

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

LIQUOR CONTROL COMMISSION

DECLARATORY RULINGS

(By authority conferred on the liquor control commission by section 7 of Act No. 8 of the Public Acts of the Extra Session of 1933 and section 63 of Act No. 306 of the Public Acts of 1969, being SS436.7 and 24.263 of the Michigan Compiled Laws)

R 436.1971 Request for declaratory ruling; form; contents.

Rule 1. (1) An interested person, hereinafter called a petitioner, who requests a declaratory ruling as to the applicability to an actual state of facts of a statute, rule, or order administered, promulgated, or issued by the commission shall do so in writing to the Lansing office of the commission.

(2) The written request shall contain the relevant and material facts, along with a reference to the statute, rule, or order applicable.

History: 1979 AC.

R 436.1973 Declaratory ruling; notice of issuance; request for information or arguments; hearing.

Rule 3. (1) Upon receipt of a request for a declaratory ruling, the commission shall have 30 days within which to notify the petitioner if a declaratory ruling shall be issued.

(2) If the commission grants the request for a declaratory ruling, the commission:

(a) May request more information from the petitioner.

(b) May request information from other interested parties.

(c) May request information from experts outside the commission.

(d) May request oral or written arguments from interested parties.

(e) May hold a hearing upon proper notice to all interested parties.

(f) Shall issue its declaratory ruling within 90 days after the receipt of the initial request.

History: 1979 AC.

R 436.1975 Denial of request for declaratory ruling; reasons.

Rule 5. If a request for a declaratory ruling is denied, the commission shall issue a concise written statement of its principal reasons for denial within 30 days of the denial.

History: 1979 AC.