

HOUSE BILL No. 5792

August 3, 2016, Introduced by Reps. Howrylak, Pagan, Robinson and Irwin and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 3309 (MCL 324.3309), as amended by 2014 PA 253.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3309. (1) The term of a certificate of coverage shall not
2 be less than ~~3~~2 years unless the applicant requests a shorter
3 term.

4 (2) A permit under this part shall, at a minimum, include all
5 of the following information:

6 (a) The active ingredient or the trade name of each chemical
7 to be applied.

8 (b) The application rate of each chemical.

9 (c) The maximum amount of each chemical to be applied per
10 treatment.

11 (d) ~~Minimum~~ **THE MINIMUM** length of time between treatments for

1 each chemical.

2 (e) A map or maps that clearly delineate the approved area of
3 impact.

4 (f) The term of the permit. The term shall not be less than 3
5 2 years unless the applicant requests a shorter term.

6 (3) A permit under this part shall authorize chemical
7 treatment in each year covered by the permit. This subsection does
8 not apply to a chemical if the chemical's annual use is restricted
9 in rules that were in effect on ~~the effective date of the~~
10 ~~amendatory act that added this subsection.~~ **JUNE 30, 2014.**

11 (4) By April 1 of the second and each subsequent year of a
12 permit, the permittee shall pay the department an annual fee. The
13 annual fee shall equal the permit application fee paid for that
14 specific permit under section 3306 including, for annual fees due
15 after the initial treatment of an expanded area of impact under
16 section 3311(3), the additional fee under section 3311(3)(e). If an
17 annual fee is not received by the department by April 1, the permit
18 is suspended until the annual fee is paid. When the application fee
19 for a permit is paid, an applicant may choose to also pay in
20 advance all the annual fees that will become due under this
21 subsection if the permit is granted for the term requested by the
22 applicant. If the application is denied or is granted for a shorter
23 period than the applicant requested, the department shall refund
24 the overpayment of annual fees.

25 (5) The department may impose additional conditions on a
26 permit under this part to protect the natural resources or the
27 public health, to prevent economic loss or impairment of

- 1 recreational uses, to protect nontarget organisms, or to help
- 2 ensure control of the aquatic nuisance.