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House Bill 5221 (as reported without amendment)

Sponsor: Representative Doug Bennett House Committee: Appropriations

Senate Committee: Natural Resources and Environmental Affairs

## **CONTENT**

The bill would repeal Part 205 (Laboratory Data Quality Assurance) of the Natural Resources and Environmental Protection Act and require any remaining balance in the Laboratory Data Quality Recognition Program Fund to be transferred to the General Fund.

Under Part 205, to participate in the quality recognition program, a commercial laboratory must apply to the Department of Environmental Quality (DEQ); pay the DEQ a fee, based on the Department's actual costs of administering the program, of up to \$750 for an initial application or up to \$500 for a renewal; give the DEQ access to the laboratory and its records for inspections during normal business hours without prior notice; and, if required by the DEQ, participate in proficiency testing.

Part 205 created the Laboratory Data Quality Assurance Advisory Council in an advisory capacity within the DEQ, and prescribes its membership, operational procedures, and duties. The Council had to submit a final report by June 30, 2007, and was to be disbanded effective 180 days after submitting its final report. (The Council was abolished on July 15, 2007, and its responsibilities transferred to the DEQ, by Executive Order 2007-10.)

The provisions pertaining to the quality recognition program and the Council would be repealed when the bill took effect.

Part 205 created the Fund within the State Treasury. Fees collected under Part 205 must be deposited into the Fund. The DEQ may spend Fund money, upon appropriation, only to administer the quality recognition program. The bill would repeal these provisions 120 days after it took effect. Upon repeal, the State Treasurer would have to transfer any money in this Fund to the General Fund.

MCL 324.20501-324.20519 Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill would eliminate the Laboratory Data Quality Recognition Program Fund. The fee revenue originally intended to be deposited into the Fund never materialized; consequently, there are no funds that would be transferred to the General Fund.

Date Completed: 9-22-09 Fiscal Analyst: Josh Sefton