

HOUSE BILL No. 6668

November 29, 2006, Introduced by Rep. Pastor and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 4101, 4105, and 4110 (MCL 324.4101, 324.4105, and 324.4110), section 4105 as amended by 2004 PA 325, and by adding sections 4112 and 4113.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4101. As used in this part:

2 (A) "COMPLETE APPLICATION" MEANS A DEPARTMENT-PROVIDED
3 APPLICATION FORM IS COMPLETED AND ALL REQUESTED INFORMATION HAS
4 BEEN PROVIDED, INCLUDING ALL OF THE FOLLOWING:

5 (i) THE SUBMITTED CONSTRUCTION PLANS AND SPECIFICATIONS ARE
6 PREPARED, SIGNED, AND SEALED BY A LICENSED PROFESSIONAL ENGINEER.

7 (ii) THE APPLICATION AND CONSTRUCTION PLANS AND SPECIFICATIONS
8 CAN BE PROCESSED FOR ISSUANCE OF THE PERMIT WITHOUT ADDITIONAL

1 INFORMATION.

2 (iii) FOR NONGOVERNMENTAL ENTITIES, ALL NECESSARY CONTRACTUAL
3 SERVICE AGREEMENTS AND FINANCIAL ASSURANCE PLANS HAVE BEEN APPROVED
4 BY THE DEPARTMENT.

5 (B) "CONVENTIONAL GRAVITY SEWER EXTENSION" MEANS THE
6 INSTALLATION OF A NEW GRAVITY SEWER AND CONNECTION TO AN EXISTING
7 COLLECTION SYSTEM TO PROVIDE SEWER SERVICE TO NEW AREAS PREVIOUSLY
8 NOT SERVED BY THE PUBLIC SEWER SYSTEM.

9 (C) "EXPEDITED REVIEW" MEANS AN EXPEDITED REVIEW OF AN
10 APPLICATION FOR A CONSTRUCTION PERMIT UNDER THE PILOT PROJECT
11 ESTABLISHED IN SECTION 4112.

12 (D) "FUND" MEANS THE INFRASTRUCTURE CONSTRUCTION FUND CREATED
13 IN SECTION 4113.

14 (E) ~~-(a)-~~ "Governmental agencies" means local units of
15 government, metropolitan districts, or other units of government or
16 the officers of the units of government authorized to own,
17 construct, or operate sewerage systems to serve the public.

18 (F) ~~-(b)-~~ "Plans and specifications" means a true description
19 or representation of the entire sewerage system and parts of a
20 system ~~proposed or operated by a person~~ as the ~~same~~ SEWERAGE
21 SYSTEM exists or is to be constructed, and also a full and fair
22 statement of how the system is to be operated.

23 (G) "PROJECT" MEANS A PROPOSAL TO INSTALL WITHIN 1 GENERAL
24 AREA A NEW WASTEWATER COLLECTION SYSTEM. SYSTEMS PROPOSED FOR
25 CONSTRUCTION ON SEPARATE LAND PARCELS SHALL BE CONSIDERED SEPARATE
26 PROJECTS.

27 (H) ~~-(e)-~~ "Sewerage system" means a system of pipes and

1 structures including pipes, channels, conduits, manholes, pumping
2 stations, sewage or waste treatment works, diversion and regulatory
3 devices, outfall structures, and appurtenances, collectively or
4 severally, actually used or intended for use by the public for the
5 purpose of collecting, conveying, transporting, treating, or
6 otherwise handling sanitary sewage or other industrial liquid
7 wastes that are capable of adversely affecting the public health.

8 (I) "SIMPLE PUMPING STATION AND FORCE MAIN" MEANS THE
9 INSTALLATION OF A DUPLEX PUMPING STATION AND A FORCE MAIN WITH ONLY
10 1 HIGH POINT AND OF LENGTH OF NO MORE THAN 2,000 FEET THAT IS TO BE
11 CONNECTED TO AN EXISTING GRAVITY COLLECTION SYSTEM TO PROVIDE SEWER
12 SERVICE TO NEW AREAS PREVIOUSLY NOT SERVED BY THE PUBLIC SEWER
13 SYSTEM.

14 (J) "SMALL DIAMETER PRESSURE SEWER AND GRINDER PUMPING
15 STATION" MEANS A SINGLE PROJECT THAT INCLUDES THE INSTALLATION OF
16 NEW PRESSURE SEWERS TOTALING NOT MORE THAN 5,000 FEET AND NOT MORE
17 THAN 25 GRINDER PUMPING STATIONS WITH EACH GRINDER PUMPING STATION
18 SERVING NOT MORE THAN 5 SEPARATE OWNERS AND THAT IS TO BE CONNECTED
19 TO AN EXISTING GRAVITY COLLECTION SYSTEM TO PROVIDE SEWER SERVICE
20 TO NEW AREAS PREVIOUSLY NOT SERVED BY THE PUBLIC SEWER SYSTEM.

21 Sec. 4105. (1) The mayor of each city, the president of each
22 village, the township supervisor of each township, the responsible
23 executive officer of a governmental agency, and all other persons
24 operating sewerage systems in this state shall file with the
25 department a true copy of the plans and specifications of the
26 entire sewerage system owned or operated by that person, including
27 any filtration or other purification plant or treatment works as

1 may be operated in connection with the sewerage system, and also
2 plans and specifications of all alterations, additions, or
3 improvements to the systems that may be made. The plans and
4 specifications shall, in addition to all other requirements, show
5 all the sources through or from which water is or may be at any
6 time pumped or otherwise permitted to enter into the sewerage
7 system, and the drain, watercourse, river, or lake into which
8 sewage is to be discharged. The plans and specifications shall be
9 certified by the mayor of a city, the president of a village, a
10 responsible member of a partnership, an individual owner, or the
11 proper officer of any other person that operates ~~a~~ **THE** sewerage
12 system, as well as by the engineer, if any are employed by any such
13 operator. The department may promulgate and enforce rules regarding
14 the preparation and submission of plans and specifications and for
15 the issuance and period of validity of construction permits for the
16 work.

17 (2) A person shall not construct a sewerage system or any
18 filtration or other purification plant or treatment works in
19 connection with a sewerage system except as authorized by a
20 construction permit issued by the department pursuant to part 13.
21 ~~A person shall not issue a voucher or check or otherwise expend~~
22 ~~money for such construction unless such a permit has been issued.~~
23 An application for a permit shall be submitted by the mayor of a
24 city, the president of a village, a responsible member of a
25 partnership, an individual owner, or the proper officer of any
26 other person proposing the construction. **IF ELIGIBLE, A PERSON MAY**
27 **REQUEST AN EXPEDITED REVIEW OF AN APPLICATION FOR A CONSTRUCTION**

1 PERMIT UNDER SECTION 4112. An application for a permit shall
2 include plans and specifications as described in subsection (1). IF
3 CONSIDERED APPROPRIATE BY THE DEPARTMENT, THE DEPARTMENT MAY ISSUE
4 A PERMIT WITH CONDITIONS TO CORRECT MINOR DESIGN PROBLEMS.

5 (3) THE DEPARTMENT MAY VERBALLY APPROVE MINOR MODIFICATIONS OF
6 A CONSTRUCTION PERMIT ISSUED BY THE DEPARTMENT AS A RESULT OF
7 UNFORESEEN SITE CONDITIONS THAT BECOME APPARENT DURING
8 CONSTRUCTION. MINOR MODIFICATIONS INCLUDE, BUT ARE NOT LIMITED TO,
9 A MINOR CHANGE OF LOCATION OF THE SEWER OR LOCATION OF MANHOLES.
10 THE PERSON MAKING THE REQUEST FOR A MODIFICATION SHALL PROVIDE TO
11 THE DEPARTMENT ALL RELEVANT INFORMATION PURSUANT TO R 299.2931 TO R
12 299.2945 OF THE MICHIGAN ADMINISTRATIVE CODE AND THE APPLICATION
13 FORM PROVIDED BY THE DEPARTMENT RELATED TO THE REQUESTED
14 MODIFICATION. WRITTEN APPROVAL FROM THE DEPARTMENT SHALL BE
15 OBTAINED FOR ALL MODIFICATIONS EXCEPT WHEN THE DEPARTMENT PROVIDES
16 VERBAL APPROVAL FOR A MINOR MODIFICATION AS PROVIDED FOR IN THIS
17 SUBSECTION. THE PERSON RECEIVING A WRITTEN OR VERBAL APPROVAL FROM
18 THE DEPARTMENT SHALL SUBMIT REVISED PLANS OR SPECIFICATIONS TO THE
19 DEPARTMENT WITHIN 10 DAYS FROM THE DATE OF APPROVAL.

20 (4) IF A PERSON SEEKS CONFIRMATION OF THE DEPARTMENT'S VERBAL
21 APPROVAL OF A MINOR MODIFICATION UNDER SUBSECTION (3), THE PERSON
22 SHALL NOTIFY THE DEPARTMENT ELECTRONICALLY, AT AN ADDRESS SPECIFIED
23 BY THE DEPARTMENT, WITH A DETAILED DESCRIPTION OF THE REQUEST FOR
24 THE MODIFICATION. THE DEPARTMENT SHALL MAKE REASONABLE EFFORTS TO
25 RESPOND WITHIN 2 BUSINESS DAYS, CONFIRMING WHETHER THE REQUEST HAS
26 BEEN APPROVED OR NOT APPROVED. IF THE DEPARTMENT HAS NOT RESPONDED
27 WITHIN 2 BUSINESS DAYS AFTER THE DEPARTMENT RECEIVES THE DETAILED

1 DESCRIPTION, THE VERBAL APPROVAL SHALL BE CONSIDERED CONFIRMED.

2 (5) ~~(3)~~ A municipal officer or an officer or agent of a
3 governmental agency, corporation, association, partnership, or
4 individual PERSON who permits or allows construction to proceed on
5 a sewerage works without a valid permit, or in a manner not in
6 accordance with the plans and specifications approved by the
7 department, is guilty of a misdemeanor punishable by a fine of not
8 more than \$500.00 or imprisonment for not more than 90 days, or
9 both.

10 Sec. 4110. (1) THE DEPARTMENT MAY REQUEST THAT THE ATTORNEY
11 GENERAL COMMENCE A CIVIL ACTION FOR APPROPRIATE RELIEF, INCLUDING A
12 PERMANENT OR TEMPORARY INJUNCTION, FOR A VIOLATION OF THIS PART OR
13 A PROVISION OF A PERMIT OR ORDER ISSUED UNDER THIS PART OR A RULE
14 PROMULGATED UNDER THIS PART. AN ACTION UNDER THIS SUBSECTION MAY BE
15 BROUGHT IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM OR FOR THE
16 COUNTY IN WHICH THE DEFENDANT IS LOCATED, RESIDES, OR IS DOING
17 BUSINESS. THE COURT HAS JURISDICTION TO RESTRAIN THE VIOLATION AND
18 TO REQUIRE COMPLIANCE.

19 (2) IN ADDITION TO ANY OTHER RELIEF GRANTED UNDER SUBSECTION
20 (1), IF A PERSON FAILS TO OBTAIN A PERMIT REQUIRED UNDER THIS PART,
21 THE COURT SHALL IMPOSE A CIVIL FINE OF NOT LESS THAN \$2,500.00 OR
22 GREATER THAN \$5,000.00 FOR THE FIRST VIOLATION, NOT LESS THAN
23 \$5,000.00 OR GREATER THAN \$10,000.00 FOR THE SECOND VIOLATION, AND
24 NOT LESS THAN \$10,000.00 OR GREATER THAN \$25,000.00 FOR EACH
25 SUBSEQUENT VIOLATION. FOR A VIOLATION OF THIS PART OR A PROVISION
26 OF A PERMIT OR ORDER ISSUED UNDER THIS PART OR RULE PROMULGATED
27 UNDER THIS PART OTHER THAN THE FAILURE TO OBTAIN A PERMIT, THE

1 COURT SHALL IMPOSE A CIVIL FINE OF NOT LESS THAN \$500.00 OR GREATER
2 THAN \$2,500.00 FOR THE FIRST VIOLATION, OF NOT LESS THAN \$1,000.00
3 OR GREATER THAN \$5,000.00 FOR ANY SECOND VIOLATION, AND OF NOT LESS
4 THAN \$2,500.00 OR GREATER THAN \$10,000.00 FOR ANY SUBSEQUENT
5 VIOLATION. IN ADDITION TO ANY REMEDY IMPOSED UNDER THIS SUBSECTION,
6 THE COURT MAY ALSO AWARD REASONABLE ATTORNEY FEES AND COSTS.

7 (3) ~~(1) A~~ SUBJECT TO SECTION 4105(3), A person who KNOWINGLY
8 violates this part or a written order of the department is guilty
9 of a misdemeanor punishable by imprisonment for not more than 90
10 days or a fine of not ~~less than \$25.00 or~~ more than ~~\$100.00~~
11 \$500.00, or both, and payment of the costs of prosecution.

12 (4) A LAW ENFORCEMENT OFFICER MAY ISSUE AND SERVE AN
13 APPEARANCE TICKET UPON A PERSON FOR A MINOR OFFENSE PURSUANT TO
14 SECTIONS 9C TO 9G OF CHAPTER IV OF THE CODE OF CRIMINAL PROCEDURE,
15 1927 PA 175, MCL 764.9C TO 764.9G.

16 (5) ~~(2)~~ Each day upon which a violation of this part occurs
17 is a separate and additional violation for the purpose of this
18 part.

19 (6) ~~(3)~~ The attorney general shall ~~prosecute all cases~~
20 ~~arising under~~ ENFORCE this part. ~~, including the recovery of~~
21 ~~penalties.~~

22 (7) AS USED IN THIS SECTION, "MINOR OFFENSE" MEANS A VIOLATION
23 OF A PERMIT ISSUED UNDER THIS PART THAT DOES NOT FUNCTIONALLY
24 IMPAIR THE OPERATION OR CAPACITY OF A SEWERAGE SYSTEM.

25 SEC. 4112. (1) THE DEPARTMENT SHALL ESTABLISH A PILOT PROJECT
26 IN THE COUNTIES OF MACOMB, OAKLAND, ST. CLAIR, AND WAYNE THAT
27 PROVIDES FOR AN EXPEDITED REVIEW OF APPLICATIONS FOR CONSTRUCTION

1 PERMITS UNDER THIS PART. THE PILOT PROJECT SHALL BEGIN OCTOBER 1,
2 2006 AND EXTEND THROUGH SEPTEMBER 30, 2009. SUBJECT TO SUBSECTION
3 (10), A PERSON MAY REQUEST AN EXPEDITED REVIEW FOR ANY OF THE
4 FOLLOWING PROJECTS:

5 (A) A CONVENTIONAL GRAVITY SEWER EXTENSION.

6 (B) A SIMPLE PUMPING STATION AND FORCE MAIN.

7 (C) A SMALL DIAMETER PRESSURE SEWER AND GRINDER PUMPING
8 STATION CONSISTING OF NOT MORE THAN 5,000 FEET OF SEWER LINE AND 25
9 PUMPING STATIONS.

10 (2) A PERSON REQUESTING AN EXPEDITED REVIEW SHALL DO ALL OF
11 THE FOLLOWING:

12 (A) NOTIFY THE DEPARTMENT ELECTRONICALLY, IN ACCORDANCE WITH
13 THE INSTRUCTIONS PROVIDED ON THE DEPARTMENT'S WEBSITE, AT LEAST 2
14 WEEKS PRIOR TO SUBMITTING A REQUEST FOR EXPEDITED REVIEW.

15 (B) SUBMIT A REQUEST FOR EXPEDITED REVIEW ELECTRONICALLY AND
16 INCLUDE, VIA CREDIT CARD, THE APPROPRIATE FEE UNDER SUBSECTION (3).

17 (C) PROVIDE HARD COPIES OF THE CONSTRUCTION PLANS AND
18 SPECIFICATIONS FOR THE PROJECT TO THE DEPARTMENT POSTMARKED NOT
19 LATER THAN THE SAME DATE THAT THE APPLICATION IS SUBMITTED
20 ELECTRONICALLY.

21 (3) THE FEE FOR AN EXPEDITED REVIEW IS AS FOLLOWS:

22 (A) FOR A CONVENTIONAL GRAVITY SEWER EXTENSION LESS THAN 2,000
23 FEET, \$1,000.00.

24 (B) FOR A CONVENTIONAL GRAVITY SEWER EXTENSION EQUAL TO OR
25 GREATER THAN 2,000 FEET BUT LESS THAN 4,000 FEET OF SEWER LINE,
26 \$1,500.00, PLUS \$500.00 FOR EACH ADDITIONAL 2,000 FEET OF SEWER
27 LINE.

1 (C) FOR A SIMPLE PUMPING STATION AND FORCE MAIN, \$2,000.00.

2 (D) FOR A SMALL DIAMETER PRESSURE SEWER AND GRINDER PUMPING
3 STATION CONSISTING OF NOT MORE THAN 2,000 FEET OF SEWER LINE AND
4 NOT MORE THAN 10 GRINDER PUMPING STATIONS, \$2,000.00.

5 (E) FOR A SMALL DIAMETER PRESSURE SEWER AND GRINDER PUMPING
6 STATION CONSISTING OF MORE THAN 2,000 BUT LESS THAN 5,000 FEET OF
7 SEWER LINE AND NOT MORE THAN 25 GRINDER PUMPING STATIONS,
8 \$4,000.00.

9 (4) EXCEPT AS PROVIDED IN SUBSECTION (6), IF AN APPLICANT DOES
10 NOT SUBMIT A COMPLETE APPLICATION AND THE APPROPRIATE FEE UNDER
11 SUBSECTION (3), OR IF PROPER PREAPPLICATION NOTIFICATION IS NOT
12 MADE, THE DEPARTMENT SHALL NOT CONDUCT AN EXPEDITED REVIEW AND ANY
13 SUBMITTED FEE SHALL NOT BE REFUNDED. WITHIN 10 BUSINESS DAYS AFTER
14 RECEIPT OF THE APPLICATION, THE DEPARTMENT SHALL NOTIFY THE
15 APPLICANT OF THE REASONS WHY THE DEPARTMENT'S REVIEW OF THE
16 APPLICATION WILL NOT BE EXPEDITED. UPON RECEIPT OF THIS
17 NOTIFICATION, A PERSON MAY CORRECT THE DEFICIENCIES AND SUBMIT A
18 NEW REQUEST FOR AN EXPEDITED REVIEW WITH THE APPROPRIATE FEE UNDER
19 SUBSECTION (5). A RESUBMITTED APPLICATION AND REQUEST FOR EXPEDITED
20 REVIEW SHALL NOT BE REJECTED SOLELY BECAUSE THE DEPARTMENT FAILED
21 TO FULLY IDENTIFY THE DEFICIENCIES IN THE ORIGINAL APPLICATION.

22 (5) FOR A SECOND SUBMISSION OF AN APPLICATION THAT ORIGINALLY
23 FAILED TO MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (4), THE
24 APPLICANT SHALL INSTEAD INCLUDE A FEE EQUAL TO 10% OF THE FEE
25 SPECIFIED IN SUBSECTION (3). IF THE APPLICANT MAKES ADDITIONAL
26 CHANGES OTHER THAN THOSE ITEMS IDENTIFIED BY THE DEPARTMENT AS
27 BEING DEFICIENT, THE APPLICANT SHALL INSTEAD INCLUDE THE FEE

1 SPECIFIED IN SUBSECTION (3). FOR THE THIRD AND EACH SUBSEQUENT
2 SUBMITTAL OF AN APPLICATION THAT FAILED TO MEET THE REQUIREMENTS
3 SPECIFIED IN SUBSECTION (4), THE APPLICANT SHALL INCLUDE THE FEE
4 SPECIFIED IN SUBSECTION (3).

5 (6) IF AN APPLICANT FAILS TO PROVIDE A COMPLETE APPLICATION OR
6 THE APPROPRIATE FEE REQUIRED UNDER THIS SECTION, THE DEPARTMENT
7 SHALL NOTIFY THE APPLICANT WITHIN 5 BUSINESS DAYS. THE APPLICATION
8 SHALL NOT BE PROCESSED UNTIL THE DEFICIENT ITEMS ARE ADDRESSED. IF
9 THE APPLICANT DOES NOT PROVIDE THE DEFICIENT ITEMS WITHIN 5
10 BUSINESS DAYS AFTER NOTIFICATION BY THE DEPARTMENT, THE APPLICATION
11 SHALL BE HANDLED AS PROVIDED IN SUBSECTION (4). THE FEE FOR AN
12 EXPEDITED REVIEW REQUIRED UNDER THIS SECTION SHALL BE REFUNDED IF
13 THE DEPARTMENT FAILS TO MEET THE DEADLINES ESTABLISHED IN
14 SUBSECTION (7).

15 (7) THE DEPARTMENT SHALL REVIEW AND MAKE A DECISION ON
16 COMPLETE APPLICATIONS SUBMITTED IN ACCORDANCE WITH THIS SECTION
17 PURSUANT TO THE FOLLOWING SCHEDULE:

18 (A) FROM OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007, A PERMIT
19 DECISION SHALL BE MADE WITHIN 20 BUSINESS DAYS OF RECEIPT BY THE
20 DEPARTMENT OF THE COMPLETE APPLICATION.

21 (B) FROM OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008, A PERMIT
22 DECISION SHALL BE MADE WITHIN 15 BUSINESS DAYS OF RECEIPT BY THE
23 DEPARTMENT OF THE COMPLETE APPLICATION.

24 (C) FROM OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009, A PERMIT
25 DECISION SHALL BE MADE WITHIN 10 BUSINESS DAYS OF RECEIPT BY THE
26 DEPARTMENT OF THE COMPLETE APPLICATION.

27 (8) IF THE DEPARTMENT FAILS TO MEET THE DEADLINES SPECIFIED IN

1 SUBSECTION (7), THE DEPARTMENT SHALL CONTINUE TO EXPEDITE THE
2 APPLICATION REVIEW PROCESS FOR AN APPLICATION SUBMITTED UNDER THIS
3 SECTION.

4 (9) THE DEPARTMENT SHALL TRANSMIT FEES COLLECTED UNDER THIS
5 SECTION TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

6 (10) AN EXPEDITED REVIEW SHALL NOT BE CONDUCTED FOR A PROJECT
7 THAT IS BEING FUNDED BY THE STATE WATER POLLUTION CONTROL REVOLVING
8 FUND CREATED IN SECTION 16A OF THE SHARED CREDIT RATING ACT, 1985
9 PA 227, MCL 141.1066A.

10 SEC. 4113. (1) THE INFRASTRUCTURE CONSTRUCTION FUND IS CREATED
11 WITHIN THE STATE TREASURY.

12 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM
13 ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL
14 DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT
15 TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.

16 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL
17 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

18 (4) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND, UPON
19 APPROPRIATION, ONLY TO ADMINISTER THIS PART AND THE SAFE DRINKING
20 WATER ACT, 1976 PA 399, MCL 325.1001 TO 325.1023, INCLUDING ALL OF
21 THE FOLLOWING:

22 (A) MAINTENANCE OF PROGRAM DATA.

23 (B) DEVELOPMENT OF PROGRAM-RELATED DATABASES AND SOFTWARE.

24 (C) COMPLIANCE ASSISTANCE, EDUCATION, AND TRAINING DIRECTLY
25 RELATED TO THIS PART AND THE SAFE DRINKING WATER ACT, 1976 PA 399,
26 MCL 325.1001 TO 325.1023.

27 (D) PROGRAM ADMINISTRATION ACTIVITIES.

1 (5) BY JANUARY 1, 2008 AND BY JANUARY 1 OF EACH YEAR
2 THEREAFTER UNTIL JANUARY 1, 2010, THE DEPARTMENT SHALL PREPARE AND
3 SUBMIT TO THE GOVERNOR, THE CHAIRS OF THE STANDING COMMITTEES OF
4 THE SENATE AND HOUSE OF REPRESENTATIVES WITH PRIMARY RESPONSIBILITY
5 FOR ISSUES RELATED TO NATURAL RESOURCES AND THE ENVIRONMENT, AND
6 THE CHAIRS OF THE SUBCOMMITTEES OF THE SENATE AND HOUSE
7 APPROPRIATIONS COMMITTEES WITH PRIMARY RESPONSIBILITY FOR
8 APPROPRIATIONS TO THE DEPARTMENT A REPORT THAT DETAILS THE
9 DEPARTMENT'S ADMINISTRATION OF THE EXPEDITED REVIEW PROCESS IN THE
10 PREVIOUS FISCAL YEAR. THIS REPORT SHALL INCLUDE, AT A MINIMUM, ALL
11 OF THE FOLLOWING:

12 (A) THE NUMBER OF REQUESTS FOR EXPEDITED REVIEW RECEIVED BY
13 THE DEPARTMENT.

14 (B) THE PERCENTAGE AND NUMBER OF REQUESTS FOR EXPEDITED REVIEW
15 THAT WERE PROPERLY SUBMITTED.

16 (C) THE PERCENTAGE AND NUMBER OF REQUESTS FOR EXPEDITED REVIEW
17 THAT WERE REVIEWED FOR COMPLETENESS WITHIN STATUTORY TIME FRAMES.

18 (D) THE PERCENTAGE AND NUMBER OF REQUESTS FOR EXPEDITED REVIEW
19 FOR WHICH A FINAL ACTION WAS TAKEN BY THE DEPARTMENT WITHIN
20 STATUTORY TIME FRAMES. THE TYPE OF FINAL ACTION SHALL BE INDICATED.

21 (E) THE AMOUNT OF REVENUE IN THE FUND AT THE END OF THE FISCAL
22 YEAR.

23 (6) FOR THE FIRST 3 YEARS OF THE EXPEDITED REVIEW PROCESS, THE
24 DEPARTMENT SHALL SUBMIT QUARTERLY SUMMARY REPORTS OF ITEMS UNDER
25 SUBSECTION (5) (A) TO (D) TO THE CHAIRS OF THE STANDING COMMITTEES
26 OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH PRIMARY
27 RESPONSIBILITY FOR ISSUES RELATED TO NATURAL RESOURCES AND THE

1 ENVIRONMENT AND THE CHAIRS OF THE SUBCOMMITTEES OF THE SENATE AND
2 HOUSE APPROPRIATIONS COMMITTEES WITH PRIMARY RESPONSIBILITY FOR
3 APPROPRIATIONS TO THE DEPARTMENT.