

SENATE BILL No. 1199

March 12, 2002, Introduced by Senators NORTH, SIKKEMA, BYRUM, DE BEAUSSAERT, HAMMERSTROM, JOHNSON, GAST, STILLE, VAN REGENMORTER, SANBORN, GOSCHKA and GARCIA and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 32804.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 32804. (1) A PERSON MAY APPLY FOR A PERMIT UNDER THIS
2 SECTION, IN LIEU OF A PERMIT UNDER SECTION 32803, IF ALL OF THE
3 FOLLOWING APPLY:

4 (A) THE PERSON IS AN EXISTING USER.

5 (B) AS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
6 ADDED THIS SECTION, THE PERSON WAS IN COMPLIANCE WITH PART 327.

7 (C) THE PERSON TIMELY SUBMITTED ALL REPORTS REQUIRED UNDER
8 FORMER SECTION 32707.

9 (D) THE PERSON SEEKS AUTHORIZATION FOR CONTINUING THE
10 EXISTING USE.

1 (2) AN EXISTING USER WHO WISHES TO APPLY FOR A PERMIT UNDER
2 THIS SECTION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT IN A
3 FORM AND CONTAINING THE INFORMATION REQUIRED BY THE DEPARTMENT.

4 (3) UPON VERIFICATION OF THE APPLICATION, THE DEPARTMENT
5 SHALL ISSUE TO AN EXISTING USER DESCRIBED IN SUBSECTION (1) A
6 PERMIT THAT IS VALID FOR 10 YEARS AUTHORIZING A WITHDRAWAL AT THE
7 LOCATIONS, RATES, AND QUANTITIES OF THE EXISTING USE.

8 (4) UPON EXPIRATION OF A PERMIT ISSUED UNDER THIS SECTION,
9 AN EXISTING USER WISHING TO RENEW HIS OR HER PERMIT SHALL SUBMIT
10 AN APPLICATION AS PROVIDED IN SECTION 32803.

11 (5) AN EXISTING USER WHO WISHES TO INCREASE THE QUANTITY OF
12 HIS OR HER WATER WITHDRAWAL, CHANGE THE LOCATION OR RATE OF HIS
13 OR HER WITHDRAWAL, OR ALTER ANY OTHER SIGNIFICANT FEATURE OF HIS
14 OR HER EXISTING USE DURING THE TERM OF HIS OR HER PERMIT UNDER
15 THIS SECTION SHALL APPLY FOR A PERMIT UNDER SECTION 32803.

16 (6) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A
17 PERMIT ISSUED UNDER THIS SECTION IS SUBJECT TO REVOCATION UNDER
18 SECTION 32810.

19 Enacting section 1. This amendatory act does not take
20 effect unless all of the following bills of the 91st Legislature
21 are enacted into law:

22 (a) Senate Bill No. 1197.

23

24 (b) Senate Bill No. 1198.

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26 (c) Senate Bill No. 1200.

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