

Act No. 248
Public Acts of 2011
Approved by the Governor
December 8, 2011
Filed with the Secretary of State
December 8, 2011
EFFECTIVE DATE: December 8, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Senators Hildenbrand, Pavlov, Booher, Kowall, Jansen, Hansen, Green, Marleau, Brandenburg, Rocca, Casperson, Schuitmaker, Moolenaar, Pappageorge, Proos, Emmons, Colbeck, Kahn, Caswell, Hune, Jones, Nofs and Richardville

ENROLLED SENATE BILL No. 277

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," (MCL 324.101 to 324.90106) by adding part 27.

The People of the State of Michigan enact:

PART 27 PROGRAM REVIEW

Sec. 2701. As used in this part:

- (a) "Department" means the department of environmental quality.
- (b) "Program" means a permit program or regulatory program administered by the department under this act.

Sec. 2703. (1) The department shall complete process improvement of 1 major program by February 1, 2012 and 2 major programs each year thereafter until the department has completed process improvement for all major programs. This subsection does not require the department to repeat process improvement for a program if process improvement for that program was completed before the effective date of the amendatory act that added this section.

(2) Process improvement under subsection (1) shall meet all of the following requirements:

- (a) Utilize process mapping.
- (b) Be conducted by a team that includes at least all of the following:
 - (i) Two certified facilitators, who shall administer the process improvement.
 - (ii) A representative of persons regulated by the program.
 - (iii) A representative of members of the general public affected by the program.

(3) The department shall consider using peer reviews by other EPA region 5 states and benchmark analyses as part of process improvement under subsection (1).

(4) The department shall post on its website a description of the process improvements made for each major program.

Sec. 2705. (1) The department shall develop metrics for all of the following:

- (a) Environmental impacts.
- (b) Process performance. For a permit program, process performance shall include all of the following:
 - (i) A calculation of the department's per-permit cost to administer the program.
 - (ii) A review of the timeliness of the permit process from receipt to approval or denial of a permit application.
 - (c) A review of service practices affecting regulated persons and the general public.
- (2) The department shall post on its website the metrics developed for the purposes of subsection (1).

Sec. 2707. For each division of the department, the department shall survey persons regulated by that division and the general public concerning the division's service practices. By February 1, 2012, the department shall complete the surveys and post aggregate survey results for each division on the department's website. The department shall not post on its website information identifying a survey respondent.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor