

***** ACT 141 OF 1982 THIS ACT DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

BUSINESS COORDINATION PROCEDURES ACT

Act 141 of 1982

AN ACT to create an office of business permits within the department of commerce to provide comprehensive information on permits required for business undertakings within this state; to prescribe the powers and duties of the office, the executive director, the department of commerce, and certain state agencies with respect thereto; and to make an appropriation.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

The People of the State of Michigan enact:

***** 445.11 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.11 Short title.

Sec. 1.

This act shall be known and may be cited as the "business coordination procedures act".

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.12 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.12 Meanings of words and phrases.

Sec. 2.

The words and phrases defined in sections 3 and 4 have the meanings ascribed to them in those sections.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.13 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.13 Definitions; A to E.

Sec. 3.

- (1) "Applicant" means any person attempting to secure a permit.
- (2) "Department" means the department of commerce.
- (3) "Executive director" means the chief administrator of the office.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.14 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.14 Definitions; O to S.

Sec. 4.

(1) "Office" means the office of business permits created in section 5.

(2) "Permit" means any state agency permit, license, certificate, approval, registration, or similar form of permission required by law or state agency rule for the formation and operation of a sole proprietorship, partnership, or corporation. Permit includes a permit issued pursuant to the public health code, Act No. 368 of the Public Acts of 1978, as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws. Permit does not include the issuance of any occupational license required for the practicing of a trade or a profession that pertains to a business undertaking.

(3) "Person" means a sole proprietorship, partnership, association, corporation, or other organization required to obtain 1 or more permits.

(4) "State agency" means any agency, department, board, bureau, commission, division, office, or council of the state, or a public corporation or authority at least 1 of whose members is appointed by the governor.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.15 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.15 Office of business permits; creation; department representatives; duties of office.

Sec. 5.

(1) The office of business permits is created within the department. A representative from each state department, appointed by the director of that department, shall serve as a liaison between his or her department and the office and shall assist the executive director in implementing this act.

(2) Under the supervision of the department, the office shall do all of the following:

(a) Provide comprehensive information on permits required for business undertakings in the state and make this information available to applicants and generally to any person.

(b) Develop and utilize a computer system to enable the office to store, modify, retrieve, and exchange permit information for purposes of efficiently assisting an applicant.

(c) Develop and implement a master application procedure as described in section 7 to expedite the identification and processing of permits.

(d) When appropriate, arrange preapplication conferences to clarify the interest and requirements of state agencies with respect to permit applications and to provide for a conceptual review of business undertakings at an early stage of planning in order that interested persons may have an official opinion as to the general acceptability of their planned undertakings.

(e) Assist an applicant in the resolution of any outstanding issue identified by a state agency in the processing of an application.

(f) Upon request of an applicant, assist an applicant whose application has been rejected to understand the steps that need to be taken in order for the application to be approved.

(g) Encourage federal and local government participation in permit coordination.

(h) Make recommendations for eliminating, consolidating, simplifying, expediting, or otherwise improving permit procedures affecting business undertakings.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.16 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.16 Report of state agency required to review, approve, or grant permits; information file on state agency permits; list of permits; availability and contents; preparation and distribution of information explaining permit requirements affecting businesses; report of new or modified permit; effective date; recommendations.

Sec. 6.

(1) Not later than 90 days after the effective date of this act, each state agency required to review, approve, or grant permits shall report to the office, in a form prescribed by the office, on each type of such review, approval, and permit administered by the state agency. The report of each state agency shall include specific application forms, any applicable rules, and the time period necessary for permit application consideration, based upon experience and statutory requirement.

(2) The office shall prepare an information file on state agency permits and permit requirements upon receipt of the information required by subsection (1).

(3) Not later than 180 days after the effective date of this act, the office shall make available to the public at the offices of the department and through distribution to appropriate local governmental offices a list of all permits issued by each state agency. The list shall include, but not be limited to, the name of the permit, the division of the state department that issues the permit, the cost of the original and renewal fees of the permit, the frequency of renewal, and whether a physical or record inspection is required before approval of the permit application. The office also shall prepare and distribute information explaining permit requirements affecting businesses, including requirements having multiple permit or multiple state agency aspects.

(4) Each state agency required to review, approve, or grant permits shall provide the office with a report of any new permit or modification of any existing permit, together with applicable forms, rules, and information required by subsection (1). A new or modified permit shall not become effective until 20 working days after the office has received the report. However, the 20-working day period may be dispensed with for any new or modified permit adopted as an emergency rule pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.

(5) The office shall make recommendations as to the modification of permits or permit requirements to the affected state agency.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.17 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.17 Master application procedure.

Sec. 7.

(1) Within 180 days after the effective date of this act, the office shall develop and implement a master application procedure to expedite the identification and processing of permits. A master application shall be made on a form prescribed by the office and shall include the nature of the project, the location of the project, and any other information which the department by rule requires.

(2) The use of a master application shall be at the option of a person planning to start a business. Upon request of a person, the office shall assist the person in preparing the master application, describe the procedures involved, and provide other information that may be helpful or necessary.

(3) Upon receipt of a master application, the office immediately shall notify in writing each state agency having a possible interest in the application with respect to permits which are or may be required. The notification shall be accompanied by a copy of the master application, together with the date by which the state agency shall respond.

(4) Each notified state agency shall respond in writing to the office not later than the specified date described in subsection (3), not exceeding 15 working days after receipt of the notice. The notified state agency shall advise the office as to the number of permits under its jurisdiction that are or may be required for the business undertaking described in the master application. The response shall include a copy of each applicable permit that the applicant needs to complete and information concerning any fees charged by the state agency issuing the permit.

(5) After receipt of 1 or more permits and other applicable information from the notified state agencies, the office shall provide the applicant with the state agency application forms and other related information and shall advise the applicant that each enclosed application form is to be completed and forwarded to the appropriate state agency, or, at the option of the applicant, the office will receive and forward the forms as a package, together with the necessary fees, to the appropriate state agencies.

(6) An applicant may withdraw a master application at any time without forfeiture of any permit approval applied for or obtained under the master application procedures described in this section.

(7) After the applicant completes the necessary state agency permit application forms and submits the necessary fees and additional information required by the state agency, the permit issuing process follows existing procedures of the state agency. The office may act in an advisory capacity in aiding the applicant with state agency permit requirements, but this act does not infringe upon the state agency's jurisdiction or authority concerning the issuance of permits.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.18 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.18 Preapplication conference.

Sec. 8.

Upon request of a person and if the executive director considers it advisable, the office may conduct a preapplication conference at which affected state agencies shall participate in order to clarify the nature and scope of their interest, to provide guidance to the person in relation to permit application requirements and review processes, to point out obstacles the person may have in obtaining the necessary permits or in establishing a profit-making business, and to coordinate state agency actions with regard to the business undertaking. Other state agencies having responsibilities for business promotion and regulation may participate in this conference at the discretion of the executive director. The executive director or his or her designee shall organize, attend, and supervise a preapplication conference.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.19 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.19 Rejection of permit application; classification and explanation.

Sec. 9.

To the extent possible, the office, upon the request of an applicant who has had 1 or more permit applications rejected by a state agency, shall clarify to the applicant the reasons for the rejection of the permit application and shall explain the steps that the applicant needs to take in order for approval of his or her permit application to be granted.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.20 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.20 Services available without cost.

Sec. 10.

Services rendered by the office shall be made available without cost to the applicant.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.21 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.21 Annual appropriation.

Sec. 11.

The legislature annually shall appropriate a sum sufficient to implement this act.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.22 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.22 Annual report.

Sec. 12.

The executive director annually shall report to the governor and the legislature on the effectiveness of the office in assisting applicants in obtaining permits, including the number of master applications the office had processed during the year and the number of applicants whose necessary permit applications all were approved.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.23 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.23 Rules.

Sec. 13.

The department shall promulgate rules to implement this act pursuant to the administrative procedures act, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982

***** 445.24 THIS SECTION DOES NOT APPLY AFTER APRIL 27, 1987: See 445.24 *****

445.24 Applicability of act.

Sec. 14.

This act shall not apply 5 years after the effective date of this act.

History: 1982, Act 141, Imd. Eff. Apr. 27, 1982