**Supplemental JCAR Agency Report**

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete this form after JCAR has proposed a change to a pending rule. Submit an electronic copy of this form to the Michigan Office of Administrative Hearings and Rules (MOAHR) at [MOAHR-Rules@michigan.gov](mailto:MOAHR-Rules@michigan.gov).

**1.** **Department:**

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| --- |
| Licensing and Regulatory Affairs |

**2. Division/agency/bureau:**

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| Marijuana Regulatory Agency |

**3. Rule set number (as assigned by MOAHR):**

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| --- |
| 2019-68 LR |

**4. Title of proposed rule(s) or rule set:**

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| --- |
| Marihuana Licensees |

**5. Rule number(s) impacted by the proposed change:**

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| R420.101(g); R420.101(o); R420.102(2); R420.105(1)(a) |

**6. Statement of Determination by MOAHR:**

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| 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. MOAHR also stated that 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. |

**7. Is a new Agency Report and Public Hearing required?**

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| No. |

**8. Agency explanation for the proposed change:**

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| In consultation with the Joint Committee on Administrative Rules – the Agency decided that the previous definition of “flowering plant” did not provide sufficient clarity with regard to what was included in the plant count. The new definition of a “mature plant” provides greater clarity. |

**9. Name of person completing this report:**

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| Jessica S. Fox, Legal Analyst |

**10. Date report completed:**

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| June 4, 2020 |