



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383

Fax: (517) 373-1986

TDD: (517) 373-0543

Senate Bill 855 (Substitute S-2 as reported)  
Senate Bill 856 (Substitute S-2 as reported)  
Senate Bill 857 (Substitute S-1 as reported)  
Senate Bill 858 (Substitute S-2 as reported)  
Sponsor: Senator Raymond E. Basham (Senate Bill 855)  
Senator Alan L. Cropsey (Senate Bill 856)  
Senator Michael D. Bishop (Senate Bill 857)  
Senator Jud Gilbert, II (Senate Bill 858)  
Committee: Natural Resources and Environmental Affairs

### **CONTENT**

The bills would amend the Natural Resources and Environmental Protection Act to:

- Require the Michigan Department of Transportation (MDOT) to conduct a comprehensive study of litter problems and publish the results.
- Require Travel Michigan to develop and administer a marketing program designed to reduce littering.
- Require MDOT and the Department of Natural Resources (DNR) to provide volunteer groups conducting litter cleanup efforts with a method to record the types and amount of litter collected.
- Provide for the litter information to be forwarded to Travel Michigan.
- Require Travel Michigan to use the information in developing and administering the antilitter marketing program.

All of the bills are tie-barred to Senate Bill 721, which would impose a surcharge on solid waste disposed of in landfills, and Senate Bill 790, which would establish a Recycling Advisory Council. Senate Bills 855 (S-2), 857 (S-1), and 858 (S-2) also are tie-barred to Senate Bill 856.

Senate Bill 856 (S-2) would amend Part 89 (Littering) of the Act to require MDOT, assisted by the Department of Environmental Quality (DEQ) and the Recycling Coordinator (proposed by Senate Bill 854), to conduct or have conducted a comprehensive study of the State's litter problems, and publish the results of the study, within one year after the bill's effective date. The Transportation Department would have to give a copy of the study to the legislative standing committees with jurisdiction over natural resources and environmental matters. The study would have to include the incidence of littering in the various areas of the State; a descriptive categorization of areas with the greatest littering and, to the extent possible, the relative incidence of littering in each type of area; and demographic information about people who litter.

With the DNR's and DEQ's assistance, Travel Michigan would have to develop, from the study, and administer a marketing program designed to reduce the incidence of littering in the State. In administering the program, Travel Michigan would have to 1) use a single marketing slogan, developed in part from suggestions by school children in the State; and 2) coordinate the program with the State's recycling program. Travel Michigan could contract with one or more private persons to develop and administer the marketing program.

As part of the marketing program, Travel Michigan could work with MDOT to expand the Adopt-A-Highway program operated by the Department to highways not served by volunteers under that program. Travel Michigan also could work with the DEQ to increase volunteer participation in similar programs.

In connection with its Adopt-a-Highway program, MDOT would have to provide volunteer groups with a method for them to record the types and amount of trash collected during their cleanup efforts. The Department also would have to request the groups to forward the information to Travel Michigan upon completion.

Travel Michigan would have to compile information from the Adopt-A-Highway program or other similar programs, and use the information in developing and administering the proposed antilitter marketing program.

Senate Bills 855 (S-2), 857 (S-1), and 858 (S-2) would amend Part 358 (Adopt-A-Shoreline Program), Part 721 (Michigan Trailways), and Part 741 (State Parks System), respectively, to require the DNR to provide volunteer groups conducting litter cleanup efforts with a method for the groups to record the types and amount of trash collected. (Currently, Part 358 requires the DNR to give volunteer groups data information sheets on which to record the types of trash collected).

Senate Bill 855 (S-2) would require the DNR to provide this information to Travel Michigan. Under Senate Bills 857 (S-1) and 858 (S-2), the DNR would have to request the groups to forward the information to Travel Michigan. Travel Michigan would have to compile the information and use it in developing and administering the proposed antilitter marketing program.

MCL 324.35803 (S.B. 855)  
Proposed MCL 324.8911-324.8915 (S.B. 856)  
MCL 324.72105a (S.B. 857)  
MCL 324.74104 (S.B. 858)

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bills would add administrative costs to the Departments of Transportation and Environmental Quality associated with the requirements to conduct a comprehensive study on the litter problem in Michigan, and to Travel Michigan and the Departments of Environmental Quality and Natural Resources for the development and implementation of an antilitter marketing campaign. Currently, there are no estimates of the costs associated with these new responsibilities. Funding for this project could come from revenue generated from a recycling and waste diversion surcharge proposed by Senate Bill 721 (S-1). Under that bill, approximately \$4,600,000 would be available for the litter study and campaign.

The bills would revise a system of reporting litter and waste collected by volunteer groups participating in the Adopt-a-Highway, -Park, -Trail, and -Shoreline programs. Data collected from the volunteer groups would be used to develop the antilitter marketing campaign. The reporting provisions for volunteer groups would not have a significant fiscal impact on State or local government, although there could be some administrative costs associated with compiling the data.

Article IX, Section 9 of the Michigan Constitution restricts Michigan Transportation Fund (MTF) money credited to MDOT for "the transportation purposes of planning, administering, constructing, reconstructing, financing, and maintaining state, county, city, and village roads, streets, and bridges...". It is unclear whether MDOT's new responsibilities under the bills would be eligible for funding from MTF revenue, in light of the constitutional restriction. Revenue that is not constitutionally restricted also is available to MDOT. Presumably, a portion of that funding could be used to support the new administrative responsibilities necessitated by Senate Bill 856 (S-2).

Date Completed: 12-16-03

Fiscal Analyst: Jessica Runnels  
Craig Thiel

Floor\sb855

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.