

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

**P.O. Box 30036 Lansing, MI 48909-7536**

**Tel. (517)373-5630, jcar@legislature.mi.gov**

**MINUTES**

**PROPOSED**

Date of Meeting: Tuesday, December 11, 2018

Time: 8:30 a.m.

Location: Room 1200, Binsfeld Building, 201 Townsend St. Lansing, MI 48933

Members Present: Senator Jim Stamas (Chairman), Senator Tory Rocca, Senator Mike Kowall, Senator Morris Hood, III, Senator Curtis Hertel, Jr.

Representative Steven Johnson (Alternate Chairman), Representative John Reilly, Representative Shane Hernandez, Representative Jeremy Moss, Representative Tim Sneller.

At 8:34 a.m. Chairman Stamas, called the meeting to order. The Chair instructed the clerk to call the roll. A quorum was present.

Alt. Chair Johnson moved to excuse absent members. Motion carried without objection.

Sen. Kowall moved to approve the minutes from November 27, 2018. Motion carried without objection.

The Chair read cards submitted regarding rules on the agenda.

The following administrative rules were taken up for consideration by the Committee:

**JCAR 18-21, Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, Securities (2015-027 LR)**

Motion to waive 15-session day requirement for consideration of the rules made by Representative Johnson.

Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-22, Department of Natural Resources, Office of Minerals Management, Leasing State-Owned Nonmetallic Mineral Rights (2016-051 NR)**

Motion to waive 15-session day requirement for consideration of the rules made by Sen. Kowall.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-23, Department of Licensing and Regulatory Affairs, Public Service Commission, Gas Safety (2016-057 LR)**

Motion to waive 15-session day requirement for consideration of the rules made by Rep. Hernandez.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-24, Department of Licensing and Regulatory Affairs, Director's Office, Residential Builders and Maintenance and Alteration Contractors (2017-087 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Reilly.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

Senator Rocca arrived at 8:41 a.m.

**JCAR 18-25, Department of Licensing and Regulatory Affairs, Public Service Commission, Consumer Standards and Billing Practices for Electric and Natural Gas Service (2018-001 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hertel.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-26, Department of Licensing and Regulatory Affairs, Director's Office, Veterinary Medicine-General Rules (2017-019 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hood.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-27, Department of Licensing and Regulatory Affairs, Director's Office, Veterinary Technician Licensure (2017-020 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Alt. Chair Johnson.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-28, Department of Licensing and Regulatory Affairs, Director's Office, Audiology-General Rules (2018-015 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Rocca.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-29, Department of Licensing and Regulatory Affairs, Directors Office, Chiropractic-General Rules (2018-016 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Moss.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-30, Department of Licensing and Regulatory Affairs, Director's Office, Behavior Analysts-General Rules (2018-019 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Sneller.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-31, Department of Licensing and Regulatory Affairs, Director's Office, Pharmacy-Controlled Substances (2018-020 LR)**

Supporting but not testifying: Ryan Grinnell-Ackerman, Michigan Primary Care Association

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Kowall.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-32, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, General Rules-Public Health Code (2018-024 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hertel.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-33, Department of Licensing and Regulatory Affairs, Director's Office, General Industry Safety and Health Standard Part 310. Lead in General Industry (2018-044 LR)**

Supporting but not testifying: Andy Such, MMA (Michigan Manufacturer's Association)

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Reilly.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.

House Nays: None

Motion approved.

**JCAR 18-34, Department of Licensing and Regulatory Affairs, Director's Office, Construction Safety and Health Standard Part 603. Lead Exposure in Construction (2018-045 LR)**

Supporting but not testifying: Lee Schwartz, Home Builders  
Andy Such, MMA (Michigan Manufacturer's Association)

Motion to waive 15-session-day requirement for consideration of the rules made by Alt. Chair Johnson.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-35, Department of Licensing and Regulatory Affairs, Director's Office, Construction Code, Part 8. Electrical Code (2017-001 LR)**

Supporting but not testifying: Andy Such, MMA (Michigan Manufacturer's Association)

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Hernandez.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-36, Department of Licensing and Regulatory Affairs, Public Service Commission, Technical Standards for Electric Service (2017-091 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Moss.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-37, Department of Licensing and Regulatory Affairs, Workers' Compensation Agency, Workers' Compensation Health Care Services (2018-17 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Sneller.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-38, Department of Transportation, Bureau of Urban and Public Transportation, Motor Bus Transportation (2018-010 TP)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hood.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-40, Department of Environmental Quality, Air Quality Division, Air Pollution Control Part 9. Emission Limitations and Prohibitions-Miscellaneous (2017-006 EQ)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hertel.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-41, Department of Environmental Quality, Air Quality Division, Part 18. Prevention of Significant Deterioration of Air Quality (2017-070 EQ)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Kowall.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-42, Department of Environmental Quality, Air Quality Division, Air Pollution Control, Part 2. Air Use Approval (2017-068 EQ)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Rocca.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-43, Department of Licensing and Regulatory Affairs, Public Service Commission, Code of Conduct (2018-002 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Reilly.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-44, Department of Licensing and Regulatory Affairs, Director's Office, Social Work-General Rules (2017-094 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Hernandez.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-45, Department of Licensing and Regulatory Affairs, Public Service Commission, Unbundled Network Element and Local Interconnection Services (2018-027 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Moss.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-46, Department of Licensing and Regulatory Affairs, Public Service Commission, Basic Local Exchange Service Customer Migration (2018-030 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Sneller.

Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-47, Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, Survey and Remonumentation General Rules (2018-011 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hertel.

Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-48, Department of Licensing and Regulatory Affairs, Director's Office, Massage Therapy-General Rules (2017-086 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Hood.

Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-50, Department of Insurance and Financial Services, Credit for Reinsurance (2018-056 IF)**

Department representatives: Sarah Wohlford, DIFS, Supporting but not testifying

Supporting not testifying: Sandi Cotter-Dykema, John Hancock Life Ins. Co.

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Kowall.

Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.



**JCAR 18-51, Department of Environmental Quality, Air Quality Division, Air Pollution Control Part 19. New Source Review for Major Sources Impacting Nonattainment Areas (2017-071 EQ)**

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Rocca.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-52, Department of Military and Veterans Affairs, Veterans Home Rules (2018-008 MA)**

Motion to waive 15-session-day requirement for consideration of the rules made by Alt. Chair Johnson.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-53, Department of Licensing and Regulatory Affairs, Director's Office, Accountancy-General Rules (2018-025 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Reilly.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-54, Department of State Police, Commercial Vehicle Enforcement Division, Motor Carriers (2017-015 SP)**

Department representatives: Supporting but not testifying: Ms. Marci Kelley, and Inspector Randy Coplin, submitted card to testify but indicated that he did not wish to speak.

Motion to waive 15-session-day requirement for consideration of the rules made by Sen. Kowall.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-55, Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Substance Use Disorders Service Program (2018-028 LR)**

Department representatives: Frank Waters, Department of Licensing and Regulatory Affairs  
Larry Horvath, Bureau Director  
Opposing but not testifying: Ryan Grinnell-Ackerman, Michigan Primary Care Association  
Neutral but not testifying: Don MacDonald, MI Certification Board for Addiction Professionals  
MCBAP  
Supporting Rules but not testifying: David Blankenship, Victory Clinical Services

Motion to waive 15-session-day requirement for consideration of the rules made by Chair Stamas.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

**JCAR 18-56, Department of Licensing and Regulatory Affairs, Director's Office, Acupuncture-General Rules (2017-002 LR)**

Motion to waive 15-session-day requirement for consideration of the rules made by Rep. Sneller.  
Vote is as follows:

Senate Yeas: Chair Stamas, Sen.(s) Rocca, Kowall, Hood, Hertel.  
Senate Nays : None  
House Yeas: Alt. Chair Johnson, Rep.(s) Reilly, Hernandez, Moss, Sneller.  
House Nays: None

Motion approved.

Motion made by Alt. Chair Johnson to adjourn the meeting.

Motion approved.

Meeting Adjourned at 9:01 a.m.