

SSB 5192 - H AMD 534

By Representative Rodne

FAILED 04/06/2011

1 On page 10, after line 28, insert the following:

2 "(12)(a) All decisions on permits under this section must be
3 completed and the decision returned to the applicant within ninety
4 days of submitting the application. If the ninety-day deadline is
5 not satisfied, the applicant may file a motion in the appropriate
6 superior court requesting court approval of the permit.

7 (b) If the permit is denied either within or after the ninety-day
8 decision period, the applicant may file a motion in the appropriate
9 superior court requesting the court to overturn the decision. This
10 subsection applies notwithstanding, and as an alternative to, any
11 other provision of law establishing appeal procedures. Applicants
12 choosing to utilize this appeal authority are deemed to have
13 satisfied all administrative remedies.

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EFFECT: Requires that permit decisions be completed and returned to the applicant within 90 days of submitting the application. Allows the applicant to file a motion in superior court to:

- 1) request approval of the permit if the 90-day deadline is not satisfied; or
- 2) overturn the decision to deny the permit, notwithstanding, and as an alternative to any other legally-established appeal procedural provisions. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

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