*** § 889. Program responsibilities.** 1. The office shall obtain and keep on an annual basis appropriate statistical data regarding the number of permits issued by state agencies, the amount of time necessary for the permits to be issued, the cost of obtaining such permits, the types of projects for which specific permits are issued, a geographic distribution of permits issued, and other pertinent data which the director deems appropriate. The office shall analyze such data by type of permit and by agency responsible and make its findings available to the public.

2. The office shall conduct or cause to be conducted a thorough review of permit requirements and the need by the state to require such permits. The office shall draw on such review, on its direct experience and its statistical analyses to prepare recommendations from time to time for the appropriate agencies, the legislature, and the governor regarding how to:

(a) eliminate unnecessary or antiquated permit requirements;

(b) consolidate duplicative or overlapping permit requirements;

(c) simplify overly complex or lengthy application procedures;

(d) expedite time consuming agency review and approval procedures; or,

(e) otherwise improve the permitting processes in the state.

3. Prior to the adoption of any new or modified permit which is not expressly mandated by legislative direction, the office shall conduct a review in the following manner:

(a) A state agency proposing to adopt a new or modified permit not expressly legislatively mandated, shall, thirty days prior to its effective date, file such proposed action with the office. The office shall conduct its review in accordance with the following standards:

(i) necessity: whether the proposed new or modified permit is the most effective means of carrying out the intent of the legislature;

(ii) duplication: whether the permit duplicates or overlaps another existing permit;

(iii) simplicity: whether the requirements of the permit impose overly complex or lengthy application or reporting procedures and forms.

The office shall review and comment upon the proposed permit, and

submit its findings in writing to the submitting state agency, the administrative regulations review commission and the secretary to the governor within twenty-one days of receipt of the proposed permit.

(b) Any new or modified non-legislatively mandated permit adopted as an emergency measure shall be submitted to the office within five days after its effective date. The office shall review and comment on the permit according to the criteria listed in paragraph (a) of this subdivision and report to the submitting state agency, the administrative regulations review commission and the secretary to the governor within five days of receipt of notice of the emergency action.

(c) Any applicant or holder of a permit may petition the office in writing to review the need for the permit. The office shall acknowledge such petition within five days of its receipt. Such review shall be conducted within sixty days of receipt and the office's findings shall be submitted in writing to the petitioner, the state agency, the administrative regulations review commission and the secretary to the governor.

* NB Authority of office terminated per § 893 December 31, 1995