

October, 2009
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Joint Committee on Administrative Rules

is a statutorily created bipartisan legislative committee, comprised of 5 senate members and 5 house members, which is responsible for the legislative oversight of administrative rules proposed by state agencies. The committee maintains a nonpartisan staff that is responsible for processing rules transmitted by state agencies, scheduling committee hearings at the direction of the committee chair, providing members with the background and legal analysis of the rules, and reviewing proposed legislation to determine whether the rulemaking authority is, or should be, necessary to carry out legislative intent of proposed legislation.

State Senators:

Sen. John Pappageorge, Alt. Chair
Sen. Gerald VanWoerkom
Sen. Wayne Kuipers
Sen. Jim Barcia
Sen. Hansen Clarke

State Representatives:

Rep. Dudley Spade, Chair
Rep. Ellen Cogen Lipton
Rep. Bob Constan
Rep. Tory Rocca
Rep. Jim Stamas

If you have any questions, please do not hesitate to contact the office:

Joint Committee on Administrative Rules
4th Floor, Boji Tower
(517) 373-6476 or email at:
jcar@legislature.mi.gov
Newsletter also available at:
<http://council.legislature.mi.gov/jcar.html>

Joint Committee on Administrative Rules

Newsletter

Public Hearings on Proposed Rules

The following state agencies have scheduled public hearings:

Natural Resources

Parks and Recreation—Shooting Ranges on State-Owned Lands (2009-028 NR)

11/03/09 7 p.m., John & Marnie Demmer Shooting Sports Education & Training Center, 3365 East Jolly Rd., Lansing, MI

Community Health

Bureau of Health Professions—Board of Acupuncture—General Rules (2008-050 CH)

11/09/09 9 a.m., Department of Community Health, Ottawa Building, Conference Rm. 3, 611 W. Ottawa St., Lansing, MI

Education

Superintendent of Public Instruction—Career and Technical Education Reimbursed Programs (2009-041 ED)

11/17/09 3 p.m. to 5 p.m., Library of Michigan, Forum Rm., 717 West Allegan St., Lansing, MI

Community Health

Bureau of Health Professions—Board of Optometry (2008-018 CH)

11/23/09 9 a.m., Department of Community Health, Ottawa Building, Conference Rm. 1, 611 W. Ottawa St., Lansing, MI

Community Health

Bureau of Health Professions—Board of Chiropractic—General Rules (2009-039 CH)

11/30/09 9 a.m., Department of Community Health, Ottawa Building, Conference Rm. 1, 611 W. Ottawa St., Lansing, MI

Public Hearings (Cont.)

Education

Superintendent of Public Instruction—Special Education Programs and Services (2009-041 ED) & State Office of Administrative Hearings and Rules—Due Process Procedures for Special Education Hearings (2009-049 SR):

12/01/09 3:30 p.m. to 8:00 p.m., Wayne State University Law School, Spencer M. Partrich Auditorium, 471 W. Palmer, Detroit, MI, and;

12/02/09 3:30 p.m. to 8:00 p.m., Ingham Intermediate School District, Thorburn Education Center Conference Rooms B & C, 2630 West Howell Rd., Mason, MI

'09 Rule Sets

After receipt of a rule in final format JCAR has 15 session days to consider the rule. The following final rules were transmitted to JCAR:

Transportation

JCAR # 09-42 (2008-025 TP)

Administrative Rules Governing the Prequalification of Construction Contractors (First session day for review 10/15/09)

Environmental Quality

JCAR # 09-43 (2008-027 EQ)

Water Bureau—Supplying Water to the Public (First session day for review 10/20/09)

Filed Rules

If JCAR takes no action after 15 session days the rule may be filed and go into effect as follows:

Labor & Economic Growth

JCAR # 09-30 (2008-019 LG)

Director's Office—Construction Code—Part 8. Electrical Code (Filed with the Secretary of State on 10/2/09)

(Cont.)

Filed Rules (Cont.)

Community Health

JCAR # 09-31 (2009-011 CH)

EMS and Trauma Services Section—
Statewide Trauma System (Filed with
the Secretary of State on 10/02/09)

Agriculture

JCAR # 09-32 (2007-049 AC)

Laboratory Division—Labeling of
Retail Motor Fuel Dispensers, Storage
Tanks and Delivery Vessels (Reg. 562)
(Filed with the Secretary of State on
10/02/09)

Agriculture

JCAR # 09-33 (2007-050 AC)

Laboratory Division—Labeling of
Automotive Motor Fuel Purity,
Additives, and Grading (Reg. 564)
(Filed with the Secretary of State on
10/02/09)

Environmental Quality

JCAR # 09-34* (2005-038 EQ)

Air Pollution Control—Emission
Limitations and Prohibitions—Mercury
(Part 15) * Withdrawn and resubmitted
with permission on 10/01/09 pursuant to
MCL 24.245a(7)(a).

Environmental Quality

JCAR # 09-35 (2008-008 EQ)

Air Pollution Control—Intermittent
Testing and Sampling (Part 10) (Filed
with the Secretary of State on 10/16/09)

Environmental Quality

JCAR # 09-36 (2008-009 EQ)

Air Pollution Control—Continuous
Emission Monitoring (Part 11) (Filed
with the Secretary of State on 10/16/09)

Energy, Labor & Economic

Growth

JCAR # 09-37 (2008-046 SR)

State Office of Administrative Hearings
& Rules—Judges Retirement Board—
General Rules (Filed with the Secretary
of State on 10/02/09)

Filed Rules (Cont.)

Agriculture

JCAR # 09-38 (2007-060 AC)

Food and Dairy Division—Food
Establishment Manager Certification
(Reg. 570) (Filed with the Secretary of
State on 10/02/09)

Energy, Labor & Economic

Growth

JCAR # 09-39 (2006-069 LG)

Tax Tribunal
(Filed with the Secretary of State on
10/02/09)

Community Health

JCAR # 09-40 (2007-027 CH)

Bureau of Epidemiology—
Communicable and Related Diseases
(Filed with the Secretary of State on
10/02/09)

Environmental Quality

JCAR # 09-41* (2005-038 EQ)

Air Pollution Control—Emission
Limitations and Prohibitions—Mercury
(Part 15) * Resubmission of # 09-34
under MCL 24.245a(7)(a). (Filed with
the Secretary of State on 10/16/09)

Requests for Rulemaking '09

***Energy, Labor & Economic
Growth***

Michigan Occupational Safety and
Health Agency (MIOSHA)—General
Industry Safety Standard—Compressed
Gas: Acetylene, Hydrogen, Oxygen, &
Nitrous Oxide (Part 69) (2009-051 LG)

Agriculture

Pesticide and Plant Pest Management—
Commercial Feed (Reg. 635)
(2009-052 AC)

Community Health

Bureau of Health Professions—Board
of Physical Therapy—General Rules
(2009-053 CH)

Community Health

Epidemiology/Division of
Environmental Health—Reporting
Traumatic Injuries (2009-054 CH)

Environmental Quality

Air Quality—Prevention of Significant
Deterioration of Air Quality (Part 18)
(2009-055 EQ)

Environmental Quality

Air Quality—New Source Review for
Major Sources Impacting
Nonattainment Areas (Part 19)
(2009-056 EQ)

State Police

Field Services Bureau/Traffic Safety
Division—Tests for Breath Alcohol:
Approved Equipment & Equipment
Accuracy (2009-057 SP)