an ordinance as provided in the bill; if the individuals with decision-making authority who are responsible for administering the county program have current certificates of training, as provided under the bill; and if the county has effectively administered and enforced the county program in the past three years or has implemented changes in its administration or enforcement procedures that the DEQ determines will result in the county's effectively administering and enforcing the program. In determining whether the county has met the last requirement, the DEQ must consider all of the following:

- Whether a mechanism is in place to provide funding to administer the county's program.
- Whether the county has conducted adequate inspections to assure minimization of soil erosion and off-site sedimentation.
- The effectiveness of the county's past compliance and enforcement efforts.
- The adequacy and effectiveness of the applications and soil erosion and sedimentation control plans being accepted by the county.
- The adequacy and effectiveness of the permits issued, and the inspections being performed, by the county.
- The conditions at construction sites under the jurisdiction of the county as documented by departmental inspections.

The DEQ must notify the county of the results of its review and whether the Department proposes to approve or disapprove the county's program. Within 30 days of receiving the notice, the county may request and the DEQ must hold an informal meeting to discuss the review and the DEQ's proposed action.

Probation. Following a meeting, if requested, and consideration of the review by the DEQ, if the Department does not approve a county's program, it must enter an order, stipulation, or consent agreement placing the county on probation. In addition, at any time that the DEQ determines that a

previously approved county is not satisfactorily administering and enforcing its program, the DEQ must enter into an order, stipulation, or consent agreement placing the county on probation. During the six-month period after a county is placed on probation, the DEQ must consult with the county on how the county could change its administration of the program in a manner that would result in its approval.

At any time that a county is on probation, it may request the DEQ to conduct a review of the county program. If the county has implemented appropriate changes to the program, the DEQ must approve the program and rescind its order, stipulation, or consent agreement that placed the county on probation.

Consultant. Within six months after it has been placed on probation, a county may notify the DEQ that it intends to hire a consultant to administer the county's program. If, within 60 days after notifying the DEQ, the county hires a consultant that is acceptable to the DEQ, the Department must review the county's program to determine whether it can be approved. The DEQ must conduct the review within one year after the county hires the consultant.

The DEQ must hire a consultant to administer a county's program if any of the following occurs: The county does not notify the DEQ of its intent to hire a consultant; the county does not hire a consultant within 60 days after notifying the DEQ of its intent to do so; or the county remains unapproved following the DEQ's review. Upon hiring a consultant, the DEQ may establish a schedule of fees for inspections, review of soil erosion and sedimentation control plans, and permits for the county's program that will provide sufficient revenues to pay for the cost of the contract with the consultant, or the DEQ may bill the county for the cost of the contract. (The bill defines "cost of the contract" as the actual cost of a contract with a consultant plus the documented costs to the DEQ in administering the contract, but not to exceed 10% of the cost of the actual cost of the contract.)

Municipality

Ordinance. The Act had permitted a city, village, or charter township to provide for soil erosion and sedimentation control on public and private land uses within its boundaries. (The bill retains this provision but refers to a "municipality", rather than a city, village, or charter township, and to "earth changes", rather than land uses.) An ordinance may be more restrictive than, but may not legalize what is unlawful under, Part 91 and the rules promulgated under it. The bill provides that if an ordinance is more restrictive than Part 91 and the rules, the municipal enforcing agency (designated by the municipality) must give notice of that to a person receiving a permit. Previously, the ordinance could adopt by reference all or part of the rules. The bill, instead, requires the ordinance to incorporate by reference the rules that do not conflict with a more restrictive ordinance. The ordinance may provide penalties for a violation that are consistent with the penalties provided in the bill.

Department Review and Approval. As previously required, a municipality must submit a copy of its ordinance to the DEQ for approval, and the Department must forward a copy to the appropriate conservation district for review and comment. The bill also requires the DEQ to send a copy to the county enforcing agency of the county where the municipality is located.

After a date determined by a schedule established by the DEQ, but not later than three years after the bill's effective date, a municipality must not administer and enforce Part 91 or the rules or a local ordinance unless the DEQ has approved the municipality. An approval will be valid for five years. At least six-months before the expiration of each succeeding five-year approval period, the DEQ must complete a review of the municipality for reapproval. The DEQ must approve a municipality if it has enacted an ordinance that is at least as restrictive as Part 91 and the rules; the individuals with decision-making authority who are responsible for administering the program for the municipality have current certificates of training; and the municipality has submitted evidence of its ability to administer and enforce a program effectively. In determining whether the municipality has met the last requirement, the DEQ must consider the following:

- Whether a mechanism is in place to provide funding to administer the municipality's program.
- The adequacy of the documents proposed for use by the municipality, including application forms, soil erosion and sedimentation control plan requirements, permit forms, and inspection reports.
- Whether the municipality effectively administered and enforced the program in the past or has implemented changes in its administration or enforcement procedures that the DEQ determines will result in the municipality's effectively administering and enforcing a program that complies with Part 91 and the rules, if the municipality has previously administered a soil erosion and sedimentation control program.

In determining whether the municipality has met the requirements regarding a previous program, the DEQ must consider all of the following:

- Whether the municipality has had adequate funding to administer its program.
- Whether the municipality has conducted adequate inspections to assure minimization of soil erosion and off-site sedimentation.
- The effectiveness of the municipality's past compliance and enforcement efforts.
- The adequacy and effectiveness of the applications and soil erosion and sedimentation control plans being accepted by the municipality.
- The adequacy and effectiveness of the permits issued, and the inspections being performed, by the municipality.
- The conditions at construction sites under the jurisdiction of the municipality as documented by departmental inspection.

If the DEQ determines that a municipality is not approved or that a previously approved municipality is not satisfactorily administering and enforcing Part

91 and the rules, the DEQ must enter an order, stipulation, or consent agreement denying or revoking the municipality's authority to administer a soil erosion and sedimentation control program. The county program for the county in which the municipality is located then will become operative within the municipality.

Rescission. A municipality that elects to rescind its ordinance must notify the DEQ. Upon rescission of the ordinance, the county program for the county in which the municipality is located will become operative within the municipality. A municipality that rescinds its ordinance or is not approved by the DEQ to administer the program will retain jurisdiction over projects under permit at that time, until the projects are completed and stabilized or the county agrees to assume jurisdiction over the permitted earth changes.

Authorized Public Agency

Designation. Previously under the Act, a State, local, or county agency could apply to the DEQ for designation as an authorized public agency, by submitting to the Department the soil erosion and sedimentation control procedures governing all land uses normally undertaken by the agency. (The bill retains this provision but refers to "an agency of a local unit of government" instead of a local or county agency, and to "earth changes" instead of land uses.) Previously, if the DEQ found that a local agency's procedures were adequate, the Department could delegate to that local agency authority to approve local or county agency soil erosion and sedimentation control procedures and designate the local or county agency as an authorized public agency. The bill provides, instead, that if the DEQ finds that the soil erosion and sedimentation control procedures of the State agency or the agency of the local unit meet the requirements under Part 91 and the rules, the DEQ must designate the agency as an authorized public agency.

Violations. Previously, a county or local enforcing agency had to notify the DEQ of all violations of Part 91 or the rules or violations of an ordinance, including violations attributable to a land use by an authorized public agency. The bill provides, instead, that if a local unit has notice that a violation of Part 91 has occurred within the boundaries of that local unit, including a violation attributable to an earth change by an authorized public agency, the local unit must give notice of the violation to the appropriate county enforcing agency, the municipal enforcing agency, and the DEQ.

Department Approval. Under the bill, after a date determined by a schedule established by the DEQ, but not later than three years after the bill's effective date, a State agency or an agency of a local unit

must not administer and enforce Part 91 and the rules as an authorized public agency unless the DEQ has approved the agency. The review, approval, and reapproval procedures and criteria are as described above for approval of a municipality.

If the DEQ determines that a State agency or an agency of a local unit is not approved, or that a previously approved State or local agency is not satisfactorily administering and enforcing Part 91 and the rules, the DEQ must enter an order, stipulation, or consent agreement denying or revoking the designation of the State or local agency as an authorized public agency.

Permit Exemptions

Previously, Part 91 did not apply to land on which a person was engaged in the logging industry, the mining industry, or the plowing or tilling of land for the purpose of crop production or the harvesting of crops. The bill specifies, instead, that a person engaged in any of these activities is not required to obtain a permit under Part 91. All earth changes associated with these activities, however, must conform to the same standards as if they required a permit. The exemption from obtaining a permit does not include access to roads to and from the site where active mining or logging is taking place, or ancillary activities associated with logging and mining. In addition, the bill does not apply to a metallic mineral mining activity that is regulated under a mining and reclamation plan that contains soil erosion and sedimentation control provisions and is approved by the Department under Part 631 (Reclamation of Mining Lands) of the Act. (As used in these provisions, the term "mining" does not include the removal of clay, gravel, sand, peat, or topsoil.)

The bill also provides that a person is not required to obtain a permit from a county or municipal enforcing agency for earth changes associated with well locations, surface facilities, flowlines, or access roads relating to oil or gas exploration and development activities regulated under Part 615 (Supervisor of Wells), if the permit application under that part contains a soil erosion and sedimentation control plan approved by the Department. Those earth changes, however, must conform to the same standards as required for a permit under the bill. This exemption does not apply to a multisource commercial hazardous waste disposal well.

Notice of Erosion & Sedimentation

Under the Act, if the county or local enforcing agency that is responsible for enforcing Part 91 determines that soil erosion and sedimentation of State waters has or will reasonably occur from a parcel of land in violation of Part 91, it may seek to enforce Part 91 by

notifying the person who owns the land, by mail, of its determination. Previously, the notice had to contain a description of specific soil erosion and sedimentation control measures that, if implemented by the landowner, would bring the landowner into compliance and would prevent soil erosion and sedimentation of the State waters. The bill, instead, requires the notice to contain a description of the violation and what must be done to remedy the violation, and specify a time to comply with Part 91 and the rules or an applicable local ordinance. Also, the bill refers to soil erosion or sedimentation of adjacent property or State waters.

Within five days after a notice of violation has been issued, a person who owns land subject to Part 91 and the rules must implement and maintain soil erosion and sedimentation control measures in conformance with Part 91, the rules, or an applicable local ordinance. (Previously, a person had to implement control measures within 10 days after the notice was given.)

At least five days after a notice of violation has been mailed, if the condition of the land, in the opinion of the county or municipal enforcing agency, may result in or contribute to soil erosion or sedimentation control of adjacent property or State waters and if control measures are not in place, the county or municipal enforcing agency may enter upon the land and construct, implement, and maintain control measures conforming with Part 91 and the rules, or an applicable local ordinance. (Previously, an enforcing agency could implement control measures at least 10 days after notice was sent.) The enforcing agency may not spend more than \$10,000 (rather than \$500, as previously provided) for the cost of the work, materials, labor, and administration without prior written notice to the landowner. If more than \$10,000 is to be spent under this provision, work must not begin until at least 10 days after the notice of violation has been mailed. (Previously, if more than \$500 was to be spent, the work could not begin until at least 20 days after the notice had been mailed.)

Penalties

The Act prohibits a person from maintaining or undertaking a land use governed by Part 91, the rules, or an applicable local ordinance, except in accordance with Part 91, the rules, or the ordinance, and pursuant to a permit approved by the appropriate county or local enforcing agency. The bill deleted language under which a violation of this provision was a misdemeanor.

Previously, a person who owned land that was not in compliance with Part 91 and who, after notice, refused to implement and maintain soil erosion and sedimentation control measures in conformance with

Part 91 was responsible for a State civil infraction and could be ordered to pay a civil fine of not more than \$500. The bill deleted this provision.

The bill provides that if an action is brought by a county enforcing agency or a municipal enforcing agency of a local unit that has enacted an ordinance providing a penalty for violations, a person who violates Part 91 is responsible for a municipal civil infraction of up to \$2,500. If the action is brought by the State or a county enforcing agency of a county that has not enacted an ordinance, a violator is responsible for a State civil infraction of up to \$2,500.

Under the bill, a person who knowingly violates Part 91 or knowingly makes a false statement in an application for a permit or in a soil erosion and sedimentation control plan is responsible for a civil fine of up to \$10,000 for each day of violation. A person who knowingly violates Part 91 after receiving a notice of determination is responsible for a civil fine of at least \$2,500 but not more than \$25,000 for each day the violation occurs.

If the State filed the action, the civil fine must be deposited in the State General Fund. If a county enforcing agency or municipal enforcing agency filed the action, the civil fine must be deposited with that county or municipality to be used to administer and enforce Part 91. If an action was filed jointly by the State and a county or municipal enforcing agency, the civil fine must be divided in proportion to each agency's involvement as mutually agreed upon by the agencies. All fines going to the Department must be deposited into the State General Fund.

A default in the payment of a fine or costs ordered under these provisions or an installment of the fine or costs may be remedied by any means authorized under the Revised Judicature Act.

In addition to a fine, a person who violates Part 91 is liable to the State for damages for injury to, destruction of, or loss of natural resources resulting from the violation. The court may order a violator to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation.

The bill states that these provisions apply to an authorized public agency, in addition to other persons. They do not apply to a county enforcing agency or a municipal enforcing agency with respect to its administration and enforcement of Part 91 and the rules.

Training Program & Fund

Beginning three years after the bill's effective date, each individual who is responsible for administering Part 91 and the rules or a local ordinance and who

has decision-making authority for soil erosion and sedimentation control plan development or review, inspections, permit issuance, or enforcement, must be trained by the Department. The DEQ must issue a certificate of training to individuals if they complete a soil erosion and sedimentation control training program sponsored by the DEQ and pass an examination on the subject matter covered in the training program. The bill deleted the previous requirement that individuals who were responsible for administering Part 91 complete a soil erosion and sedimentation control training program sponsored by the DEQ within two years after they began administering Part 91.

Under the bill, a certificate of training is valid for five years. For recertifications, the DEQ may offer a refresher course or other update instead of the training program and examination. The DEQ may charge fees for administering the training program and the examination that are not more than the DEQ's cost of administering the program and exam. All fees collected under this provision must be deposited into the new Soil Erosion and Sedimentation Control Training Fund.

The bill provides that the Fund is created in the State Treasury. The State Treasurer may receive money or other assets from any source for deposit into the Fund. The State Treasurer must direct the investment of the Fund, and credit to it all interest and earnings from investments. Money in the Fund at the close of the fiscal year must remain in the Fund and not lapse to the General Fund. The Department may spend money from the Fund, upon appropriation, only to administer the training program and examination.

Educational Information

The bill requires the DEQ to make available to the county enforcing agencies, municipal enforcing agencies, and authorized public agencies educational information on soil erosion and sedimentation control techniques and the benefits of implementing those measures. County enforcing agencies and municipal enforcing agencies must distribute this information to persons receiving permits under a county program or a local ordinance and to other interested persons.

Repealer

The bill repealed Section 9102, which defined "sediment", "soil conservation district", "soil erosion", and "state agency"; Section 9103, which required the Department of Agriculture to prepare a unified statewide soil erosion and sedimentation program; and Section 9111, which required a statement of compliance from a person who made a preliminary plat.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill provides for increased fines and more severe penalties for the violation of Part 91, a rule, or a local ordinance regarding soil erosion and sedimentation control. Stringent enforcement and meaningful penalties will bolster compliance with soil erosion and sedimentation control measures and help identify violators.

The previous \$500 civil fine reflected outdated costs and was not effective in protecting State waters. It was perceived more as a warning, and many enforcing agencies evidently had resorted to the use of a "cease and desist" order (which stopped further activity at a work site until the proper corrections and controls were installed) as the most effective compliance measure. According to the Washtenaw County Soil Erosion and Sedimentation Control division, the Great Lakes Commission reported that the cost for soil erosion dredging (removal of sediment) around the Great Lakes is \$20 million per year and 4 million cubic yards of soil are dredged annually at \$5 per cubic yard, while costs are triple per cubic yard for inland lake and stream dredging. Increased fines for a violation of Part 91 and the rules or an ordinance will help curb these cleanup costs and deter further unregulated activity.

In addition, the bill will ensure that adequate repairs are made to land and water harmed by violations of Part 91, by providing that a person is liable to the State for the damage done to natural resources, and may be court-ordered to restore those damaged areas.

Response: It also might be helpful to add the threat of jail time for chronic offenders or special problem cases.

Opposing Argument

The bill requires the DEQ to review and approve all soil erosion and sedimentation control programs, certify individuals who complete training programs, and provide educational material. The DEQ is understaffed to give these added responsibilities proper attention.

Supporting Argument

The bill provides greater oversight and sets higher and consistent standards for soil erosion and sedimentation control programs by requiring the DEQ to review and approve all soil erosion programs. The bill also extends the authority to enforce soil erosion laws to certain general law townships while continuing to offer other localities the flexibility to balance the responsibility of water quality improvement and the development of erosion control programs specifically tailored to address local conditions and needs.

Response: Lack of funding to local agencies impedes effective enforcement of erosion and sedimentation control programs.

Supporting Argument

Under the bill, when a county or municipal enforcing agency determines that erosion or sedimentation is occurring or will occur, the agency no longer is required to inform the landowner of specific control measures that would bring the landowner into compliance. Instead, the agency must describe what is to be done to remedy the violation. The landowner, and not the enforcing agency, then is responsible for determining the specific control measures that will be used to bring the site into compliance.

Opposing Argument

Rather than continuing to allow cities, villages, and charter townships to establish soil erosion programs, and extending that authority to general law townships, the bill should have limited the authority to counties only. There already are widespread discrepancies among various local enforcement agencies regarding the administration, enforcement, and management standards of acceptable soil erosion programs. Builders and developers working in areas of a county that are under regulation by different local ordinances are subject to a myriad of different definitions, standards, and requirements that are confusing, time-consuming, and costly. Different degrees of standards and enforcement throughout a county only serve to undermine the efforts to protect State waters from pollution, and are more burdensome to the regulated communities that must do business while operating under multiple sets of standards.

Response: Review by the DEQ of all programs will serve to standardize local regulations.

Legislative Analyst: N. Nagata

FISCAL IMPACT

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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.

The bill will result in an indeterminate increase in State and local government expenditures and revenues. The bill gives the Department of Environmental Quality enhanced responsibility for reviewing and approving soil erosion and sedimentation control programs, for certifying training, and for providing educational materials. In addition the bill extends the authority to establish a soil erosion and sedimentation control program to additional local units of government, including general law townships. The Department estimates that the increased responsibilities under the bill, assuming that few new soil erosion and sedimentation control programs will be established, may result in the need for an additional four to six full-time equated positions at an approximate annual cost of between \$300,000 and \$450,000. A portion of the increased costs will be offset by the revenue from training and examination fees allowed under the bill. Local governments will incur an indeterminate increase in costs associated with the training and examination requirements, and associated fees, of the bill. Finally, the bill will result in an indeterminate increase in revenue to libraries, to local governments, and to the State General Fund from the increase in civil infraction fines authorized by the bill.

Fiscal Analyst: P. Graham