

# Legislative Analysis

---



## ENVIRONMENTAL RULES COMMITTEE REPEAL

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

**House Bill 4824 as enacted**  
**Public Act 7 of 2024**  
**Sponsor: Rep. Donovan McKinney**

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

**House Bill 4825 as enacted**  
**Public Act 8 of 2024**  
**Sponsor: Rep. Jenn Hill**

**House Bill 4826 as enacted**  
**Public Act 9 of 2024**  
**Sponsor: Rep. Sharon MacDonell**

**House Committee: Natural Resources, Environment, Tourism, and Outdoor Recreation**  
**Senate Committee: Regulatory Affairs**  
**Complete to 9-4-24**

### SUMMARY:

**House Bill 4826** amends the Administrative Procedures Act (APA) by repealing sections 65 and 66, which established an Environmental Rules Committee and provided for its duties in relation to proposed administrative rules.

MCL 24.233 et seq.

**House Bill 4824** amends the Natural Resources and Environmental Protection Act (NREPA) to remove a reference to section 66 of the APA, which HB 4826 repeals.

MCL 324.21020a

**House Bill 4825** amends the State Police Retirement Act to amend a reference to the APA to reflect changes made by HB 4826.

MCL 38.1666

The bills take effect on the ninety-first day after the legislature adjourns to end the 2024 session.

### BRIEF DISCUSSION:

The Environmental Rules Committee was established by 2018 PA 267<sup>1</sup> as part of a package of bills that also created the Environmental Science Advisory Board and the Environmental Permit Review Commission. (The latter two bodies would be repealed by Senate Bills 393 and

---

<sup>1</sup> <https://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-0652-E214064B.pdf>

394, respectively.<sup>2</sup>) The intent of these public acts was to establish a formal presence for the business sector in the process of creating environmental rules, regulations, and permits, as businesses claimed that their input on the impact of rules and regulations implemented by the department presently known as the Department of Environment, Great Lakes, and Energy (EGLE) was not being considered with proper weight.

Critics of these review boards and commissions believe the boards slowed down the promulgation of necessary environmental rules by giving disproportionate influence to groups that have historically opposed new environmental regulations. By slowing or halting the rule-making process, supporters of these repeal bills say, the boards and commissions delayed necessary updates to standards contained in environmental rule sets, endangering public health.

Supporters of the review boards and commissions say that they serve as a needed check on governmental authority and ensure that any new administrative rules are truly necessary and do not unduly burden businesses and private property owners. Additionally, opponents of these repeal bills argue that the review process did not inhibit the legislature's ability to take action when needed to update environmental standards, and that if a standard were in dire need of amending, the legislature would have used its authority to do so.

#### **FISCAL IMPACT:**

The bills are unlikely to affect costs or revenues for EGLE or local governments.

Legislative Analyst: Josh Roesner  
Fiscal Analyst: Austin Scott

---

■ 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.

---

<sup>2</sup> SB 393: <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-SB-0393>  
SB 394: <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-SB-0394>