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House Bill 4042 (Substitute H-1 as passed by the House)

Sponsor: Representative Greg MacMaster

House Committee: Regulatory Reform

Senate Committee: Economic Development

Date Completed: 11-1-11

CONTENT

The bill would amend Part 13 (Permits) of the Natural Resources and Environmental Protection Act to require a department, when denying a permit, to give the scientific information providing for basis for the denial.

Part 13 regulates the processing of applications for many permits issued under the Act. Under this part, "department" means the department, agency, or officer authorized by the Act to approve or deny an application for a particular permit. (The departments that issue permits under the Act include the Department of Environmental Quality, the Department of Natural Resources, and the Department of Agriculture and Rural Development.)

Currently, a denial of an application for a permit must include an explanation of the reasons for the denial, and make a specific reference to provisions of the Act or rules promulgated under it providing the basis for the denial.

The bill, instead, would require a denial of a permit application, to the extent practical, to state with specificity all of the reasons for the denial, including both of the following:

- A specific reference to provisions of the Act or rules providing the basis for the denial.
- To the extent applicable, the scientific information providing the basis for the denial.

MCL 324.1307

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

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

Fiscal Analyst: Josh Sefton

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