

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.1313 Environmental permit review commission; membership; limitations; term; removal; public meeting.

Sec. 1313. (1) The environmental permit review commission is established in the department of environmental quality. The commission shall advise the director on disputes related to permits and permit applications.

(2) The commission shall consist of 15 individuals, appointed by the governor. The governor shall appoint the first commission within 60 days after the effective date of the amendatory act that added this section. Each member of the commission shall meet 1 or more of the following:

(a) Have the equivalent of 6 years of full-time relevant experience as a practicing engineer, geologist, hydrologist, or hydrogeologist.

(b) Have a master's degree from an accredited institution of higher education in a discipline of engineering or science related to air or water and the equivalent of 8 years of full-time relevant experience.

(3) An individual is not eligible to be a member of the commission if any of the following apply:

(a) The individual is a current employee of any office, department, or agency of this state.

(b) The individual is a party to 1 or more contracts with the department of environmental quality and the compensation paid under those contracts in any of the preceding 3 years represented more than 5% of the individual's annual gross income in that preceding year.

(c) The individual is employed by an entity that is a party to 1 or more contracts with the department of environmental quality and the compensation paid to the individual's employer under those contracts in any of the preceding 3 years represented more than 5% of the employer's annual gross revenue in that preceding year.

(d) The individual was employed by the department of environmental quality within the preceding 3 years.

(4) An individual appointed to the commission shall serve for a term of 4 years, except as provided in this subsection, and may be reappointed. However, after serving 2 consecutive terms on the commission, the individual is not eligible to serve on the commission for 2 years. The terms for members first appointed shall be staggered so that 5 expire in 2 years, 5 expire in 3 years, and 5 expire in 4 years. A vacancy on the commission shall be filled in the same manner as the original appointment.

(5) The governor may remove a member of the commission for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(6) Individuals appointed to the commission shall serve without compensation. However, members of the commission may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the commission.

(7) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

History: Add. 2018, Act 268, Imd. Eff. June 29, 2018.

Compiler's note: For transfer of the environmental permit review commission to the department of environment, Great Lakes, and energy by type III transfer, and the abolishment of the commission, see E.R.O. No. 2024-2, compiled at MCL 16.735.

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