



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 5, 2020

Sent Via Email

Andrew Brisbo, Executive Director
Marijuana Regulatory Agency
P.O. Box 30205
Lansing, MI 48909

Director Brisbo:

On June 3, 2020, the Marijuana Regulatory Agency requested permission to withdraw from the Joint Committee on Administrative Rules (JCAR), the rule sets entitled "Marihuana Sampling and Testing" (2019-70 LR) and "Marihuana Licensees" (2019-68 LR) to incorporate changes requested by JCAR. JCAR granted permission to withdraw the rules on June 4, 2020.

Pursuant to section 45c(3) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245c, the Michigan Office of Administrative Hearings and Rules (MOAHR) has reviewed the rules as changed and has determined that the regulatory impact or the impact on small businesses of the rules as changed would not be more burdensome than the regulatory impact or the impact on small businesses of the rule as originally proposed.

The changes to the "Marihuana Sampling and Testing" rules provide for maximum batch sizes that gradually increase so that labs have sufficient time to adjust accordingly. MOAHR has determined that the regulatory impact and the impact on small businesses would not be more burdensome, as the current emergency rules address batch sizes.

In addition, the revision of the definition of "plant" in the "Marihuana Licensees" rules provides clarity to the different license types and therefore is not more burdensome.

Sincerely,

A handwritten signature in black ink that reads "Katie Wienczewski".

Katie Wienczewski
Administrative Rules Manager
Michigan Office of Administrative Hearings and Rules

cc: Adam Sandoval, Deputy Director, LARA
Suzanne Sonneborn, Executive Director, MOAHR