

Senate Fiscal Agency  
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**SFA**



**BILL ANALYSIS**

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Senate Bill 1055 (as reported without amendment)  
Senate Bills 1056 through 1060, 1068, 1069, and 1071 through 1074, 1078 (as passed by the Senate)  
Senate Bills 1081 through 1085, 1088 through 1090, 1092, 1095 through 1106, 1120, 1121, 1124 through 1129, 1131, 1135 through 1138, 1140 through 1142, 1143, 1145, 1146, and 1158 through 1160 (as passed by the Senate)  
Senate Bill 1172 (as reported without amendment)

Sponsor: Senator George A. McManus, Jr. (S.B. 1055 & 1056)  
Senator Joanne G. Emmons (S.B. 1057-1060)  
Senator Raymond M. Murphy (S.B. 1068)  
Senator Alma Wheeler Smith (S.B. 1069, 1089, 1120, 1131)  
Senator Dave Jaye (S.B. 1071 & 1072)  
Senator Leon Stille (S.B. 1073)  
Senator Philip E. Hoffman (S.B. 1074)  
Senator Dianne Byrum (S.B. 1078)  
Senator Thaddeus G. McCotter (S.B. 1128 & 1172)  
Senator Burton Leland (S.B. 1081 & 1092)  
Senator Harry Gast (S.B. 1082)  
Senator Mat J. Dunaskiss (S.B. 1083)  
Senator Dale L. Shugars (S.B. 1084)  
Senator Walter H. North (S.B. 1085)  
Senator Mike Rogers (S.B. 1088)  
Senator Glen D. Steil (S.B. 1090)  
Senator Christopher D. Dingell (S.B. 1095-1097 & 1099-1104)  
Senator Ken Sikkema (S.B. 1098 & 1143)  
Senator Don Koivisto (S.B. 1105)  
Senator Shirley Johnson (S.B. 1106 & 1158)  
Senator Bob Emerson (S.B. 1121)  
Senator Bill Schuette (S.B. 1124)  
Senator Joel D. Gougeon (S.B. 1125)  
Senator Mike Goschka (S.B. 1126 & 1159)  
Senator John J. H. Schwarz, M.D. (S.B. 1127)  
Senator Bev Hammerstrom (S.B. 1129, 1140, & 1160)  
Senator Loren Bennett (S.B. 1135-1138)  
Senator Bill Bullard, Jr. (S.B. 1141)  
Senator Gary Peters (S.B. 1142)  
Senator Ken DeBeaussaert (S.B. 1145)  
Senator Jackie Vaughn, III (S.B. 1146)

Committee: Government Operations

Date Completed: 3-27-00

## **RATIONALE**

The Senate Law Revision Task Force was established in June 1999 and asked to review existing State statutes and recommend the repeal or amendment of those laws that were found to be arcane and/or irrelevant to present-day life in Michigan. To identify such laws, the Task Force sought the input of the public, the law enforcement community, and various legal associations and entities, including the Michigan Law Revision Commission, the State Bar of Michigan, legislators, judges, and prosecutors. After review, the Task

Force issued a report in December 1999, recommending that various laws or sections of laws be repealed or eliminated.

## **CONTENT**

### Repeal of Agriculture Provisions

Senate Bill 1055 would repeal Public Act 160 of 1897, which allows a person to place a lien on a horse or other animal for the cost of shoeing it.

Senate Bill 1056 would amend Public Act 158 of 1964, which provides for the licensure of wholesale potato dealers, by repealing Section 13. Section 13 requires the Director of the Department of Agriculture to promulgate rules to enforce and administer the Act.

Senate Bill 1068 would repeal Public Act 275 of 1927, which authorizes the refunding of bonds secured by the Michigan State Fair Grounds.

Senate Bill 1069 would repeal the Weather Modification Control Act, which prohibits a person from engaging in weather modification activities without a permit issued by the Department of Agriculture.

Senate Bill 1071 would repeal Public Act 263 of 1917, which created the office of food and drug commissioner.

Senate Bill 1072 would repeal the John C. Hertel Toxic Substance Control Commission Act, which created the Commission and prescribed its powers and duties.

Senate Bill 1073 would repeal Public Act 96 of 1919, which provides for county cream testers.

Senate Bill 1074 would repeal Public Act 280 of 1965, which provides for the licensure and regulation of meat processing and storage establishments.

Senate Bill 1078 would amend Public Act 74 of 1917, which regulates the size and shape of containers for small fruits, berries, and vegetables, to delete provisions that require the Department of Agriculture to establish and promulgate rules and regulations for reasonable tolerances and variations of the containers.

Senate Bill 1081 would amend Section 297e of the Michigan Penal Code to remove a provision that allows the Department of Agriculture to promulgate rules and regulations regarding the labeling of kosher foods.

Senate Bill 1082 would amend Public Act 184 of 1913, which regulates sales of farm products by commission merchants (who sell farm produce on commission), to replace references to the "state dairy and food commissioner" with references to the Director of the Department of Agriculture.

#### Higher Education Repeals

Senate Bill 1057 would repeal Public Act 211 of 1863, which requires that military tactics and military engineering be added to the course of instruction provided by law for Michigan State University (MSU).

Senate Bill 1058 would repeal Section 13 of Public Act 269 of 1909 (the MSU enabling act), which provides that the president, professors, and associate professors of the Michigan Agricultural College constitute the faculty of Michigan State University.

Senate Bill 1059 would repeal Section 14 of Public Act 269 of 1909, which requires the MSU faculty to pass all rules and regulations necessary to the government and discipline of the college and for the preservation of morals, decorum, and health.

Senate Bill 1060 would repeal Section 15 of Public Act 269 of 1909, which provides that the MSU faculty has charge of the laboratories, library, and museums of the institution.

Senate Bill 1120 would repeal Sections 12 and 13 of Public Act 151 of 1851 (the University of Michigan enabling act). Section 12 provides that the admission fee to the regular university course in the Department of Literature, Science and the Arts (LS&A) may not exceed \$10, but courses of instruction under Section 9 of the Act must be open without fee to the citizens of the State. (Section 9 requires the university regents to provide for courses of study in the university for students who do not wish to pursue the usual collegiate course, in LS&A, embracing the ancient languages.) Section 13 provides that the university must be open to all residents of the State, without tuition, under regulations prescribed by the regents, and to all other persons, under regulations prescribed by the board of regents.

Senate Bill 1127 would repeal Public Act 43 of 1897, which provides that water samples may be sent to the University of Michigan for analysis.

#### Delete Vehicle Code Provisions

The following bills would amend the Michigan Vehicle Code or repeal sections of the Code.

Senate Bill 1083 would repeal Sections 712 and 713. Section 712 requires a person driving a vehicle over 10,000 pounds carrying hazardous material to carry in the vehicle certain warning and safety devices (e.g., flares, electric lanterns, a liquid-burning pot torch, red cloths, and extinguishers). Section 713 prescribes the deployment of the devices around the vehicle if it is stopped on a highway.

Senate Bill 1135 would delete a provision that required the holder of a security interest in possession of a certificate of title to mail or deliver the certificate to the owner by January 1, 1969.

Senate Bill 1136 would repeal Section 304, which requires probate courts to report to the Secretary of

State all name changes authorized by the probate courts.

Senate Bill 1137 would delete a provision that allowed a person to renew a driver license with a class 1, 2, or 3 endorsement, 90 days before the license expired, from November 15, 1989, through March 31, 1992.

Senate Bill 1138 would remove provisions that required the calculation of certain vehicle taxes in 1983 and 1984; and remove language that refers to the Local Road Improvements and Operations Act, which has been repealed.

#### Penal Code Repealers

The following bills would repeal sections of the Michigan Penal Code.

Senate Bill 1084 would repeal Section 502, which requires a retailer or wholesaler dealing in gasoline, benzine, and naphtha to label all receptacles containing those substances with the proper name; and requires a person purchasing these substances to keep them in properly labeled containers. A person who violates these provisions is guilty of a misdemeanor.

Senate Bill 1092 would repeal Section 41, which makes it a misdemeanor for a person to sell, lend, give away, show, or possess any publication of criminal news, police reports, accounts of criminal deeds, or stories of bloodshed, lust, or crime.

Senate Bill 1098 would repeal Sections 319 and 320. Section 319 provides for a first-degree murder charge for an inhabitant or resident of the State who inflicts a mortal wound on another person while fighting a duel within or outside of the State. Section 320 provides that any person who is a "second" of either party in such a duel, and present when the mortal wound was inflicted, is an accessory to murder.

Senate Bill 1105 would repeal Section 494, which makes it a misdemeanor for a person to operate a sleigh or cutter in the Upper Peninsula unless at least one of the animals drawing the vehicle, and the vehicle, has bells attached.

#### Repeal of Railroad Crimes

Senate Bill 1095 would repeal Section 179 of the Penal Code, which makes it a felony for an officer, agent, or employee of a railroad company to embezzle, dispose of, or convert to his or her own use any railroad passenger ticket, or to use tickets that previously had been used. Senate Bill 1096 would delete a provision of the Code of Criminal Procedure under which a violation of Section 179 is

a Class G property offense subject to a statutory maximum sentence of four years' imprisonment.

Senate Bill 1097 would repeal Section 266 of the Penal Code, which makes it a felony to forge, counterfeit, or alter a railroad passenger ticket, with the intent to injure or defraud, or to sell a forged, altered, or counterfeit railroad passenger ticket.

Senate Bill 1099 would repeal Section 366 of the Penal Code, which makes larceny of railroad passenger tickets a felony.

Senate Bill 1100 would repeal Section 513 of the Penal Code, which makes it a felony, punishable by imprisonment for up to 10 years or a maximum fine of \$5,000, to make or issue any unauthorized or fraudulent certificate of stock, bond, or obligation of a railroad company. Senate Bill 1101 would delete a provision of the Code of Criminal Procedure under which a violation of Section 513 is a Class H property offense subject to a statutory maximum sentence of 10 years.

Senate Bill 1102 would repeal Section 514 of the Penal Code, which makes it a felony, punishable by imprisonment for up to 10 years or a maximum fine of \$5,000, to seize a locomotive that has an attached express or mail car, and run away with it upon a railroad.

Senate Bill 1103 would repeal Section 516 of the Penal Code, which makes it a felony, punishable by imprisonment for life or any term of years, to stop a railroad train, detach one part of a train from another, or compel an engineer or fireman to run a train contrary to his or her general order, for the purpose of wrecking or robbing the train or its passengers or employees, with intimidation or threat of life with firearms, dynamite, or other dangerous devices.

Senate Bill 1104 would repeal Section 517 of the Penal Code, which makes it a felony, punishable by imprisonment for life or any term of years, to enter upon a railroad train, passenger car, mail car, or express car, with intent to rob the train, car, passengers, or employees, by means of intimidation or by threat of life to the passengers or employees.

#### Repeal of Logging Acts

Senate Bill 1124 would repeal Public Act 229 of 1887, which provides for liens on forest products for labor or services performed in manufacturing lumber or shingles, or cutting, skidding, falling, hauling, banking, driving, running, rafting, or booming logs, timber, posts, poles, etc.

Senate Bill 1125 would repeal Public Act 263 of 1861, which allows people floating logs in navigable waters to break up log jams caused by others, and

gives those who break up the log jams a lien on the logs or timber for their expenses.

Senate Bill 1126 would repeal Public Act 202 of 1867, which provides that people who float logs on water must have some previously approved and recorded mark impressed on the logs.

#### Repeal of Animal Bounties

Senate Bill 1128 would repeal Public Act 50 of 1915, which requires a local clerk to pay to a person 10 cents for each rat head brought to the clerk.

Senate Bill 1129 would repeal Public Act 226 of 1907, which requires a local clerk to pay to a person two cents for each dead English sparrow brought to the clerk.

#### Repeal of Rule-Making Authority

Senate Bill 1140 would amend the General Property Tax Act to delete a requirement that the State Treasurer promulgate rules and regulations governing the preparation of a statement of unpaid taxes.

Senate Bill 1158 would amend the Emergency Municipal Loan Act to delete a provision granting the local emergency financial assistance loan board, within the Department of Treasury, the power to promulgate rules that it considers necessary.

Senate Bill 1159 would repeal Section 5 of Public Act 354 of 1972, which permits the Department of Treasury to promulgate rules to implement the Act. (Public Act 354 authorizes the replacement or payment of lost, destroyed, or wrongfully taken bonds or other evidence of indebtedness issued by a public corporation.)

Senate Bill 1160 would delete a provision of the Shared Credit Rating Act that authorizes the board of the Michigan Municipal Bond Authority to promulgate rules necessary to carry out the Act and to exercise the powers granted in the Act.

#### Repeal of Trunk Line Highway Laws

Senate Bill 1141 would repeal Public Act 334 of 1913, which provides for the establishment and maintenance of "state reward trunk line highways", which comprise the highways and bridges specified in the Act and others established in accordance with the Act.

Senate Bills 1142, 1145, and 1146 would repeal acts that provide for the establishment of up to 500 miles of additional trunk line highways. Senate Bill 1142 would repeal Public Act 19 of the Extra Session of 1919. Senate Bill 1145 would repeal Public Act 7 of 1929. Senate Bill 1146 would repeal Public Act 27 of the First Extra Session of 1934.

#### Repeal of Wastewater Program

Senate Bill 1143 would repeal Part 51 of the Natural Resources and Environmental Protection Act, which requires the Department of Environmental Quality,

upon receiving a proposal to implement a land disposal wastewater management program by a Federal, State, or local unit of government, to submit to the Governor, the Legislature, and local units of government its views as to the program's environmental consequences, cost effectiveness, and social acceptability. The Department of Agriculture also is required to present its views regarding the program's impact on agriculture. Upon receiving the Departments' views, the Legislature and the local units of government are required to approve or disapprove the implementation of the program.

"Land disposal wastewater management program" means the program developed by the U.S. Army Corps of Engineers southeastern Michigan survey scope wastewater management study, as authorized in the Federal Water Pollution Control Act, and the resolution of the U.S. House of Representatives Public Works Committee and the U.S. Senate Public Works Committee or any other study by the Corps of Engineers proposing disposal of municipal wastewater on land.

#### Repeal of Miscellaneous Acts

Senate Bill 1085 would repeal Public Act 204 of 1889, which allows townships in the Upper Peninsula to license hawkers, peddlers, and pawnbrokers.

Senate Bills 1088 and 1089 would repeal sections of Public Act 188 of 1913, which regulates hotels, inns, and public lodging. Senate Bill 1088 would repeal Section 6, which requires every hotel to provide individual textile towels, and regulation sheets at least 90 inches in length. Senate Bill 1089 would repeal Section 8, which creates a commission to carry out the provisions of the Act; the commission consists of the labor commissioner, dairy and food commissioner, Insurance Commissioner, and the executive officer of the State Board of Health.

Senate Bill 1090 would repeal Public Act 165 of 1865, which requires banks and bankers to stamp the word "counterfeit", "altered", or "worthless" on any bank bill that was counterfeit, altered, or worthless.

Senate Bill 1106 would amend Public Act 140 of 1935, which prohibits promoting, conducting, or participating in an endurance contest known as a walkathon or similar endurance contest, to provide that the prohibition would not apply to an event that began and ended on the same day, or an event that was completed within a predetermined time period of less than 12 hours.

Currently, the Act applies to a person, firm, or corporation. The bill provides that the Act would apply to a "person", which would mean an individual, partnership, corporation, association, governmental

entity, or other legal entity.

Senate Bill 1121 would amend Public Act 123 of 1893, which provides for the maintenance of the Michigan School for the Blind, to eliminate a requirement that the school be located in Lansing.

Senate Bill 1131 would repeal the Michigan Museum Act, which provides for the transfer of privately owned museums and property in South Haven and Durand to the Department of State.

Senate Bill 1172 would repeal Section 421 of the Michigan Military Act. Section 421 provides that applications for retirement from the Michigan National Guard under the Act must be referred to a special board of officers, detailed by order of the Governor. The findings and recommendations of the retirement board are subject to the approval of the Governor.

- MCL 570.351-570.363 (S.B. 1055)
- 290.463 (S.B. 1056)
- 390.171-390.173 (S.B. 1057)
- 390.113 (S.B. 1058)
- 390.114 (S.B. 1059)
- 390.115 (S.B. 1060)
- 12.31-12.35 (S.B. 1068)
- 295.101-295.132 (S.B. 1069)
- 289.2-289.12 (S.B. 1071)
- 286.181-286.194 (S.B. 1072)
- 288.181-288.184 (S.B. 1073)
- 287.571-287.582 (S.B. 1074)
- 290.644a (S.B. 1077)
- 290.134 (S.B. 1078)
- 750.287e (S.B. 1081)
- 445.331 et al. (S.B. 1082)
- 257.712 & 257.713 (S.B. 1083)
- 750.502 (S.B. 1084)
- 446.101-446.105 (S.B. 1085)
- 427.6 (S.B. 1088)
- 427.8 (S.B. 1089)
- 487.651-487.652 (S.B. 1090)
- 750.41 (S.B. 1092)
- 750.179 (S.B. 1095)
- 777.16i (S.B. 1096)
- 750.266 (S.B. 1097)
- 750.319 & 750.320 (S.B. 1098)
- 750.366 (S.B. 1099)
- 750.513 (S.B. 1100)
- 777.16x (S.B. 1101)
- 750.514 (S.B. 1102)
- 750.516 (S.B. 1103)
- 750.517 (S.B. 1104)
- 750.494 (S.B. 1105)
- 752.161 & 752.162 (S.B. 1106)
- 750.97 (S.B. 1119)
- 390.12 & 390.13 (S.B. 1120)
- 393.101 (S.B. 1121)
- 426.1-426.15 (S.B. 1124)
- 426.51-426.57 (S.B. 1125)

426.101-426.107 (S.B. 1126)  
390.81 & 390.83 (S.B. 1127)  
433.251-433.253 (S.B. 1128)  
433.281-433.284 (S.B. 1129)  
257.234 (S.B. 1135)  
257.304 (S.B. 1136)  
257.314 (S.B. 1137)  
257.801 (S.B. 1138)  
211.57 (S.B. 1140)  
250.2-250.9 (S.B. 1141)  
250.101 (S.B. 1142)  
324.5101-324.5103 (S.B. 1143)  
250.131 (S.B. 1145)  
250.142 (S.B. 1146)  
141.932 (S.B. 1158)  
129.135 (S.B. 1159)  
141.1057 (S.B. 1160)  
32.821 (S.B. 1172)

## **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 State's compilation of its laws was begun over 160 years ago. While many laws that became outdated, inapplicable, or inappropriate have been repealed or eliminated through the years, many other laws enacted long ago, that are of questionable relevance, remain on the books. The Senate Law Revision Task Force was established to review existing statutes and recommend the repeal of laws found to be arcane or irrelevant. The Task Force pointed out that arcane or irrelevant laws that remain enforceable are detrimental to the public. The Task Force report stated that Michigan residents must be free from the threat of the State's arbitrarily enforcing laws that are arcane or irrelevant to modern life; that residents must not be required to be aware of and abide by laws that no reasonable person can know exist; and that government resources should not be used perpetuating and/or imposing arcane or irrelevant laws upon its citizens. The bills would repeal or delete statutes or parts of statutes recommended for repeal or deletion by the Task Force.

### **Supporting Argument**

The statutes and portions of statutes the bills would repeal or delete cover a wide range of subjects, and illustrate how laws may, through the passage of time, become arcane. For instance, Senate Bill 1068 would repeal a 1927 act that authorizes the refunding of bonds secured by the State Fair Grounds. These bonds were retired long ago. The Weather Modification Control Act prohibits a person from engaging in weather modification activities without a permit, and a violation of the Act is a misdemeanor

punishable by a maximum fine of \$10,000. Since no effective means of modifying the weather has been developed, the Act is not used. Senate Bill 1073 would repeal Public Act 96 of 1919, which provides for county cream testers. The Department of Agriculture reports that there are no counties using cream testers. Senate Bill 1138 would remove provisions of the Michigan Vehicle Code that required the calculation of certain vehicle taxes in 1983 and 1984. Senate Bill 1105 would repeal a section of the Penal Code which makes it a misdemeanor to operate a sleigh in the Upper Peninsula unless at least one animal drawing the sleigh has bells attached. It has been pointed out that the use of sleighs for regular transportation has become extremely rare. Public Act 50 of 1915 requires a local clerk to pay a person 10 cents for each rat head brought to the clerk. While this law obviously was used in the past to reduce the rat population, as the Task Force points out, poisons and exterminators have become effective at controlling rats and no communities have encouraged use of this law in recent times.

### **Supporting Argument**

Senate Bill 1106 would update Public Act 140 of 1935, which prohibits walkathons and similar endurance contests. The type of contest prohibited was described in a 1935 opinion of the Michigan Supreme Court, in a case involving a walkathon derby in which contestants walked, in some cases, for several months, with specified rest periods, until everyone was eliminated but the winner. According to testimony in the case, "...the contest was degrading, the management guilty of chicanery and cheap tricks, the audience boisterous and sometimes shouting cruelties and obscenities, and the contestants exhausted and pitiful..." (*National Amusement Co. v Johnson*, 270 Mich 613). The meaning of "walkathon" has changed over time, however. Today, these events are used as fund raisers for schools and nonprofit organizations and promote physical conditioning and healthy exercise. Rather than repealing the law, the bill would set reasonable limits on walkathons and other endurance contests.

Legislative Analyst: G. Towne

## **FISCAL IMPACT**

**Senate Bills 1055, 1056, 1068, 1073,  
1078, 1081, 1082, 1085, 1088-1090,  
1121, 1124-1126, 1128, 1129,  
1131, 1140, 1141, 1142, 1145,  
1146, 1158-1160, and 1172**

The bills would have no fiscal impact on State or local government.

**Senate Bills 1057-1060, 1120, & 1127**

These sections of law have not had practical application for many years. Also, the constitutional autonomy bestowed on the State's public universities in the Constitution of 1963 renders most of these provisions unenforceable. Due to these factors, there would be no fiscal impact on the State or local units of government, if these sections were repealed.

**Senate Bill 1069**

The bill would have no fiscal impact on State or local government. The State does not operate a weather modification permitting program.

**Senate Bill 1071**

The bill would have no fiscal impact on State or local government. The food and drug commissioner position was abolished in 1965 when the powers and duties of that position and office were transferred to the Department of Agriculture.

**Senate Bill 1072**

The bill would have no fiscal impact on State or local government. According to provisions in the Act, the Act was not in effect after December 31, 1989.

**Senate Bill 1074**

The bill would have no fiscal impact on State or local government. The Federal government regulates the meat industry.

**Senate Bills 1083 & 1135-1138**

Senate Bills 1083, 1135, 1136, 1137, and 1138 would have an indeterminate fiscal impact on local government. There appears to be no specific penalty associated with the various sections that establish requirements for vehicle registration, heavy vehicle demarcation and braking, registering of name changes, and vehicle tax calculation. Unless otherwise specified, a violation of the Michigan Vehicle Code is a misdemeanor. Therefore, local units of government would receive the fine revenues or incur the costs of incarceration.

**Senate Bills 1084, 1092, 1098 & 1105**

Senate Bills 1084, 1092, and 1105 would have an indeterminate fiscal impact on local government. There are no statewide data currently available to indicate how many offenders a year (if any) are convicted of a misdemeanor for carrying benzine or gasoline without proper identification, publishing criminal news, or operating a sleigh without sleigh bells in the Upper Peninsula. Local units of government would receive the fine revenue or incur the cost of incarceration for these offenses.

Senate Bill 1098 would have a neutral fiscal impact on State government. The 1997 Statistical Report published by the Department of Corrections indicates that there were no offenders convicted of or serving time for inflicting a mortal wound when dueling. To the extent that no offenders are convicted of these crimes, costs and revenues for the State would remain unchanged.

### **Senate Bills 1095-1097 & 1099-1104**

Senate Bills 1095, 1096, 1097, 1099, 1100, 1101, 1102, 1103, and 1104 would have an indeterminate fiscal impact on State and local government.

According to the 1997 Annual Statistical report, there were no convictions for or felons serving for these crimes dealing with railroad detention or robbery, railroad passenger ticket embezzlement, forgery, or larceny, or issuing fraudulent railroad securities. By repealing these sections, the State would neither incur costs of incarceration nor receive fine revenues, to the extent that these are felony offenses that are punishable by terms up to life in prison. However, given that no one was convicted of these crimes or incarcerated for these crimes, the fiscal impact on State government would be neutral.

The sentencing guidelines would be repealed for two of these crimes: embezzlement of passenger tickets, a G grid crime with a minimum sentence ranging from 0-3 months to 7-23, and issuing fraudulent railroad securities, an H grid crime with a minimum sentence ranging from 0-1 month to 5-17 months. If one offender a year were convicted of each of these crimes and received the highest minimum sentence, by repealing the section, given that the average annual cost of incarceration is \$22,000, the State would save \$73,300 annually. Local units of government would save the costs of incarceration or intermediate sanction for any offender whose lower minimum sentence guideline range was less than 13 months.

### **Senate Bill 1106**

Senate Bill 1106 would have an indeterminate fiscal impact on local government.

There are no statewide data currently available to determine how many people are convicted of promoting, conducting or participating in an endurance contest. To the extent that the bill would provide an exception to the law, fewer people could be convicted of this offense. Local units of government would incur reduced costs of incarceration or receive less fine revenue.

### **Senate Bill 1143**

The bill would have no fiscal impact on State or local government. The Land Disposal Wastewater Management Program was never developed by the U.S. Army Corps of Engineers. Therefore, no proposal for implementation was ever submitted for review and comment by the Department of Environmental Quality.

Fiscal Analyst: B. Bowerman  
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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.

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