

# HOUSE BILL No. 5565

January 9, 2002, Introduced by Rep. Scranton and referred to the Committee on Land Use and Environment.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding sections 1301 and 1302.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1301. AS USED IN THIS PART:

2 (A) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL  
3 QUALITY.

4 (B) "PERMIT" MEANS A PERMIT ISSUED BY THE DEPARTMENT UNDER  
5 THIS ACT.

6 SEC. 1302. (1) IF A PROPOSED PROJECT IS SUBJECT TO A COURT  
7 DECREE OR A CONSENT JUDGMENT THAT PRESCRIBES A MAXIMUM ALLOWABLE  
8 SIZE OR SCOPE FOR THE PROJECT, AND THAT PROJECT REQUIRES 1 OR  
9 MORE PERMITS, THE DEPARTMENT SHALL NOT ISSUE A PERMIT FOR THE  
10 PROJECT UNLESS THE PERMIT IS ISSUED FOR THE MAXIMUM ALLOWABLE

1 SIZE AND SCOPE OF THE PROJECT AS AUTHORIZED IN THE COURT DECREE  
2 OR CONSENT JUDGMENT.

3 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, A  
4 PERSON WHO APPLIES FOR A PERMIT THAT IS SUBJECT TO SUBSECTION (1)  
5 SHALL PROVIDE THE DEPARTMENT WITH A COPY OF THE COURT DECREE OR  
6 THE CONSENT JUDGMENT AT THE TIME THE PERSON SUBMITS THE PERMIT  
7 APPLICATION.

8 (3) A PERSON WHO VIOLATES SUBSECTION (2) IS RESPONSIBLE FOR  
9 THE PAYMENT OF A CIVIL FINE OF NOT MORE THAN \$50,000.00.

10 (4) A DEFAULT IN THE PAYMENT OF A CIVIL FINE OR COSTS  
11 ORDERED UNDER THIS SECTION OR AN INSTALLMENT OF THE FINE OR COSTS  
12 MAY BE REMEDIED BY ANY MEANS AUTHORIZED UNDER THE REVISED JUDICA-  
13 TURE ACT OF 1961, 1961 PA 236, MCL 600.101 TO 600.9948.