

SENATE BILL NO. 1318

September 23, 1998, Introduced by Senator JAYE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1301.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1301. (1) IF A PERSON BRINGS AN ACTION AGAINST THE
2 DEPARTMENT FOR DENYING OR IMPOSING CONDITIONS ON THE ISSUANCE OF
3 A PERMIT UNDER THIS ACT, THE DEPARTMENT SHALL NOT DO EITHER OF
4 THE FOLLOWING UNLESS SPECIFICALLY APPROVED BY A BILL ENACTED BY
5 THE LEGISLATURE:

6 (A) SETTLE THE ACTION FOR A SUM EXCEEDING \$1,000,000.00,
7 INCLUDING ATTORNEY FEES.

8 (B) APPEAL A JUDGMENT IN THE ACTION IF THE JUDGMENT AWARDED
9 THE PLAINTIFF DAMAGES EXCEEDING \$1,000,000.00, INCLUDING ATTORNEY
10 FEES, OR IF THE APPEAL MAY RESULT IN THE PLAINTIFF BEING AWARDED
11 DAMAGES EXCEEDING \$1,000,000.00, INCLUDING ATTORNEY FEES.

1 (2) AS USED IN THIS SECTION, "DEPARTMENT" MEANS THE
2 DEPARTMENT OF NATURAL RESOURCES, THE DIRECTOR OF THE DEPARTMENT
3 OF NATURAL RESOURCES OR HIS OR HER DESIGNEE, THE DEPARTMENT OF
4 ENVIRONMENTAL QUALITY, OR THE DIRECTOR OF THE DEPARTMENT OF ENVI-
5 RONMENTAL QUALITY OR HIS OR HER DESIGNEE.