

Michigan Office of Administrative Hearings and Rules

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**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Marihuana Regulatory Agency

Name of person completing this form:

Jessica Fox

Phone number of person completing this form:

517-284-9294

E-mail of person completing this form:

FOXJ12@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2019-75 LR

Title of proposed rule set:

Marihuana Disciplinary Proceedings

3. Purpose for the proposed rules and background:

To provide one, cohesive set of rules for regulating marihuana licenses for both adult use and medical marihuana in the State of Michigan.

4. Summary of proposed rules:

The proposed topic-based rule sets are intended to provide clarity/consistency to those working in both the medical and adult use markets. The rule sets provide for the implementation of a program to license medical/adult use marihuana businesses. The rule sets implement, administer, and enforce appropriate standards for marihuana businesses and associated equipment and establish regulations ensuring the safety, security, and integrity of the operation of marihuana businesses.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Flint Journal (Pub: 1/28/20), The Grand Rapids Press (Pub: 1/28/20), The Mining Journal (Pub: 1/16/20)

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6. Date of publication of rules and notice of public hearing in Michigan Register:

2/1/2020

7. Date, time, and location of public hearing:

2/12/2020 09:30 AM at Auditorium , 525 West Ottawa Street, Lansing, Michigan

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

https://dtmb.state.mi.us/ARS_Public/Transaction/RFRTransaction?TransactionID=19

9. List of the name and title of agency representative(s) attending public hearing:

Executive Director Andrew Brisbo, Legal Analyst Kelly Kronner, Legal Analyst Jessica Fox, Legal Analyst Joshua Galicki

10. Persons submitting comments of support:

Cannabis Legal Group
 Pollicella Tompkins
 Steve Linder, Michigan Cannabis Manufacturers Association

11. Persons submitting comments of opposition:

Jason Palomba

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for change	Rule number & citation changed
1	Cannabis Legal Group		The rules are too vague and do not include the definition of the violation or burden of proof.	The agency agrees that the rules are vague.	420.808
2	Pollicella Tompkins		There is no distinction between the issuance of a warning or a citation. There is no clarity between the violations.	The agency agrees that there is no clarity.	420.808

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3	Steve Linder, Michigan Cannabis Manufacturers Association		We don't believe that it's the role of the Department to use licensure as a hammer to force independent businesses into forming relationships with labor unions which will unalterably change and distort their workplaces.	The agency agrees with this comment.	420.801(d)
4	Steve Linder, Michigan Cannabis Manufacturers Association		We don't believe that it's the role of the Department to use licensure as a hammer to force independent businesses into forming relationships with labor unions which will unalterably change and distort their workplaces.	The agency agrees with this comment.	420.801(e)
5	Steve Linder, Michigan Cannabis Manufacturers Association		We don't believe that it's the role of the Department to use licensure as a hammer to force independent businesses into forming relationships with labor unions which will unalterably change and distort their workplaces.	The agency agrees with this comment.	420.801(2)(3)(h)

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6	Jason Palomba		In support of labor peace agreements. Gives the option for workers to join a union if they choose so.	The agency agrees with the comments in opposition to this one.	420.801
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13.Date report completed:
3/24/2020