

SENATE BILL No. 1003

May 16, 2018, Introduced by Senator STAMAS and referred to the Committee on Oversight.

A bill to amend 2001 PA 267, entitled
 "Manufacturing milk law of 2001,"
 by amending section 110a (MCL 288.670a), as amended by 2008 PA 147.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 110a. (1) The department shall issue an initial or
 2 renewal license or permit for regulated activities described in
 3 section 110 other than a manufacturing grade dairy farm or a bulk
 4 milk hauler/sampler, not later than 90 days after the applicant
 5 files a completed application. Receipt of the application is
 6 considered the date the application is received by ~~any~~**AN** agency or
 7 department of ~~the~~**THIS** state. ~~of Michigan.~~ If the application is
 8 considered incomplete by the department, the department shall
 9 notify the applicant in writing, or make the information
 10 electronically available, within 30 days after receipt of the

1 incomplete application, describing the deficiency and requesting
2 the additional information. The 90-day period is tolled upon
3 notification by the department of a deficiency until the date the
4 requested information is received by the department. The
5 determination of the completeness of an application ~~does~~**IS** not
6 ~~operate as an approval~~ of the application for the license or permit
7 and does not confer eligibility of an applicant determined
8 otherwise ineligible for issuance of a license or permit.

9 (2) If the department fails to issue or deny a license or
10 permit within the time required by this section, the department
11 shall return the license or permit fee and shall reduce the license
12 or permit fee for the applicant's next renewal application, if any,
13 by 15%. The failure to issue a license or permit within the time
14 required under this section does not allow the department to
15 otherwise delay the processing of the application, and that
16 application, upon completion, ~~shall~~**MUST** be placed in sequence with
17 other completed applications received at that same time. The
18 department shall not discriminate against an applicant in the
19 processing of the application based upon the fact that the license
20 fee was refunded or discounted under this subsection.

21 ~~—— (3) Beginning October 1, 2005, the director shall submit a~~
22 ~~report by December 1 of each year to the standing committees and~~
23 ~~appropriations subcommittees of the senate and house of~~
24 ~~representatives concerned with agricultural and food issues. The~~
25 ~~director shall include all of the following information in the~~
26 ~~report concerning the preceding fiscal year:~~

27 ~~—— (a) The number of initial and renewal applications the~~

1 ~~department received and completed within the 90 day time period~~
2 ~~described in subsection (1).~~

3 ~~— (b) The number of applications denied.~~

4 ~~— (c) The number of applicants not issued a license or permit~~
5 ~~within the 90 day time period and the amount of money returned to~~
6 ~~licensees and permittees under subsection (2).~~

7 (3) ~~(4)~~ As used in this section, "completed application" means
8 an application complete on its face and submitted with any
9 applicable licensing or permit fees and fines as well as any other
10 information, records, approval, security, or similar item required
11 by law or rule from a local unit of government, a federal agency,
12 or a private entity but not from another department or agency of
13 ~~the THIS state. of Michigan.~~ Under appropriate circumstances,
14 completed application includes the completion of construction or
15 renovation of any facility and the passing of a satisfactory
16 inspection.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.