

Legislative Analysis



DEPARTMENTAL REPORTS: ELIMINATE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5990 as reported from committee w/o amendment
Sponsor: Rep. Pamela Hornberger

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5995 as reported from committee w/o amendment
Sponsor: Rep. Brandt Iden

House Bill 5997 as reported from committee w/o amendment
Sponsor: Rep. Joseph N. Bellino, Jr.

Committee: Oversight
Complete to 6-1-18

(Enacted as Public Acts 298, 300, and 302 of 2018)

SUMMARY:

The bills would amend various acts to eliminate requirements for certain departments or agencies to provide annual reports to the legislature, as detailed below.

House Bill 5990 would amend the Firefighters Training Council Act to repeal Section 7, which requires the Firefighters Training Council to submit an annual report to the governor and Legislature that includes pertinent data regarding the standards established and degree of participation of organized fire departments and public safety departments in the training programs established under the Act.

MCL 29.367 (repealed)

House Bill 5995 would amend the Veteran Right To Employment Services Act to repeal Section 4, which requires an agency or department that administers a federally or state funded employment services or job training program to prepare an annual report, for submission to the Legislature, identifying each of the employment services or job training services or programs it provides to veterans and the procedures employed to ensure compliance with the Act. The bill would take effect 90 days after enactment.

MCL 35.1094 (repealed)

House Bill 5997 would amend the Community Corrections Act to repeal Section 12, which requires the Office of Community Corrections to submit an annual report detailing requests received by the state board for funding, and the program and plans approved for the funding. In addition, Section 12 requires the Office of Community Corrections to submit biannual reports detailing the effectiveness of the programs and plans funded, including explanations of how the rate of commitment of prisoners to the state prison system has been affected by the programs and plans funded. The reports are submitted to the Departments of Technology, Management, and Budget and Corrections and to the following committees and agencies of the Legislature: Senate standing committees on criminal justice and urban affairs and economic development, House standing committee on corrections, the Senate and

House Appropriations subcommittees on corrections, and the Senate and House Fiscal Agencies. The bill would take effect 90 days after enactment.

MCL 791.412 (repealed)

FISCAL IMPACT:

House Bill 5990 would not have a significant fiscal impact on any unit of state or local government. The bill would delete a report required from the Firefighters Training Council, which would not affect expenditures or revenues.

House Bill 5995 would have a nominal fiscal impact on the MVAA and any agency involved in administering federally or state funded employment services or job training program to veterans under the Veteran Right to Employment Services Act, Public Act 39 of 1994. Repealing the requirement to report annually to the Legislature would result in minor administrative cost savings.

House Bill 5997 would have no fiscal impact on the state or on local units of government.

BRIEF DISCUSSION:

Most, if not all, of the reports affected by the bills are required both by statute and by boilerplate in appropriations bills. Some feel that such duplication is not needed and support eliminating the statutory requirement. Others argue that there is no duplication, as a statutory provision remains effective until it is repealed or amended, whereas boilerplate in a budget bill is only effective for the fiscal year to which it pertains. Appropriations provisions must be picked up from year to year and incorporated into a subsequent budget bill in order to remain effective. If the underlying statute is repealed, a useful report could be inadvertently dropped. For example, the report repealed by HB 5997 concerns the effectiveness of community-based programs (e.g., probation, parole, and reentry initiatives) on the prison population and appears to be the only place where this information is compiled. If the appropriations boilerplate requiring the report is not reenacted year after year, information regarding these programs and their effectiveness in reducing recidivism could be more difficult for policymakers and the public to obtain.

POSITIONS:

Representatives of the Office of Regulatory Reinvention testified in support of House Bills 5995 and 5997. (5-17-18)

Legislative Analyst: Susan Stutzky
Fiscal Analysts: Marcus Coffin
Kent Dell
Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.