

HOUSE BILL No. 5996

May 15, 2018, Introduced by Reps. Alexander and Victory and referred to the Committee on Oversight.

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," by amending section 33a (MCL 288.503a), as amended by 2008 PA 136.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 33a. (1) The department shall issue an initial or renewal
2 license or permit for regulated activities described in sections 31
3 and 33, other than a grade A dairy farm, a bulk milk
4 hauler/sampler, or a certified industry farm inspector, not later
5 than 90 days after the applicant files a completed application.
6 Receipt of the application is considered the date the application
7 is received by any agency or department of ~~the~~THIS state. ~~of~~
8 Michigan.

9 (2) If the application is considered incomplete by the

1 department, the department shall notify the applicant in writing,
2 or make information electronically available, within 30 days after
3 receipt of the incomplete application, describing the deficiency
4 and requesting the additional information. The 90-day period is
5 tolled upon notification by the department of a deficiency until
6 the date the requested information is received by the department.
7 The determination of the completeness of an application does not
8 operate as an approval of the application for the license or permit
9 and does not confer eligibility of an applicant determined
10 otherwise ineligible for issuance of a license or permit.

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

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

1 ~~report concerning the preceding fiscal year:~~

2 ~~—— (a) The number of initial and renewal applications the~~
3 ~~department received and completed within the 90-day time period~~
4 ~~described in subsection (1).~~

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

6 ~~—— (c) The number of applicants not issued a license or permit~~
7 ~~within the 90-day time period and the amount of money returned to~~
8 ~~licensees and permittees under subsection (3).~~

9 (4) ~~(5)~~—As used in this section, "completed application" means
10 an application that is complete on its face and submitted with any
11 applicable licensing or permit fees and fines as well as any other
12 information, records, approval, security, or similar item required
13 by law or rule from a local unit of government, a federal agency,
14 or a private entity but not from another department or agency of
15 ~~the~~ **THIS** state. ~~of Michigan.~~ Under appropriate circumstances,
16 completed application includes the completion of construction or
17 renovation of any facility and the passing of a satisfactory
18 inspection.