

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5418

(As passed the House, May 4, 2000)

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 20140 (MCL 324.20140), as amended by 1995
PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 20140. (1) Except as provided in ~~subsection (2)~~
SUBSECTIONS (2) AND (3), the
2 limitation period for filing actions under this part is as
3 follows:
4 (a) For the recovery of response activity costs and natural
5 resources damages pursuant to section 20126a(1)(a), (b), or (c),
6 within 6 years of initiation of physical on-site construction
7 activities for the remedial action selected or approved by the
8 department at a facility, except as provided in subdivision (b).
9 (b) For 1 or more subsequent actions for recovery of
10 response activity costs pursuant to section 20126, at any time

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1 during the response activity, if commenced not later than 3 years
2 after the date of completion of all response activity at the
3 facility.

4 (c) For civil fines under this part, within 3 years after
5 discovery of the violation for which the civil fines are
6 assessed.

7 (2) For recovery of ~~response activity costs~~ and natural
8 resources damages that accrued prior to July 1, 1991, the limita-
9 tion period for filing actions under this part is July 1, 1994.

10 (3) FOR RECOVERY OF RESPONSE ACTIVITY COSTS THAT WERE INCURRED
11 PRIOR TO JULY 1, 1991, THE LIMITATION PERIOD FOR FILING ACTIONS
12 UNDER THIS PART IS JULY 1, 1994.

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17 (4) SUBSECTION (3) IS CURATIVE AND INTENDED TO CLARIFY THE
18 ORIGINAL INTENT OF THE LEGISLATURE AND APPLIES RETROACTIVELY.