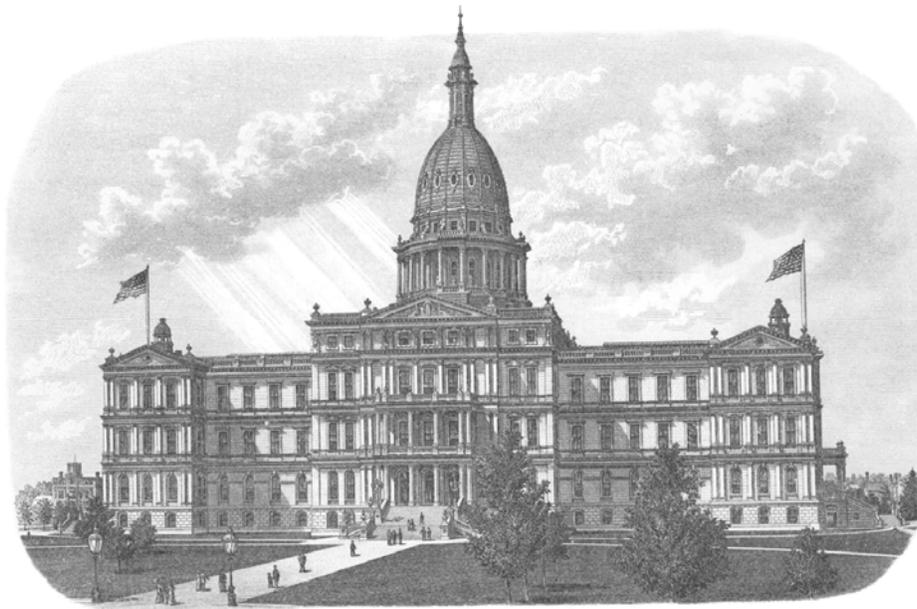


Michigan Register

Issue No. 18– 2015 (Published October 15, 2015)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



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(This issue, published October 15, 2015, contains
documents filed from September 15, 2015 to October 1, 2015)

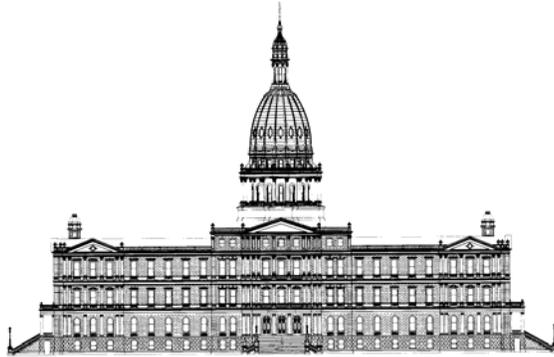
Compiled and Published by the
Office of Regulatory Reinvention

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Mike Zimmer, Director, Licensing and Regulatory Affairs; **Deidre O’Berry**, Administrative Rules Specialist for Operations and Publications.

Rick Snyder, Governor



Brian Calley, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

(a) Executive orders and executive reorganization orders.

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.

(f) Administrative rules filed with the secretary of state.

(g) Emergency rules filed with the secretary of state.

(h) Notice of proposed and adopted agency guidelines.

(i) Other official information considered necessary or appropriate by the office of regulatory reform.

(j) Attorney general opinions.

(k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.

Sec. 203.

- (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.
- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reinvention for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: www.michigan.gov/orr.

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reinvention Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Mike Zimmer, Director
Licensing and Regulatory Affairs

2015 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2015	February 1, 2015
2	February 1, 2015	February 15, 2015
3	February 15, 2015	March 1, 2015
4	March 1, 2015	March 15, 2015
5	March 15, 2015	April 1, 2015
6	April 1, 2015	April 15, 2015
7	April 15, 2015	May 1, 2015
8	May 1, 2015	May 15, 2015
9	May 15, 2015	June 1, 2015
10	June 1, 2015	June 15, 2015
11	June 15, 2015	July 1, 2015
12	July 1, 2015	July 15, 2015
13	July 15, 2015	August 1, 2015
14	August 1, 2015	August 15, 2015
15	August 15, 2015	September 1, 2015
16	September 1, 2015	September 15, 2015
17	September 15, 2015	October 1, 2015
18	October 1, 2015	October 15, 2015
19	October 15, 2015	November 1, 2015
20	November 1, 2015	November 15, 2015
21	November 15, 2015	December 1, 2015
22	December 1, 2015	December 15, 2015
23	December 15, 2015	January 1, 2016
24	January 1, 2016	January 15, 2016

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**ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE**

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reinvention shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

DEPARTMENT OF EDUCATION

SUPERINTENDENT OF PUBLIC INSTRUCTION

STANDARDS FOR ISSUANCE OF WORK PERMITS

Filed with the Secretary of State on October 1, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the department of education by section 6 of 1978 PA 90, MCL 409.106, and Executive Reorganization Orders Nos. 1996-2, 2002-1, 2003-1, 2008-4, and 2011-4, MCL 445.2001, MCL 445.2004, MCL 445.2011, MCL 445.2025, and MCL 445.2030)

R 409.2, R 409.3, R 409.4, and R 409.5 of the Michigan Administrative Code are amended as follows:

R 409.2 Definitions.

Rule 2. (1) "Act" means the youth employment standards act, 1978 PA 90, MCL 409.101 to 409.124.

(2) A term defined in the act has the same meaning when used in these rules.

R 409.3 Responsibilities of employer.

Rule 3. (1) For a minor to be employed, a prospective employer or a person authorized by the prospective employer shall complete and sign a statement of intention to employ on a form prescribed by the department of education.

(2) An employer shall not employ a minor in an occupation regulated by the act until the employer procures from the minor, and keeps on file at the place of employment, a valid work permit or a 10-day temporary work permit.

(3) An employer shall return the work permit to the issuing officer immediately after the termination of a minor's employment.

(4) Upon written notice of suspension or revocation, the employer of the minor shall return the work permit to the issuing officer.

R 409.4 Responsibilities of minor.

Rule 4. A prospective minor employee shall personally take the completed and signed intention to employ form and present the form together with evidence of age to an issuing officer. If documentary proof of age, as described in section 5 of the act, is not obtainable, the issuing officer may accept other documentation, including, but not limited to, any of the following:

(a) A baptismal certificate.

(b) A bona fide record of the date and place of the minor's birth kept in a bible in which the record of the births of the family of the minor is preserved.

- (c) A hospital record of birth.
- (d) A passport.
- (e) A certificate of arrival in the United States.
- (f) A life insurance policy.
- (g) An identification card from the Michigan department of state.

R 409.5 Responsibilities of issuing officer; review of intention to employ form; refusal to issue permit; probation; suspension and revocation of permit; records.

Rule 5. (1) Before making a determination to issue a work permit, an issuing officer shall do all of the following:

- (a) Review the intention to employ form to ensure its proper completion and signature by the prospective employer or by a person authorized by the prospective employer.
- (b) Review the general nature of the occupation in which the employer intends to employ the minor to ensure that the occupation is in compliance with all of the following:
 - (i) The act.
 - (ii) Any rules promulgated by the department of education under section 20 of the act.
 - (iii) The child labor regulations of the federal fair labor standards act of 1938, as amended, 29 U.S.C. §201.
- (c) Review the intention to employ form for deviations from the standards established by the department of education under section 20 of the act.
- (2) Upon approval of the information prescribed in subrule (1) of this rule, the issuing officer shall sign and issue a work permit.
- (3) A copy of the work permit, together with evidence of any department of education approved deviations from section 20 of the act, if applicable, shall be placed in the minor's permanent school file for as long as the minor is employed.
- (4) The issuing officer may refuse to issue a work permit for any of the following reasons:
 - (a) The general nature of the occupation is determined to be hazardous and in violation of rules promulgated by the department of education under section 20 of the act.
 - (b) The information presented by a minor is incomplete.
 - (c) The minor's employment is in violation of federal or state law or of a regulation or rule promulgated under federal or state law.
- (5) Upon written notice to the minor and the employer, the issuing officer shall place the minor on a 30-calendar-day probationary period when the minor's poor school attendance results in consistent academic performance at a level lower than that which preceded his or her employment.
- (6) If, at the conclusion of the 30-calendar-day probationary period, the minor's poor school attendance continues to result in consistent academic performance at a level lower than that which preceded his or her employment, upon written notice to the minor and the employer, the issuing officer may suspend the work permit for a period of not more than 30 calendar days. The minor is suspended from work during suspension of the work permit.
- (7) Upon written notification to the minor and employer, the issuing officer may revoke a work permit following suspension of the work permit as specified in subrule (6) of this rule if the deficiency that led to the suspension is not corrected.
- (8) The immediate revocation of a work permit shall occur if a minor's employment is in violation of federal or state law or of a regulation or rule promulgated under federal or state law and if the issuing officer is informed of the violation by the department of education.
- (9) Upon revocation of a work permit pursuant to these rules, the minor's legal employment under the authority of the permit ceases.

(10) Upon revocation of a work permit, the issuing officer shall inform the minor of the appeal process pursuant to the administrative procedures act, 1969 PA 306, MCL 24.201 to 24.328, and shall provide instructions as to the initiation of an appeal by the minor, by a parent or guardian of the minor, or by a person or agency to whom custody of the minor has been awarded. The issuing officer shall keep a record of all appeals.

(11) Records that are exempt from disclosure by statute or regulation shall not be disclosed.

ADMINISTRATIVE RULES

DEPARTMENT OF EDUCATION

SUPERINTENDENT OF PUBLIC INSTRUCTION

SPECIAL EDUCATION PROGRAMS AND SERVICES

Filed with the Secretary of State on October 1, 2015

This rule becomes effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By the authority conferred on the superintendent of public instruction by section 1703 of 1976 PA 451, MCL 380.1703, and Executive Reorganization Order Nos. 1996-6 and 1996-7, MCL 388.993 and MCL 388.994)

R 340.1793a of the Michigan Administrative Code is amended as follows:

R 340.1793a Interpreters for the deaf.

Rule 93a. An interpreter for the deaf who provides services for students with disabilities in a local school district, an intermediate school district, the Michigan school for the deaf, or a public school academy as an employee or contractor shall satisfy the applicable credential requirements set forth in rules promulgated under the deaf persons' interpreters act, 1982 PA 204, MCL 393.501 to 393.509.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the Office of Regulatory Reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the Office of Regulatory Reform.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

ADMINISTRATIVE RULES

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
LICENSING AND REGULATORY AFFAIRS

STATE FIRE SAFETY BOARD

NEW AND EXISTING SCHOOL, COLLEGE, AND UNIVERSITY FIRE SAFETY

Draft May 26, 2015

Filed with the Secretary of State on

The rules become effective ~~immediately~~ **30 days** after filing with the Secretary of State ~~unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.~~

(By authority conferred on the ~~state fire safety board~~ **bureau of fire services** by section 3c of **1941 PA 207, MCL 29.3c**, Act No. 207 of the Public Acts of 1941, as amended, and Executive Reorganization Order Nos. 1997-2, ~~being §§29.3e and 29.451~~ **1998-2 and 2003-1, MCL 29.451, 29.461, and 445.2011** of the Michigan Compiled Laws)

R 29.1901, R 29.1902, R 29.1903, R 29.1904, R 29.1905, R 29.1906, R 29.1907, R 29.1908, R 29.1921, R 29.1922, R 29.1923, R 29.1924, R 29.1931, R 29.1932, R 29.1933, and R 29.1934 of the Michigan Administrative Code are amended; R 29.1907a is added; and, R 29.1909 is rescinded as follows:

PART 1. GENERAL PROVISIONS

R 29.1901 Applicability.

Rule 1. These rules apply to all new and existing school, college, and university facilities used for instructional purposes as defined ~~in~~ **by** these rules.

R 29.1902 Life safety code; adoption by reference.

Rule 2. **(1)** The provisions of chapters 1 to ~~7, 8, 9,~~ 10, 11, **12, 13, 14, 15, 38, 39** ~~26, 27, 32,~~ and **43** ~~33~~ of **the** national fire protection association pamphlet no. 101, ~~1997~~ **2012** edition, entitled "Life Safety Code," **referred to in these rules as "code"**, are adopted by reference as part of these rules.

(2) Copies of the adopted provisions in subrules (1) and (3) of this rule are available for inspection and distribution from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101, telephone number 1-800-344-3555 or as otherwise specified in subrule (3) of this rule. The cost of the adopted provisions of the "Life Safety Code" as of the time of adoption of these rules is \$93.00. The cost of the adopted provisions in subrule (3) of this rule are specified in subrule (3) of this rule. Copies of the adopted provisions are available for inspection at the offices of the Department of Licensing and Regulatory Affairs, Bureau of Fire Services,

3101 Technology Boulevard, Suite H, Lansing, MI 48910, or as specified in this rule. Copies of the adopted provisions may be purchased from the bureau of fire services at cost from any national source identified in chapter 2 of the code as amended in subrules (1) and (3) of this rule plus \$30.00 for shipping and handling as of the time of the adoption of these rules. ~~and distribution through the State Fire Safety Board, located at the Michigan Department of Consumer and Industry Services, Office of Fire Safety, 7150 Harris Drive, Lansing, Michigan 48913, or from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101, telephone number 1-800-344-3555. The cost of the adopted provisions as of the time of adoption of these rules is \$44.50.~~

(3) Chapter 2 of the code is amended to read as follows:

2.1 General. The documents or portions thereof listed in this chapter are referenced within this code and shall be considered part of the requirements of this document. The cost of each standard at the time of the adoption of these rules is indicated after the title.

2.2 NFPA Publications. www.nfpa.org

National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471

NFPA 10, Standard for Portable Fire Extinguishers, 2010 edition. \$44.50/each

NFPA 11, Standard for Low-, Medium-, and High-Expansion Foam, 2010 edition.

\$44.50/each

NFPA 12, Standard on Carbon Dioxide Extinguishing Systems, 2011 edition. \$44.50/each

NFPA 12A, Standard on Halon 1301 Fire Extinguishing Systems, 2009 edition. \$44.50/each

NFPA 13, Standard for the Installation of Sprinkler Systems, 2010 edition. \$85.50/each

NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2010 edition. \$44.50/each

NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, 2010 edition. \$40.50/each

NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2010 edition.

\$40.50/each

NFPA 15, Standard for Water Spray Fixed Systems for Fire Protection, 2012 edition.

\$44.50/each

NFPA 16, Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems, 2011 edition. \$40.50/each

NFPA 17, Standard for Dry Chemical Extinguishing Systems, 2009 edition. \$40.50/each

NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2009 edition. \$35.00/each

NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2011 edition. \$52.50/each

NFPA 30, Flammable and Combustible Liquids Code, 2012 edition. References to this standard mean R 29.5401 to R29. 5419, promulgated by the Michigan department of licensing and regulatory affairs, bureau of fire services.

NFPA 30B, Code for the Manufacture and Storage of Aerosol Products, 2011 edition.

\$44.50/each

NFPA 31, Standard for the Installation of Oil-Burning Equipment, 2011 edition.

\$44.50/each

NFPA 40, Standard for the Storage and Handling of Cellulose Nitrate Film, 2011 edition.

\$35.00/each

NFPA 45, Standard on Fire Protection for Laboratories Using Chemicals, 2011 edition.

\$40.50/each

NFPA 54, National Fuel Gas Code, 2012 edition. \$52.50/each

NFPA 58, Liquefied Petroleum Gas Code, 2011 edition. References to this code mean the administrative rules relating to storage and handling of liquefied petroleum gases, R 29.6001 to R 29.6097, promulgated by the Michigan department of licensing and regulatory affairs, bureau of fire services.

NFPA 70, National Electrical Code, 2011 edition. References to this code mean the Michigan electrical code, R 408.30801 to R 408.30880, promulgated by the Michigan department of licensing and regulatory affairs, bureau of construction codes.

NFPA 72, National Fire Alarm Code, 2010 edition. \$85.50/each

NFPA 80, Standard for Fire Doors and Fire Windows, 2010 edition. \$44.50/each

NFPA 82, Standard on Incinerators and Waste and Linen Handling Systems and Equipment, 2009 edition. \$40.50/each

NFPA 88A, Standard for Parking Structures, 2011 edition. \$35.00/each

NFPA 90A, Standard for the Installation of Air-Conditioning and Ventilating Systems, 2012 edition. \$40.50/each

NFPA 90B, Standard for the Installation of Warm Air Heating and Air-Conditioning Systems, 2012 edition. \$35.00/each

NFPA 91, Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids, 2010 edition. \$35.00/each

NFPA 92, Standard for Smoke Control Systems, 2012 edition. \$40.50/each

NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2011 edition. \$40.50/each

NFPA 99, Standard for Health Care Facilities, 2012 edition. \$64.00/each

NFPA 101A, Guide on Alternative Approaches to Life Safety, 2010 edition. \$44.50/each

NFPA 105, Standard for the Installation of Smoke Door Assemblies, 2010 edition. \$35.00/each

NFPA 110, Standard for Emergency and Standby Power Systems, 2010 edition. \$39.00/each

NFPA 111, Standard on Stored Electrical Energy Emergency and Standby Power Systems, 2010 edition. \$40.50/each

NFPA 160, Standard for the Use of Flame Effects Before an Audience, 2011 edition. \$40.50/each

NFPA 170, Standard for Fire Safety and Emergency Symbols, 2009 edition. \$44.50/each

NFPA 204, Standard for Smoke and Heat Venting, 2012 edition. \$44.50/each

NFPA 211, Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances, 2010 edition. \$44.50/each

NFPA 220, Standard on Types of Building Construction, 2012 edition. \$35.00/each

NFPA 221, Standard for High Challenge Fire Walls, Fire Walls, and Fire Barrier Walls, 2010 edition. \$40.50/each

NFPA 241, Standard for Safeguarding Construction, Alteration, and Demolition Operations, 2009 edition. \$40.50/each

NFPA 251, Standard Methods of Tests of Fire Resistance of Building Construction and Materials, 2006 edition. \$40.50/each

NFPA 252, Standard Methods of Fire Tests of Door Assemblies, 2008 edition. \$35.00/each

NFPA 253, Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source, 2011 edition. \$35.00/each

NFPA 257, Standard on Fire Test for Window and Glass Block Assemblies, 2007 edition. \$35.00/each

NFPA 259, Standard Test Method for Potential Heat of Building Materials, 2008 edition. \$35.00/each

NFPA 260, Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture, 2009 edition. \$35.00/each

NFPA 261, Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes, 2009 edition. \$35.00/each

NFPA 265, Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls, 2011 edition. \$40.50/each

NFPA 271, Standard Method of Test for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter, 2009 edition. \$40.50/each

NFPA 286, Standard Methods of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth, 2011 edition. \$40.50/each

NFPA 288, Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems, 2007 edition. \$35.00/each

NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, 2009 edition. \$35.00/each

NFPA 415, Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways, 2008 edition. \$35.00/each

NFPA 418, Standard for Heliports, 2011 edition. \$35.00/each

NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films, 2010 edition. \$35.00/each

NFPA 703, Standard for Fire Retardant-Treated Wood and Fire-Retardant Coatings for Building Materials, 2012 edition. \$35.00/each

NFPA 720, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment, 2012 edition. \$44.50/each

NFPA 750, Standard on Water Mist Fire Protection Systems, 2010 edition. \$44.50/each

NFPA 914, Code for Fire Protection of Historic Structures, 2010 edition. \$64.00/each

NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition. \$44.50/each

NFPA 1126, Standard for the Use of Pyrotechnics Before a Proximate Audience, 2011 edition. \$35.00/each

NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2012 edition. \$52.50/each

2.3 Other Publications.

2.3.1 ACI Publication. www.concrete.org

American Concrete Institute, P. O. Box 9094, Farmington Hills, MI 48333

ACI 216.1/TMS 0216.1, Standard Method for Determining Fire Resistance of Concrete and Masonry Construction Assemblies, 2008. \$54.50/each

2.3.2 ANSI Publications.

American National Standards Institute, Inc., 25 West 43rd Street, 4th floor, New York, NY 10036.

ANSI A14.3, Safety Requirements for Fixed Ladders, 1992. www.ansi.org \$250.00/each
ICC/ANSI A117.1, American National Standard for Accessible and Usable Buildings and Facilities, 2009. www.ansi.org \$63.95/each
ANSI/BHMA A156.3 Exit Devices, 2008. www.ansi.org \$36.00/each
BHMA/ANSI A156.19, American National Standard for Power Assist and Low Energy Power Operated Doors, 2007. www.ansi.org \$36.00/each
2.3.3 ASCE Publications. American Society of Civil Engineers, 1801 Alexander Bell Drive, Reston, VA 20191-4400. www.asce.org
ASCE/SFPE 29, Standard Calculation Methods for Structural Fire Protection, 2008. \$69.00/each
2.3.4 ASME Publications. www.asme.org American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990
2.3.5 ASSE Publications. American Society of Safety Engineers, 1800 East Oakton Street, Des Plaines, IL 60018. www.asse.org
ANSI/ASSE A1264.1, Safety Requirements for Workplace Floor and Wall Openings, Stairs and Railing Systems, 2007. \$69.00/each
2.3.6 ASTM Publications. www.astm.org American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959
ASTM C 1629/C 1629M, Standard Classification for Abuse-Resistant Nondecorated Interior Gypsum Pan Products and Fiber-Reinforced Cement Panels, 2006. \$49.20/each
ASTM D 1929, Standard Test Method for Determining Ignition Temperatures of Plastic, (2001 e1). \$49.20/each
ASTM D 2859, Standard Test Method for Ignition Characteristics of Finished Textile Floor Covering Materials, 2006. \$43.20/each
ASTM D 2898, Standard Test Methods for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing, 2010. \$36.00/each
ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, 2010. \$70.80/each
ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, 2010a. \$56.40/each
ASTM E 119, Standard Test Methods for Fire Tests of Building Construction and Materials, 2010b. \$70.80/each
ASTM E 136, Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750°C, 2009b. \$56.40/each
ASTM E 648, Standard Test Method for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source, 2010. \$56.40/each
ASTM E 814, Standard Test Method for Fire Tests of Through Penetration Fire Stops, 2010. \$56.40/each
ASTM E 1352, Standard Test Method for Cigarette Ignition Resistance of Mock-Up Upholstered Furniture Assemblies, 2008a. \$47.00/each
ASTM E 1353, Standard Test Methods for Cigarette Ignition Resistance of Components of Upholstered Furniture 2008a(e1). \$47.00/each
ASTM E 1354, Standard Test Method for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter, 2009. \$56.40/each
ASTM E 1537, Standard Test Method for Fire Testing of Upholstered Furniture, 2007. \$70.80/each

ASTM E 1590, Standard Test Method for Fire Testing of Mattresses, 2007. \$70.80/each

ASTM E 1591, Standard Guide for Obtaining Data for Deterministic Fire Models, 2007. \$47.00/each

ASTM E 1966, Standard Test Method for Fire-Resistive Joint Systems, 2007. \$47.00/each

ASTM E 2072, Standard Specification for Photoluminescent (Phosphorescent) Safety Markings, 2010. \$36.00/each

ASTM E 2074, Standard Test Method for Fire Tests of Door Assemblies, Including Positive Pressure Testing of Side-Hinged and Pivoted Swinging Door Assemblies, 2000. \$56.40/each

ASTM E 2307, Standard Test Method for Determining Fire Resistance of Perimeter Fire Barrier Systems Using Intermediate-Scale, Multi-Story Test Apparatus, 2010. \$47.00/each

ASTM E 2404, Standard Practice for Specimen Preparation and Mounting of Textile, Paper, or Vinyl Wall or Ceiling Coverings to Assess Surface Burning Characteristics, 2008. \$43.20/each

ASTM E 2573, Standard Practice for Specimen Preparation and Mounting of Site-Fabricated Stretch Systems to Assess Surface Burning Characteristics, 2007a. \$43.20/each

ASTM E 2599, Standard Practice for Specimen Preparation and Mounting of Reflective Insulation Materials and Radiant Barrier Materials for Building Applications to Assess Surface Burning Characteristics, 2009. \$43.20/each

ASTM E 2652, Standard Test Method for Behavior of Materials in a Tube Furnace with a Cone-Shaped Airflow Stabilizer, at 750 Degrees C, 2009a. \$56.40/each

ASTM F 851, Standard Test Method for Self-Rising Seat Mechanisms, 1987 (2005). \$36.00/each

ASTM F 1577, Standard Test Methods for Detention Locks for Swinging Doors, 2005. \$70.80/each

ASTM G 155, Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of Non-Metallic Materials, 2005a. \$47.00/each

2.3.7 FMGR Publication.

FM Global Research, FM Global, 1301 Atwood Avenue, P.O. Box 7500, Johnston, RI 02919.

ANSI/FM 4880, American National Standard for Evaluating Insulated Wall or Wall and Roof/Ceiling Assemblies, Plastic Interior Finish Materials, Plastic Exterior Building Panels, Wall/Ceiling Coating Systems, Interior or Exterior Finish Systems, 2007. Free

FM Approval Standard 6921, Containers for Combustible Waste, 2004. Free

UL 300, Standard for Fire Testing of Fire Extinguishing Systems for Protection of Commercial Cooking Equipment, 2005. \$502.00/each at www.comm-2000.com

2.3.8 NEMA Publications. National Electrical Manufacturers Association, 1300 North 17th Street, Ste 1847, Rosslyn, VA 22209. www.nema.org

NEMA Sb 30, Fire Service Annunciator and Interface, 2005. \$69.00/each

2.3.9 UL Publications. www.UL.com; purchase UL standards at www.comm-2000.com per UL website. (All revisions included in purchase of standard) Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, IL 60062

ANSI/UL 9, Standard for Fire Tests of Window Assemblies, 2009. \$631.00/each

ANSI/UL 10B, Standard for Fire Tests of Door Assemblies, 2008, revised 2009. \$631.00/each

ANSI/UL 10C, Standard for Positive Pressure Fire Tests of Door Assemblies, 2009. \$631.00/each

ANSI/UL 263, Standard for Fire Tests of Building Construction and Materials, 2007. \$631.00/each

UL 294, Standard for Access Control System Unites, 1999, revised 2010. \$502.00/each

UL 300A, Extinguishing System Units for Residential Range Top Cooking Surfaces, 2006. \$275.00/each

ANSI/UL 305, Standard for Safety Panic Hardware, 1997. \$502.00/each

ANSI/UL 555, Standard for Fire Dampers, 2006, Revised 2002. \$998.00/each

ANSI/UL 555S, Standard for Smoke Dampers, 2006, Revised 2010. \$502.00/each

ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, 2009, revised 2010. \$631.00/each

ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings, 2004, revised 2008. \$502.00/each

ANSI/UL 924, Standard for Emergency Lighting and Power Equipment, 2006, Revised 2009. \$998.00/each

ANSI/UL 1040, Standard for Fire Test of Insulated Wall Construction, 1996, revised 2007. \$502.00/each

ANSI/UL 1315, Standard for Safety for Metal Waste Paper Containers, 2007. \$502.00/each

ANSI/UL 1479, Standard for Fire Tests of Through-Penetration Firestops, 2003, revised 2010. \$502.00/each

ANSI/UL 1715, Standard for Fire Test of Interior Finish Material, 1997, revised 2008. \$897.00/each

ANSI/UL 1784, Standard for Air Leakage tests for Door Assemblies, 2001, revised 2009. \$502.00/each

UL 1975, Standard for Fire Tests for Foamed Plastics Used for Decorative Purposes, 2006. \$998.00 each

UL 1994, Standard for Luminous Egress Path Marking Systems, 2004, revised 2010. \$998.00/each

ANSI/UL 2079, Standard for Tests for Fire Resistance of Building Joint Systems, 2004, revised 2008. \$502.00/each

**2.3.10 U.S. Government Publication. www.access.gpo.gov
U.S. Government Printing Office, Washington, DC 20402.
Title 16, Code of Federal Regulations, Part 1500 and Part 1507. Free
Title 16, Code of Federal Regulations, Part 1632, "Standard for the Flammability of Mattresses and Mattress Pads (FF-4-72)." Free**

**2.3.11 Other Publication.
Merriam-Webster's Collegiate Dictionary, 11th edition, Merriam-Webster, Inc., Springfield, MA, 2003. www.merriam-webster.com \$27.95/each**

2.4 References for Extracts in Mandatory Sections.

NFPA 1, Uniform Fire Code, 2012 edition. \$85.50/each

NFPA 72, National Fire Alarm Code, 2010 edition. \$85.50/each

NFPA 80, Standard for Fire Doors and Fire Windows, 2010 edition. \$40.50/each

NFPA 88A, Standard for Parking Structures, 2011 edition. \$35.00/each

NFPA 288, Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems, 2009 edition. \$35.00/each

NFPA 301, Code for Safety to Life from Fire on Merchant Vessels, 2008 edition. \$44.5.00/each

NFPA 415, Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways, 2008 edition. \$35.00/each

NFPA 914, Code for Fire Protection of Historic Structures, 2010 edition. \$64.00/each

NFPA 921, Guide for Fire and Explosion Investigations, 2011 edition. \$85.50/each

ASCE/SEI 7, Minimum Design Loads for Buildings and Other Structures, 2010. www.asce.org \$165.00.

(4) Rules promulgated by the department of licensing and regulatory affairs, bureau of fire services, are available for inspection from the Michigan government website, www.michigan.gov/orr and linking to “Michigan administrative code” and also are available from the Michigan department of licensing and regulatory affairs, bureau of fire services by calling (517) 241-8847.

(5) Rules pertaining to the elevator code, R 408.7001 to R 408.8695; the mechanical code, R 408.30901 to R408.30998; the building code, R 408.30401 to R 408.30499a; the electrical code, R 408.30801 to R 408.30880; the plumbing code, R 408.30701 to R 408.30796; and the rehabilitation code, R 408.30551 to R 408.30577, are available for inspection and distribution at cost at the department of licensing and regulatory affairs, bureau of construction codes, 2501 Woodlake Circle, Okemos, MI 48864. Copies of these rules are available at no cost from the Michigan government website, www.michigan.gov/orr and linking to “Michigan administrative code”.

R 29.1903 Definitions.

Rule 3. As used in these rules:

(a) "Act" means ~~Act No. 207 of the Public Acts of 1941, as amended, being S29.1 et seq. of the Michigan Compiled Laws. 1941 PA 207, MCL 29.1 to 29.34~~

(b) "Authority having jurisdiction" means the director of the department of **licensing and regulatory affairs**, ~~consumer and industry services~~, an employee of the department of **licensing and regulatory affairs** ~~consumer and industry services~~ appointed by the director to implement the act, or an employee of a city, village, or township delegated authority to enforce the code under section 2b of the act.

~~(c) "Central heating plant" means a fuel fired heating system that serves more than 1 room.~~

(c) ~~(d)~~ "Code" means national fire protection association pamphlet no. 101, ~~1997~~ **2012** edition, entitled "Life Safety Code."

~~(d) (e)~~ "College" or "university" means a ~~building or part of a building which is used for instructional purposes, which is occupied by 6 or more students and used 4 or more hours per day or more than 12 hours per week, and which is owned or leased by, or under the control of, a junior college, community college, college, or university that is duly authorized to grant degrees by 1 of the following:~~

~~(i) Article VIII of the Michigan Constitution of 1963.~~

~~(ii) The Michigan legislature.~~

~~(iii) Action by the state board of education.~~

~~(f) "Cosmetic remodeling" means surface changes solely to the wall, floor, and ceiling that do not decrease the fire rating of the wall, floor, or ceiling, including the replacement of windows and doors.~~

~~(g) "Level of exit discharge" means a floor or floors of a building that exit directly to the outside at grade. A floor that is not more than 4 feet above or below grade at exit discharge is a level of exit discharge.~~

(e) "Instructional facility" means a building or part of a building that is used for mandatory instructional purposes, is occupied by 6 or more students and used 4 or more hours per day or more than 12 hours per week, and is owned or leased by, or under the control of a college or university as defined in these rules.

~~(f) (h) "Maintenance" means repair required to keep a building and its component parts in an operative condition at all times, including the replacement of its component parts when, for any reason, the component parts are no longer dependable. "Maintenance" does not include renovation remodeling.~~

~~(g) (i) "Open court" means a court that is open and unobstructed on at least 1 side by a minimum of 20 15 feet in width and 13 10 feet 6 inches in height. The opening shall lead to a public way.~~

~~(h) (j) "Penthouse" means an enclosed, unoccupied structure which has a definite floor, wall, and roof structure anchored to the building, which is located above the roof of a building, other than a tank, tower, spire, dome cupola, or bulkhead. The aggregate area shall not exceed and which occupies not more than 1/3 of the supporting roof. area. A penthouse shall be considered as is not a story, but is part of the story below. A prefabricated weather enclosure around mechanical equipment for protection from the elements is not a penthouse or a story.~~

~~(k) "Remodeling" means an alteration or change of fire-rated assembly, or the installation of new equipment required by these rules.~~

~~(i) (h) "Room" means a space or area bounded by any obstruction to egress that, at any time, encloses more than 80% of the perimeter of the space or area. An opening that is less than 3 feet clear wide and less than 6 feet 8 inches high shall not be considered in computing the unobstructed perimeter. A vestibule that is used for weather protection is not a room for the purposes of these rules.~~

~~(m) "Room, interior" means a room in which the only means of egress is through an adjoining or intervening room that does not meet the requirements for an exit.~~

~~(j) (n) "School" means a building or part of a building which that is owned or leased by, or under the control of, a public or private school or school system for the purpose of instruction as required by section 1561 of 1976 PA451, MCL Act No. 451 of the Public Acts of 1976, as amended, being §380.1561 of the Michigan Compiled Laws, which that is occupied by 6 or more students, and which is used 4 or more hours per day or more than 12 hours per week.~~

School does not mean a college building or university building.

(k) "Stop work order" means a notice from the authority having jurisdiction to immediately cease work being done because the work being performed is contrary to the rules or is being performed in a dangerous or unsafe manner. Any person who continues to work after being served with a stop work order, except the work that the person is directed to perform to remove a violation or unsafe condition, to provide for security of the building or to provide for weather protection of the building, shall be subject to penalties described by the act.

R 29.1904 Plans and specifications.

Rule 4. (1) A school, college, university, or designated representative shall submit plans and specifications to the **bureau office of fire services safety** for all projects that involve

construction, remodeling, **renovation, modification, reconstruction**, or an addition. ~~Construction shall not commence until office of fire safety approval has been received in writing.~~

(2) A school, college, or university need not submit plans and specifications to the **bureau office of fire services safety** for **routine** maintenance functions; ~~or cosmetic remodeling;~~ however, a school, college, or university shall ensure that all work is in compliance with these rules.

(3) Plans and specifications for work that involves the practice of architecture or engineering, as defined **by the provisions of article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014**, ~~in Act No. 299 of the Public Acts of 1980, as amended, being §339.101 et seq. of the Michigan Compiled Laws, and known as the occupational code~~, shall bear the seal of an architect or professional engineer who is **licensed pursuant to the occupational code registered under Act No. 299 of the Public Acts of 1980, as amended**. **If a public works project consisting of This subrule does not apply to construction, renovation, modification, reconstruction, remodeling, or an addition is estimated to cost for which the contemplated expenditure for the completed project is less than \$15,000.00, it is not necessary to employ a registered architect or engineer, but the plans for the building shall be submitted to the bureau of fire services for approval pursuant to section 5a of 1937 PA 306, MCL 388.855a as specified in section 2011 of Act No. 299 of the Public Acts of 1980, as amended, being §339.2011 of the Michigan Compiled Laws.**

(4) Plans and specifications shall contain all of the following information, as applicable:

- (a) A complete floor plan and layout of the building drawn accurately to scale.
- (b) The use of each room.
- (c) The dimensions of each room.
- (d) The size, location, direction of swing, and fire rating of each door and frame assembly.
- (e) The size and location of windows.
- (f) The wall construction, including the fire-resistance rating.
- (g) The type of construction as identified in national fire protection association pamphlet no. 220, 1995 edition, entitled "Standard on Types of Building Construction-," **as adopted in these rules.**

(h) The number of stories, including basement and attic areas.

(i) The interior finish classification.

(j) The location of fuel-fired equipment.

(k) The type of furnace and water heater.

(l) Air-handling systems.

(m) Fire detection and alarm systems **plans and specifications in compliance with the provisions of the act.**

(n) Sprinkler or other suppression systems **plans and specifications in compliance with the provisions of the act.**

(o) The type, size, and location of fire extinguishers.

(p) Other pertinent information that is required to determine compliance with these rules.

(5) A firm certified in compliance with section 26 of ~~the act~~ **1941 PA 207, MCL 29.26**, shall submit fire alarm/detection system and fire suppression system plans to the **bureau office of fire services safety in compliance with pursuant to the act**. ~~The certified firm shall submit the complete shop drawings to, and receive approval from, the office of fire safety before installation of either a fire alarm or fire suppression system.~~

(6) Plan approval that is given before the effective date of these rules **shall terminate** ~~terminates~~ 6 months after the effective date of these rules if construction has not started.

However, upon written request, to the **bureau office of fire services safety**, the office may grant an approval **extension in** for a specific instance.

(7) Projects that involve construction, remodeling, or an addition, including fire alarm or fire detection systems and fire suppression systems, discovered to be in violation of the requirement of this rule shall be subject to the issuance of a stop work order by the authority having jurisdiction. Inspections shall not be conducted and approval shall not be granted by the authority having jurisdiction until the provisions of this rule are met.

~~–(7) An architect or engineer who seals plans and who ceases to be the architect or engineer of record before completion of a project shall notify the office of fire safety in writing.~~

~~Construction shall not continue until a new architect or engineer of record identifies himself or herself in writing to the office of fire safety.~~

R 29.1905 Inspection during construction; **inspection of existing facilities**; approval for occupancy.

Rule 5. (1) During construction, **renovation, modification, reconstruction**, addition, or remodeling, the architect, professional engineer, or owner's representative shall notify the **bureau office of fire services safety**, ~~in writing~~, when the building is ready for inspection **under both of the following conditions**: ~~as follows~~:

(a) When the building is **framed enclosed** and mechanical systems are substantially complete, but before concealment.

(b) Upon completion of construction.

(2) A person shall not occupy a newly constructed facility or a facility that is being remodeled or added to, in whole or in part, without the approval of the **bureau office of fire services safety**.

(3) The bureau may approve for continuous use an existing school, college, or university instructional facility or building established prior to the effective date of these rules if it conforms to, or is made to conform to, the provisions of these rules to the extent that, in the opinion of the authority having jurisdiction, reasonable life safety against the hazards of fire, explosion, and panic is provided and maintained.

(4) While conducting project inspections pursuant to these rules or an investigation in reference to a fire hazard or life safety complaint pursuant to the act, in an existing school, college, or university instructional facility or building, the bureau of fire services may request to review documents related to the continued operation and maintenance of the following systems or items pursuant to section 4.5.8 and the applicable sections of chapter 4, 7, and 9 of the code.

(a) Fire alarm system.

(b) Sprinkler system.

(c) Hood suppression systems.

(d) Emergency lighting.

(e) Fire extinguishers.

(f) Required emergency generators.

(g) Egress signage.

(h) Door locking systems.

(i) Record of fire and emergency drills as required by the act.

(j) Emergency plans.

(k) Any other life safety system.

R 29.1906 Projects affecting outside configuration of building; site plan and specifications; ~~bureau office of fire services safety~~ or local fire ~~department~~ **authority** specifications; fire safety measures during construction.

Rule 6. (1) For projects ~~involving that involve~~ construction, addition, **renovation, modification, reconstruction**, or remodeling that affects the outside configuration of a building, and as part of the building plans and specifications otherwise required by these rules, ~~and~~ before **the construction begins**, the owner or the owner's authorized representative shall provide the ~~bureau office of fire services safety~~ and the local fire ~~department~~ **authority** with a site plan and specifications that detail all of the following information, as applicable:

- (a) The available water supply.
- (b) Hydrant locations.
- (c) Vehicle access routes.
- (d) Fire lanes.

(2) **The authority having jurisdiction or the local fire authority may specify any of the following:**

- (a) **The size of the water mains that supply they hydrants.**
- (b) **The location of the hydrants.**
- (c) **The location and dimensions of fire department vehicle access routes.**
- (d) **The posting of fire lanes.**

(3) **The school, college, university, or designated representative shall reference NFPA 1 for fire department access, hydrant locations, and water supply.**

(4) **As soon as possible during** ~~During~~ construction, the school, college, university, or designated representative shall **ensure that take** appropriate fire safety measures **are taken**, including the provision of fire extinguishers **and fire suppression systems**, and the establishment of access routes to the building that can be traveled by fire department vehicles.

R 29.1907 Electrical equipment; inspections; certificate.

Rule 7. (1) **The school, college, university, or designated representative** ~~A person~~ shall **ensure that the install** electrical wiring and equipment, including an emergency supply if installed, ~~complies in compliance~~ with the applicable provisions of **the Michigan electrical code, R 408.30801 to R 408.30880.** ~~et seq. of the Michigan Administrative Code.~~ Copies of the rules are available **as specified in R 29.1902** ~~from the Michigan Department of Consumer and Industry Services, Bureau of Construction Codes, P.O. Box 30255, Lansing, Michigan 48909.~~

(2) ~~An electrical inspection~~ **An electrical inspection** authority acceptable to the ~~bureau office of fire services~~ **shall perform the electrical inspection** ~~safety shall make an electrical inspection.~~ The electrical inspection authority shall issue a final certificate of compliance covering the installation. The school, college, university, or designated representative shall provide a copy of the certificate to the ~~bureau office of fire services safety.~~

R 29.1907a Fire reporting.

Rule 7a. (1) Upon discovery of any unwanted fire, regardless of magnitude, the person in control of the building shall immediately notify the local fire department.

(2) **Whenever an unwanted fire occurs, or upon discovery of an unwanted fire, even though it has been extinguished, the person in control of the building shall immediately notify the local fire department of the existence of the fire, circumstances, and the location**

of the fire. This subrule does not prohibit the facility from using all diligence necessary to extinguish the fire prior to the arrival of the fire department.

(3) The school, college, university, or designated representative shall notify the bureau of fire services of all details of the fire not later than the end of the next business day following the incident.

R 29.1908 Universal amendments.

Rule 8. Sections ~~1-3.11.1, 1-7.1, 6-4.3, 7-1.1, 7-4.2, 7-4.3, 7-6.3.2, and 7-6.4~~ **4.6.10.1, 4.7.4, 4.8.2.2, 6.2.1.2, 7.2.1.12, 8.3.5, 8.3.5.5.1, 8.3.6.1, 8.4.2, 8.4.5.1, 8.5.7.1, 8.6.10.2.1, 8.7.3.1, 9.1.1, 9.4.2.1, 9.4.2.2, 9.6.3.5.5, 12.3.2.1.2, 12.7.6.1, 13.3.2.1.2, 13.7.6.1, and 43.1.2.1** of the code adopted by reference in R 29.1902 of the code are amended, and sections ~~7-1.2, 7-4.4, 7-4.5, 7-4.7, 7-4.8, 7-6.5.3, 8-1.2.5.2, 8.6.10.2.1.1~~ **8.6.10.2.1.1** is added, and sections ~~9-1.2.5.2, 7.2.1.12.1, 7.2.1.12.2, 7.3.3.2, 9.1.2, 9.4.3.1, 9.4.3.2, 12.2.2.2.5, 12.2.10.3, 12.2.11.2, 12.7.1.3, 12.7.6.2, 12.7.7.2, 12.7.9.3.1, 12.7.9.3.2, 12.7.9.3.3, 13.2.2.2.5, 13.2.10.3, 13.2.11.2, 13.7.1.3, 13.7.6.2, 13.7.7.2, 13.7.9.3.1, 13.7.9.3.2, 13.7.9.3.3, and 43.1.4.5~~ of the code are deleted, to read as follows:

~~1-3.11.1~~ **4.6.10.1.** A person may occupy a building **Buildings** or portion **portions** of a building **buildings shall be permitted to be occupied** during construction, repair, alterations, or additions only **if where** all means of egress and ~~all~~ **required** fire protection features in the building and on-site are in place and continuously maintained for the ~~part~~ **portion** occupied and if the occupied portion is separated from the part under construction by a wall that has a 1-hour-fire-resistance rating. The temporary 1-hour-rated wall that is used for separation may be constructed of combustible material. Instead of having all means of egress and fire protection features in place, the school, college, university, or designated representative may take other measures that would provide equivalent safety if approved by the ~~office~~ **bureau** of fire safety services.

~~1-7.1.~~ The school, college, university, or designated representative shall conduct fire exit drills in compliance with the act. ~~The school, college, university or designated representative shall ensure that drills are designed in cooperation with the local fire authorities.~~

4.7.4. Drills shall be held at various times under varying conditions to simulate the unusual conditions that can occur in an actual emergency.

4.8.2.2. Upon request from the bureau of fire services, the school, college, university, or designated representative shall submit the required emergency plans for review.

6.2.1.2. Hazard of contents shall be classified by the registered design professional (RDP) or owner and upon request shall be submitted to the authority having jurisdiction for review and approval on the basis of character of the contents and the processes of operations conducted in the building or structure.

~~6-4.3.~~ The school, college, university, or designated representative shall store and handle flammable and combustible liquids in compliance with rules promulgated under the act.

~~7-1.1.~~ The school, college, university, or designated representative shall ensure that equipment which utilizes gas and related gas piping is installed in compliance with the provisions of national fire protection association pamphlet no. 54, 1996 edition, entitled "National Fuel Gas Code," or rules promulgated under the act, as applicable.

~~Exception: Existing installations may be continued in service subject to approval by the authority having jurisdiction.~~

~~7-1.2.~~ Deleted.

7.2.1.12. Where permanently mounted folding or movable partitions divide a room into smaller spaces, a swinging door leaf or open doorway shall be provided as an exit access from each space.

7.2.1.12.1. Deleted.

7.2.1.12.2. Deleted.

7.3.3.2. Deleted.

~~7-4.2. The school, college, university or designated representative shall ensure that new elevators, escalators, dumbwaiters, and moving walks are installed in compliance with R 408.8101 et seq. of the Michigan Administrative Code.~~

~~7-4.3. The school, college, university, or designated representative shall ensure that existing elevators, escalators, dumbwaiters, and moving walks are in compliance with R 408.8101 et seq. of the Michigan Administrative Code.~~

~~7-4.4. Deleted.~~

~~7-4.5. Deleted.~~

~~7-4.7. Deleted.~~

~~7-4.8. Deleted.~~

~~7-6.3.2. The school, college, university, or designated representative shall ensure that notification is provided by audible and visible signals that are in compliance with sections 7-6.3.3 through 7-6.3.10 of the code.~~

~~–Exception no. 1: Where permitted by sections 8 through 32 of the code, a presignal system is permitted when the initial fire alarm signal is automatically transmitted without delay to a municipal fire department or a fire brigade and to an on-site staff person who is trained to respond to a fire emergency.~~

~~–Exception no. 2: Where permitted by sections 8 through 32 of the code, a positive alarm sequence is permitted if it is in compliance with the provisions of the national fire protection association pamphlet no. 72, 1996 edition, entitled "National Fire Alarm Code," which is adopted by reference in these rules.~~

~~7-6.4. (1) Where required by another section of the code, emergency forces notification shall be provided to alert the municipal fire department and fire brigade, if provided, of fire or other emergency.~~

~~(2) Where fire department notification is required by another section of the code, the school, college, university, or designated representative shall ensure that the fire alarm system is arranged to transmit the alarm automatically by any of the following means acceptable to the authority~~

~~having jurisdiction and in accordance with national fire protection association pamphlet no. 72, 1996 edition, entitled "National Fire Alarm Code," which is adopted by reference in these rules:~~

~~(a) An auxiliary alarm system.~~

~~(b) A central station connection.~~

~~(c) A proprietary system.~~

~~(d) A remote station connection.~~

~~(3) A facility is in compliance if it has written policy and procedure that is approved by the authority having jurisdiction. The policy and procedure shall provide for all of the following:~~

~~(a) The designation of a staff member on each shift to be responsible for notifying a local fire department.~~

~~(b) The availability at all times of a nonpay telephone for employees who are designated under subdivision (a) of this subrule to notify a local fire department.~~

~~(c) That the telephone number of the local fire department is conspicuously posted near the telephone.~~

~~(d) A requirement that notification of the fire department is incorporated into all fire drills.~~

~~7-6.5.3.— Deleted.~~

~~8-1.2.5.2. Deleted.~~

8.3.5. The provisions of section 8.3.5 shall govern the materials and methods of construction used to protect through-penetration and membrane penetrations in fire walls, fire barrier walls, and fire resistance-rated horizontal assemblies. The provisions of section 8.3.5 shall not apply to existing material and methods of construction used to protect existing through-penetrations and existing membrane penetrations in fire walls, fire barrier walls, or fire resistance-rated horizontal assemblies, unless otherwise required by chapters 11 to 43.

8.3.5.5.1. Where piping penetrates a fire resistance-rated wall or floor assembly, combustible piping shall not connect to noncombustible piping within 35 inches (915 millimeters) of the firestop system or device with the demonstration that the transition will not reduce the fire resistance rating, except in the case of existing installations.

8.3.6.1. The provisions of section 8.3.6 shall govern the materials and methods of construction used to protect joints in between and at the perimeter of fire barriers or, where fire barriers meet other fire barriers, the floor or roof deck above, or the outside walls. The provisions of section 8.3.6 shall not apply to existing materials and methods of construction used to protect existing joints in fire barriers, unless otherwise required by chapters 11 to 43.

8.4.2. The following shall apply to smoke partitions:

(1) They shall extend from the floor to the underside of the floor or roof deck above, through any concealed spaces, such as those above suspended ceilings, and through interstitial structural and mechanical spaces.

(2) They shall be permitted to extend from the floor to the underside of a monolithic or suspended ceiling where the following conditions are met:

(a) The ceiling system forms a continuous membrane.

(b) A smoke-tight joint is provided between the top of the smoke partition and the bottom of the suspended ceiling.

(c) Where the space above the ceiling is used as a plenum, air transfer openings in smoke partitions into the plenum shall be provided with approved smoke dampers designed and tested pursuant to the requirements of ANSI/UL 555S, standard for smoke dampers, to limit the transfer of smoke.

(3) Smoke partitions enclosing hazardous areas shall be permitted to terminate at the underside of a monolithic or suspended ceiling where the following conditions are met:

(a) The ceiling system forms a continuous membrane.

(b) A smoke-tight joint is provided between the top of the smoke partition and the bottom of the suspended ceiling.

(c) Where the space above the ceiling is used as a plenum, air transfer openings in smoke partitions into the plenum shall be provided with approved smoke dampers designed and tested pursuant to the requirements of ANSI/UL 555S, standard for smoke dampers, to limit the transfer of smoke.

8.4.5.1. The provisions of section 8.4.5 shall govern the materials and methods of construction used to protect joints in between and at the perimeter of smoke partitions or, where smoke partitions meet other smoke partitions, the floor or roof deck above or, the

outside walls. The provisions of section 8.4.5 shall not apply to existing materials and methods of construction used to protect existing joints in smoke partitions, unless otherwise required by chapters 11 to 43.

8.5.7.1. The provisions of section 8.5.7 shall govern the materials and methods of construction used to protect joints in between and at the perimeter of smoke barriers, or where barriers meet other smoke barriers, the floor or roof deck above, or the outside walls.

8.6.10.2.1. Unless otherwise provided in section 8.6.10.2.1.1, the aggregate area of a mezzanine located within a room, other than those located in a special-purpose industrial occupancies, shall not exceed one-third the open area of the room in which the mezzanines are located. Enclosed spaces shall not be included in a determination of the size of the room in which the mezzanine is located.

8.6.10.2.1.1. The aggregate area of mezzanines in buildings and structures of type I or type II construction shall not exceed one-half of the floor area of the room in buildings and structures equipped throughout with an approved automatic sprinkler system pursuant to section 9.7 and an approved emergency voice or emergency alarm communication system pursuant to NFPA 72.

8.7.3.1. The school, college, university, or designated representative shall store and handle flammable and combustible liquids in compliance with the storage and handling of flammable and combustible liquids, R 29.5101 to R 29.5516.

9.1.1. The school, college, university, or designated representative shall ensure the equipment which utilizes gas and related gas piping is installed in compliance with the provisions of NFPA 54, national fuel gas code, NFPA 58, liquefied petroleum gas code, or rules promulgated under the act, as applicable.

9.1.2. Deleted.

~~9.1.2.5.2.~~ Deleted.

9.4.2.1. The school, college, university, or designated representative shall ensure that new elevators, escalators, dumbwaiters, and moving walks are installed pursuant to the elevator rules, R 408.7001 to R 408.8695.

9.4.2.2. The school, college, university, or designated representative shall ensure that existing elevators, escalators, dumbwaiters, and moving walks are in compliance with the elevator rules, R 408.7001 to R 408.8695.

9.4.3.1. Deleted.

9.4.3.2. Deleted.

9.6.3.5.5. Visible signals shall not be required in any of the following areas:

- (1) Exit stair enclosures.
- (2) Offices less than 200 square feet.
- (3) Closets and coat rooms.
- (4) Electrical closets.
- (5) Mechanical pipe chases.
- (6) Crawl spaces.
- (7) Small bathrooms in classrooms.
- (8) Janitor closets.
- (9) Storage rooms less than 200 square feet.
- (10) Unoccupied spaces.

12.2.2.2.5. Deleted.

12.2.10.3. Deleted.

12.2.11.2. Deleted.

12.3.2.1.2. Rooms or spaces for the storage, processing, or use of materials specified in section 12.3.2.1.2(1) to (3) shall be protected pursuant to the following:

(1) Separation from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating or protection of such rooms by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Boiler and furnace rooms, unless otherwise permitted by either of the following:

(i) The requirement of section 12.3.2.1.2(1)(a) shall not apply to rooms enclosing furnaces, heating and air-handling equipment, or compressor equipment with a total aggregate input rating less than 200,000 BTU (211MJ), provided that such rooms are not used for storage.

(ii) The requirement of section 12.3.2.1.2(1)(a) shall not apply to attic locations of the rooms addressed in section 12.3.2.1.2(1)(a)(i), provided that such rooms comply with the draftstopping requirements of section 8.6.10.

(b) Rooms or spaces larger than 100 square feet (4.6 square meters) and used for the storage of combustible supplies.

(c) Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.

(2) Separation from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating and protection of such rooms by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Laundries.

(b) Maintenance shops, including woodworking and painting areas.

(c) Rooms or spaces used for the processing or use of combustible supplies deemed hazardous by the authority having jurisdiction.

(d) Rooms or spaces used for processing or use of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.

(3) Where automatic extinguishing is used to meet the requirements of section 12.3.2.1.2(1) or (2), the protection shall be permitted pursuant to section 9.7.1.2.

12.7.1.3. Deleted.

12.7.6.1. In assembly use areas having occupant loads greater than 1,000, there shall be crowd managers or crowd manager supervisors at a ratio of 1 crowd manager/supervisor for every 250 occupants unless otherwise permitted by any of the following:

(1) This requirement shall not apply to assembly use areas being utilized for instructional classroom space.

(2) This requirement shall not apply to assembly occupancies used exclusively for religious worship with occupant load not more than 2,000.

(3) The ratio of trained crowd managers to occupants shall be permitted to be reduced where, in the opinion of the authority having jurisdiction, the existence of an approved, supervised automatic sprinkler system and the nature of the event warrant.

12.7.6.2. Deleted.

12.7.7.2. Deleted.

12.7.9.3.1. Deleted.

12.7.9.3.2. Deleted.

12.7.9.3.3. Deleted.

13.2.2.2.5. Deleted.

13.2.10.3. Deleted.

13.2.11.2. Deleted.

13.3.2.1.2. Rooms or spaces for the storage, processing, or use of materials specified in section 13.3.2.1.2(1) to (3) shall be protected pursuant to the following:

(1) Separation from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating or protection of such rooms by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Boiler and furnace rooms, unless otherwise permitted by either of the following:

(i) The requirement of section 13.3.2.1.2(1)(a) shall not apply to rooms enclosing furnaces, heating and air handling equipment, or compressor equipment with a total aggregate input rating less than 200,000 Btu (211 MJ), provided that such rooms are not used for storage.

(ii) The requirement of section 13.3.2.1.2(1)(a) shall not apply to attic locations of the rooms addressed in section 13.3.2.1.2(1)(a)(i), provided that such rooms comply with the draftstopping requirements of section 8.6.10.

(b) Rooms or spaces larger than 100 square feet (4.6 square meters) and used for the storage of combustible supplies.

(c) Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.

(2) Separation from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating and protection of such rooms by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Laundries.

(b) Maintenance shops, including woodworking and painting areas.

(c) Rooms or spaces used for processing or use of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.

(3) Where automatic extinguishing is used to meet the requirements of section 13.3.2.1.2(1) or (2), the protection shall be permitted pursuant to section 9.7.1.2.

13.7.1.3. Deleted.

13.7.6.1. In assembly occupancies having occupant loads greater than 1,000, there shall be crowd managers or crowd manager supervisors at a ratio of 1 crowd manager/supervisor for every 250 occupants unless otherwise permitted by either of the following:

(1) This requirement shall not apply to assembly occupancies used exclusively for religious worship with occupant load not more than 2,000.

(2) The ratio of trained crowd managers to occupants shall be permitted to be reduced where, in the opinion of the authority having jurisdiction, the existence of an approved, supervised automatic sprinkler system and the nature of the event warrant.

13.7.6.2. Deleted.

13.7.7.2. Deleted.

13.7.9.3.1. Deleted.

13.7.9.3.2. Deleted.

13.7.9.3.3. Deleted.

43.1.2.1. The portion or portions of a building undergoing repair, renovation, modification, or reconstruction shall comply with both of the following:

(1) Requirements of the applicable existing occupancy chapters.

(2) Requirements of the applicable section of this chapter.

43.1.4.5. Deleted.

~~R-29.1909 Fire reporting. Rescinded.~~

~~—Rule 9. After the occurrence of a fire that results in loss of life or property or in personal injury, the administrative authority of the facility shall immediately notify the local fire department of all details of the fire.~~

PART 2. SCHOOLS

R 29.1921 Life safety code; adoption by reference of standards for ~~existing~~ **new** schools.

Rule 21. The provisions of chapters 1 to 7, ~~9, 11, 12, 14,~~ and ~~33~~ **43** of the code that apply to ~~existing new~~ educational occupancies, ~~except for the amendments specified in these rules,~~ are adopted by reference in these rules. Copies of the adopted provisions are available for inspection and distribution through the State Fire Safety Board, Department of Consumer and Industry Services, Office of Fire Safety, 7150 Harris Drive, Lansing, Michigan 48913, or from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269, telephone number 1 800 344 3555. The cost of the adopted provisions as of the time of adoption of these rules is \$44.50. **in R 29.1902 except as amended by these rules.**

R 29.1922 Amendments.

Rule 22. Sections ~~11-1.2.1, 11-1.4.2, 11-1.6, 11-2.1.2, 11-2.11.1, 11-3.4.1, 11-3.6, 11-3.7.1,~~ and ~~11-7.1.1~~ **14.1.2.2, 14.1.6, 14.2.6.2, 14.2.6.3, 14.2.11.1.1, 14.2.11.2, 14.3.2.1, 14.3.4.1.2, 14.3.4.2.1, and 14.7.2.1** of the code are amended, sections ~~11-7.1.2, 11-7.1.2.1, 11-7.1.2.2, and 11-7.4~~ of the code are deleted, and sections ~~11-1.6.1, 11-1.6.1.1, 11-3.6.1, and 11-3.6.2~~ **14.1.2.1.1, 14.1.2.2.1, 14.2.11.1.3, 14.3.2.5.1, 14.3.4.4, 14.3.4.5, 14.7.4.2.1, and 14.7.4.4** are added to the code, and sections ~~14.2.2.2.3.1, 14.3.4.2.3, 14.3.4.2.3.1, 14.3.4.2.3.2, 14.7.2.2, 14.7.2.3, and 14.7.3.3~~ are deleted to read as follows:

~~11-1.2.1~~ **14.1.2.1.1.** If other types of occupancies occur in the same building that houses an educational occupancy, then either of the following provisions shall apply:

~~—(a) The school or designated representative shall ensure that the mixed uses are completely separated, both horizontally and vertically, by fire separation walls or floor-ceiling assemblies, or both. The walls and assemblies shall have a minimum 2-hour fire-resistance rating.~~ **Educational occupancies shall include child care operations established and operated by an intermediate school board, the board of a local school district, the board or governing body of a state-approved nonpublic school, or by a person or entity with whom a school contracts for services, if the child care center is located in a school that is approved by the state fire marshal.**

~~—(b) The school or designated representative shall apply the provisions of the code for the more restrictive of the separate occupancies to the entire facility in compliance with section 4-1.12 of the code.~~

~~11-1.4.2~~ **14.1.2.2.** Unless otherwise permitted by section 14.1.2.1.1 Educational educational occupancies shall not include any of the following:

- (a) A part or full-day preschool.
- (b) A ~~daycare~~ **day care** center.
- (c) A kindergarten-only building.
- (d) A building that houses a combination of preschool and kindergarten.
- (e) A building that houses a combination of ~~daycare~~ **day care** and kindergarten.

~~Exception: A building in which kindergarten classrooms are operated under the authority of a public school system.~~

14.1.2.2.1. A program specifically tailored for special needs children, special needs adults, or both, who range from 17 to 26 years of age, that is located in a community in a facility such as a shopping mall or business building, where the students will gain specific job experience and learn life studies, shall not be defined as a school.

14.1.6. For minimum construction requirements refer to the building code, R 408.30401 to R 408.30499.

~~11-1.6. A multistory school building constructed before August 1, 1989, shall have all structural members protected by a minimum 1-hour fire-rated assembly.~~

~~Exception no. 1: A totally sprinkle red building that is not more than 2 stories may have unprotected structural members.~~

~~Exception no. 2: An existing school building that was constructed and approved before May 15, 1973, shall have all fire protection features required at the time of construction maintained as a minimum level of protection.~~

~~11-1.6.1. A school building constructed on or after August 1, 1989, is limited to the following construction types, heights, and areas per floor:~~

Construction Type.....	Allowable Height/Area I (443).....	No limit.
I (332).....		No limit.
H (222).....	5 stories/34,200 square feet.	
H (111).....	3 stories/22,500 square feet.	
H (000).....	2 stories/14,400 square feet.	
HH (211).....	3 stories/19,800 square feet.	
HH (200).....	2 stories/14,400 square feet.	
IV (2HH).....	3 stories/21,600 square feet.	
V (111).....	1 story/15,300 square feet.	
V (000).....	1 story/7,200 square feet.	

~~Exception no. 1: If a school building is completely protected by an automatic fire suppression system, then floor areas may be increased by 200% for 1 and 2-story buildings and 100% for buildings that are more than 2 stories.~~

~~Exception no. 2: If a school building is completely protected by an automatic fire suppression system, then a building may be 1 story higher than allowed in the table specified in this section.~~

~~Exception no. 3: If each classroom has at least 1 door that leads directly to the exterior at grade, then floor areas may be increased by 200%.~~

~~11-1.6.1.1. For the purpose of section 11-1.6.1 of the code, a person shall count the number of stories starting with the primary level of exit discharge and ending with the highest occupiable level. For the purpose of this section, the primary level of exit discharge of a building is the floor that is level with or above finished grade of the exterior wall line for 50% or more of the building perimeter. A person shall not count the building level below the primary level as a story in determining the height of a building.~~

~~11-2.1.2. The school or designated representative shall ensure that rooms normally occupied by preschool, kindergarten, or first grade pupils are not located above or below the story of exit~~

~~discharge. The school or designated representative shall ensure that rooms normally occupied by second grade pupils are not located more than 1 story above the story of exit discharge. Exception: Rooms in school buildings constructed before August 1, 1989.~~

14.2.2.2.3.1. Deleted.

14.2.6.2. Travel distances to an exit shall not exceed 200 feet (61 meters) from any point in a building, unless otherwise permitted by section 14.2.6.3.

14.2.6.3. Travel distance shall not exceed 250 feet (76.2 meters) in educational occupancies protected throughout by an approved automatic sprinkler system pursuant to Section 9.7.

~~11 2.11.1~~ **14.2.11.1.1. The school or designated representative shall ensure every** Every room or space which is more than 250 square feet (23.2 square meters) and which is used for classroom or other educational purposes or is normally subject to student occupancy shall have at least **not less than** 1 outside window for emergency rescue or ventilation **that complies with the following unless otherwise permitted by section 14.2.11.1.2:-**

(1) ~~The window~~ **The windows** shall be openable from the inside without the use of tools, **only held closed by a single operation lock**, and shall provide a clear opening of not less than 20 inches (50.8 centimeters) in width, 24 inches (61 centimeters) in height, and 5.7 square feet (53 0.5 square meters) in area. **A screen on the window shall be readily removable without any special knowledge or tools.**

(2) ~~The clear opening shall permit a rectangular solid that has a minimum width and height which provide the required 5.7 square feet opening and a minimum depth of 20 inches to pass fully through the opening. The bottom of the opening shall be not more than 44 inches (112 centimeters) above the floor, and any latching device shall be capable of being operated from not more than 54 inches (1370 mm) above the finished floor.~~

(3) **The clear opening shall allow a rectangular solid, with a width and height that provides not less than the required 5.7 square feet (0.5 square meters) opening and a depth of not less than 20 inches (510 millimeters), to pass fully through the opening.**

(4) **The windows shall be accessible by the fire department and shall open into an area that has access to a public way. Windows opening onto an open court, as defined in the code, are acceptable.**

(5) ~~The school or designated representative shall ensure that~~ **The windows shall be designated as emergency windows** are identified by a permanent durable and legible sign which is securely fastened at a conspicuous location and which has **having** letters that are not less than 5/8 of an inch high and 1/8 of an inch wide. **The sign shall read “rescue window.”** ~~Windows that open onto an open court, as defined in the code, are acceptable.~~

~~Exception no. 1: In buildings protected throughout by an approved automatic sprinkler system in compliance with section 7-7 of the code.~~

~~Exception no. 2: If the room or space has a door leading directly to the outside of the building.~~

~~Exception no. 3: In rooms located more than 3 stories above grade, the openable clear height, width, and area of the window may be modified to the dimensions necessary for ventilation.~~

~~Exception no. 4: Awning or hopper type windows that are hinged or subdivided to provide a clear opening which is not less than 600 square inches (3900 square centimeters) in area and which does not have any dimension less than 22 inches (55.9 centimeters) may be continued in use. Screen walls or devices in front of required windows shall not interfere with normal rescue requirements.~~

~~Exception no. 5: If the room or space is in compliance with all of the following provisions:~~

~~–(a) Doors exist that allow travel between adjacent classrooms and, when used to travel from classroom to classroom, provide direct access to exits in both directions or direct access to an exit in 1 direction and to a separate smoke compartment that provides access to another exit in the other direction.~~

~~–(b) The corridor is separated from the classrooms by a wall that resists the passage of smoke, and all doors between the classrooms and the corridor are self-closing or automatic-closing in compliance with section 5-2.1.8 of the code.~~

~~–(c) The length of travel to exits specified in subdivisions (a) and (b) of this exception is not more than 150 feet (45 meters).~~

~~–(d) Each communicating door is marked in compliance with section 5-10 of the code.~~

~~–(e) A locking device is not allowed on the communicating doors.~~

~~–Exception no. 6: A school building constructed before August 1, 1989, that is in compliance with both of the following provisions:~~

~~–(a) The windowless section of the floor is not more than 25% of the total area of the story, excluding corridors.~~

~~–(b) All windowless rooms, spaces, and public assembly places have 50% of their required exits visible directly to the exterior of the building and within 20 feet from the door of the occupied room.~~

14.2.11.1.3. Windowless student occupied rooms in additions to existing buildings or renovated buildings shall be permitted where it is impractical to comply with section 14.2.11.1.1 where all of the following:

(1) A minimum of 50% of the required exits pass into a separate atmosphere created by a minimum 2-hour fire rated barrier with labeled 90-minute fire rated door assemblies in all openings. Glazing, other than permitted in the door by NFPA 80, shall be permitted only if the glazing has been tested for a 2-hour rating as well. The fire barrier shall completely separate the building from exterior wall to exterior wall.

(2) Each separate area shall have approved exiting pursuant to the code.

(3) A maximum of 25% of the total area of the student occupied rooms in the building shall be permitted to be windowless.

14.2.11.2. Lockups. Locking devices for designated “quiet rooms” shall meet all of the following criteria:

(1) The locking mechanism shall be a spring operated latch, which shall be manually depressed to keep it in the latched position. Upon manual release, the latch shall automatically return to the unlatched position.

(2) A viewing window shall be required for observation of the student.

(3) There shall be constant supervision by a teacher or responsible adult at all times a student is in the room.

14.3.2.1. Rooms or spaces for the storage, processing, or use of materials specified in section 14.3.2.1(1) to (4) shall be protected pursuant to the following:

(1) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistive rating or protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Boiler and furnace rooms, unless the rooms enclose only air-handling equipment.

(b) Rooms or spaces greater than 100 square feet used for storage of combustible supplies.

(c) Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.

(d) Janitor closets [see also 14.3.2.1(4)].

(2) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating and protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

- (a) Laundries.
- (b) Maintenance shops, including wood working and painting areas.
- (c) Rooms or spaces used for the processing or use of combustible supplies deemed hazardous by recognized standards.
- (d) Industrial arts and crafts rooms.

(3) Where automatic extinguishing is used to meet the requirements of section 14.3.2(1) or (2), the protection shall be permitted pursuant to section 9.7.1.2.

(4) Where janitor closets addressed in section 14.3.2.1(1)(d) are protected pursuant to the sprinkler option of section 14.3.2.1(1), the janitor closet doors shall be permitted to have ventilating louvers.

14.3.2.5.1. The school or designated representative shall ensure that any room that is used for instruction and has 3 or more gas outlets be provided with a master gas valve which shall be conveniently located outside the door of the room and be clearly marked so that the valve may be closed without having to enter the room. This section shall not apply to life skills rooms in which gas outlets supply stoves for cooking.

~~11-3.4.1.~~ The school or designated representative shall ensure that an educational occupancy is provided with a fire alarm system in compliance with section 7-6 of the code.

~~Exception:~~ A 1-room educational building that is located not less than 25 feet from another school building and not less than 10 feet from another 1-room educational building at any point.

14.3.4.1.2. The requirement of section 14.3.4.1.1 shall not apply to a building meeting all of the following criteria:

- (1) Has an area not exceeding 1,000 square feet.
- (2) Contains a single classroom.
- (3) Is located not less than 10 feet from another building.

14.3.4.2.1. Initiation of the required fire alarm system shall be by manual means pursuant to section 9.6.2.1(1). Manual fire alarm pull stations shall be provided pursuant to sections 9.6.2.2 to 9.6.2.5 of the code and at all exterior doors in the natural path of escape whether or not the path of escape is designated a required exit by these rules.

14.3.4.2.3. Deleted.

14.3.4.2.3.1. Deleted.

14.3.4.2.3.2. Deleted.

14.3.4.4. The school fire alarm system shall be provided with zone annunciation pursuant to the requirements of section 9.6.7 of the code.

14.3.4.5. In buildings provided with automatic extinguishing protective systems, all extinguishing system control valves shall be electronically supervised through the fire alarm system to cause an audible and visual supervisory signal at a location in the building where the signal will alert responsible personnel.

~~11-3.6.~~ Interior corridors:

~~11-3.6.1.~~ The school or designated representative shall ensure that every interior corridor is constructed of fire barriers that have not less than a 1-hour fire resistance rating in compliance with section 6-2.3 of the code.

~~Exception no. 1:~~ A corridor is not required if all spaces normally subject to student occupancy have at least 1 door opening directly to the outside or to an exterior exit access balcony or corridor in compliance with section 11-2.5.6 of the code.

~~–Exception no. 2: In a building protected throughout by an approved automatic sprinkler system with valve supervision installed in compliance with section 7-7 of the code, corridor walls are not required to be rated if the walls, in conjunction with openings in the walls, and ceilings at which the corridor walls terminate, resist the passage of smoke.~~

~~–Exception no. 3: Existing doors may be 1 3/4 inch (4.4 centimeters) thick solid bonded wood core doors or the equivalent.~~

~~–Exception no. 4: Lavatories need not be separated from corridors if the lavatories are separated from all other spaces by fire barriers that have a 1-hour fire-resistance rating in compliance with section 6-2.3 of the code.~~

~~–Exception no. 5: In a school building constructed before August 1, 1989, every interior corridor, including corridors in flexible plan buildings, shall be constructed to be reasonably smoke-tight.~~

~~–Exception no. 6: In a school building which was constructed before August 1, 1989, and which is protected throughout by an approved automatic sprinkler system installed in compliance with section 7-7 of the code, corridor walls are not required.~~

~~11-3.6.2. The school or designated representative shall ensure that clothing and personal effects are not stored in corridors and lobbies.~~

~~–Exception: Metal lockers with doors are permitted in corridors for storing clothing and personal effects if the required corridor width is maintained.~~

~~11-3.7.1. The school or designated representative shall ensure that a school building is subdivided into compartments by smoke barriers that are in compliance with section 6-3 of the code if either of the following provisions applies:~~

~~–(a) The maximum area of a compartment, including the aggregate area of all floors that have a common atmosphere, is more than 30,000 square feet (2,800 square meters).~~

~~–(b) The length or width of the building is more than 300 feet (91 meters).~~

~~–Exception no. 1: If all classrooms have exterior exit access in compliance with section 5-5.3 of the code.~~

~~–Exception no. 2: A building that is protected throughout by an approved automatic sprinkler system in compliance with section 7-7 of the code.~~

~~–Exception no. 3: A school building constructed before August 1, 1989.~~

~~11-7.1.1. The school or designated representative shall conduct fire exit drills regularly in compliance with the applicable provisions of the following paragraphs and with the provisions of the act.~~

14.7.2.1. Emergency egress drills shall be conducted pursuant to the act.

14.7.2.2. Deleted.

14.7.2.3. Deleted.

14.7.3.3. Deleted.

~~11-7.1.2. Deleted.~~

~~11-7.1.2.1. Deleted.~~

~~11-7.1.2.2. Deleted.~~

~~11-7.4. Deleted.~~

14.7.4.2.1. Items permitted to be located in required egress corridors, provided the required clear width of the corridor is not obstructed, are limited to include fixed benches or hardwood or non-combustible material, trophy cases which are not used for excessive amounts of combustible materials, drinking fountains, telephones, vending machines, and other fixtures or items as approved by the authority having jurisdiction.

14.7.4.4. Desks and other instructional equipment shall be prohibited in required egress corridors.

R 29.1923 Life safety code; adoption by reference of standards for ~~new~~ **existing** schools. Rule 23. The provisions of chapters 1 to 7, ~~8, 10, 11, 13, 15,~~ and ~~33~~ **43** of the code that apply to ~~new~~ **existing** educational occupancies, ~~except for the amendments specified in these rules,~~ are adopted by reference ~~in these rules.~~ ~~Copies of the adopted provisions are available for inspection and distribution through the State Fire Safety Board, Department of Consumer and Industry Services, Office of Fire Safety, 7150 Harris Drive, Lansing, Michigan 48913, or the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269, telephone number 1-800-344-3555. The cost of the adopted provisions as of the time of adoption of these rules is \$44.50 per copy.~~ **in R 29.1902, except as amended by these rules.**

R 29.1924 Amendments.

Rule 24. Sections ~~10-1.1.1, 10-1.2.1, 10-1.4.2, 10-1.6, 10-1.7.1, 10-2.2.2.4, 10-2.11.1, 10-3.3.1, 10-3.4.1, 10-3.4.2.1, 10-3.6, 15.1.2.2, 15.1.6, 15.2.6.2, 15.2.6.3, 15.2.11.1.1, 15.2.11.1.2, 15.2.11.2, 15.3.2.1, 15.3.4.1.2, 15.3.4.2.1, 15.3.6, 15.3.7.2,~~ and ~~10-7.1.1~~ **15.7.2.1** of the code are amended, sections ~~10-7.1.2, 10-7.1.2.1, 10-7.1.2.2, 15.1.2.1.1, 15.1.2.2.1, 15.2.11.1.3, 15.3.4.3.1.7, 15.7.4.2.1,~~ and ~~10-7.4~~ **15.7.4.4** are added of the code are deleted, and sections ~~10-1.6.1, 10-3.2.3.1, 10-3.4.4, 10-3.4.5, 10-3.6.1, 15.2.2.2.3.1, 15.3.4.2.3, 15.3.4.2.3.1, 15.3.4.2.3.2, 15.7.2.2, 15.7.2.3,~~ and ~~10-3.6.2~~ **15.7.3.3** are added to the code, **deleted**, to read as follows:

~~10-1.1.1. The requirements of this section apply to all of the following:~~

- ~~–(a) New buildings or portions of new buildings used as educational occupancies.~~
- ~~–(b) Additions made to, or used as, an educational occupancy.~~
- ~~–(c) Alterations, modernizations, or renovations of existing educational occupancies. If the renovation or alteration involves more than 50% of the total floor area of the facility, then the entire facility shall comply with requirements of these rules for new educational occupancies.~~
- ~~–(d) An existing building or a portion of an existing building upon change of occupancy to an educational occupancy.~~

15.1.2.1.1. Educational occupancies shall include child care operations established and operated by an intermediate school board, the board of a local school district, the board or governing body of a state-approved nonpublic school, or by a person or entity with whom a school contracts for services, if the child care center is located in a school that is approved by the state fire marshal.

~~10-1.2.1. If other types of occupancies occur in the same building that houses an educational occupancy, then either of the following provisions shall apply:~~

- ~~–(a) The school or designated representative shall ensure that the mixed occupancies are completely separated, both horizontally and vertically, by fire separation walls or floor ceiling assemblies, or both. The walls and assemblies shall have a minimum 2-hour fire-resistance rating.~~
- ~~–(b) The school or designated representative shall apply the provisions of the code for the more restrictive of the separate occupancies to the entire facility in compliance with section 4-1.12 of the code.~~

~~10-1.4.2.~~ **15.1.2.2. Unless otherwise permitted by section 15.1.4.1.1; Educational educational** occupancies shall not include any of the following:

- (a) A part or full-day preschool.
- (b) A ~~daycare~~ **day care** center.
- (c) A kindergarten-only building.
- (d) A building that houses a combination of preschool and kindergarten.
- (e) A building that houses a combination of ~~daycare~~ **day care** and kindergarten.

~~Exception: A building in which kindergarten classrooms are operated under the authority of a public school system.~~

15.1.2.2.1. A program specifically tailored for special needs children, special needs adults, or both, who range from 17 to 26 years of age, that is located in a community in a facility such as a shopping mall or business building, where the students will gain specific job experience and learn life studies, shall not be defined as a school.

~~10-1.6. A school building is limited to the following construction types, heights, and areas per floor:~~

Construction Type.....	Allowable Height/Area I (443).....	No limit.
I (332).....	No limit.	
H (222).....	5 stories/34,200 square feet.	
H (111).....	3 stories/22,500 square feet.	
H (000).....	2 stories/14,400 square feet.	
HH (211).....	3 stories/19,800 square feet.	
HH (200).....	2 stories/14,400 square feet.	
IV (2HH).....	3 stories/21,600 square feet.	
V (111).....	1 story/15,300 square feet.	
V (000).....	1 story/7,200 square feet.	

~~Exception no. 1: If a school building is completely protected by an automatic fire suppression system, then tabular floor areas may be increased by 200% for 1 and 2-story buildings and 100% for a building that is more than 2 stories.~~

~~Exception no. 2: If a school building is completely protected by an automatic fire suppression system, then a building may be 1 story higher than allowed in the table specified in this section.~~

~~Exception no. 3: If every student-occupied room has at least 1 door that leads directly to the exterior at grade, then tabular floor areas may be increased by 200%.~~

~~Exception no. 4: If a building or structure has more than 25% of the building perimeter fronting on a street or other unoccupied space, then tabular floor areas may be increased 2% for each 1% of the excess frontage. The unoccupied space shall be on the same lot or the unoccupied space shall be on ground dedicated for public use; shall not be less than 30 feet in width; and shall be accessible from a street by a posted fire lane that is not less than 18 feet in width.~~

~~10-1.6.1. For the purpose of section 10-1.6 of the code, a person shall count the number of stories starting with the primary level of exit discharge and ending with the highest occupiable level. For the purpose of this section, the primary level of exit discharge of a building is the floor that is level with or above finished grade of the exterior wall line for 50% or more of the building perimeter. A person shall not count a building level below the primary level as a story in determining the height of a building.~~

~~10-1.7.1. The school or designated representative shall determine the occupant load, specified in number of persons for whom means of egress and other requirements are to be provided, on the basis of the following occupant load factors or the maximum probable population of any room or section under consideration, whichever is greater:~~

~~–(a) Classrooms: 1 person for every 20 net square feet (1.9 net square meters).~~

~~–(b) Shops, laboratories, and similar vocational rooms: 1 person for every 50 net square feet (4.6 net square meters).~~

~~–(c) Locker rooms: 1 person per 7 square feet of net area, or 1 person for every 15 square feet of gross area, including all adjacent spaces such as showers, toilets, and drying rooms.~~

~~10-2.2.2.4. The school or designated representative shall ensure that any exit door that is designed to normally be kept closed is in compliance with section 5-2.1.8 of the code. The school or designated representative shall ensure that the automatic sprinkler system, the fire alarm system, and the systems required by section 5-2.1.8(c) of the code, if provided, are arranged to initiate the closing action of all exit doors specified in this section, by zone or throughout the entire facility.~~

~~–Exception: A door in a boiler or heat plant room shall not be held open.~~

15.1.6. For minimum construction requirements, refer to the rehabilitation code, R 408.30551 to R 408.30577.

15.2.2.2.3.1. Deleted.

15.2.6.2. Travel distances to an exit shall not exceed 200 feet (61 meters) from any point in the building unless otherwise permitted by section 15.2.6.3 or 15.2.6.4 (see also section 7.6).

15.2.6.3. Travel distance shall not exceed 250 feet (76.2 meters) in educational occupancies protected throughout with an approved automatic sprinkler system pursuant to section 9.7.

~~10-2.11.1. 15.2.11.1.1. The school or designated representative shall ensure Every every room or space which that is more than 250 square feet (23.2 square meters) and which is used for classroom or other educational purposes or is normally subject to student occupancy shall have at least 1~~ **not less than 1** outside window for emergency rescue or ventilation **that complies with the following unless otherwise permitted by section 15.2.11.1.2:-**

~~(1) The school or designated representative~~ **The windows shall ensure that the window is be openable from the inside without the use of tools, only held closed by a single operation lock, and provides a clear opening of not less than 20 inches (50.8 centimeters) in width, 24 inches (61 centimeters) in height, and 5.7 square feet (53 0.5 square meters) in area. A screen on the window shall be readily removable without any special knowledge or tools.**

~~(2) The school or designated representative shall ensure that the~~ **The bottom of the opening is shall be not more than 44 inches (112 centimeters) above the floor and that any latching device is shall be capable of being operated from not more than 54 inches (137 centimeters) above the finished floor.**

~~(3) The school or designated representative shall ensure that the~~ **The clear opening permits shall allow a rectangular solid that has a minimum with a width and height which provide that provides not less than the required 5.7 square foot opening and a minimum depth of 20 inches to pass fully through the opening.**

~~(4) The school or designated representative shall ensure that the~~ **The windows are shall be accessible by the fire department and shall open into an area that has access to a public way. Windows opening onto an open court, as defined in the code, are acceptable.**

~~(5) The school or designated representative~~ **The windows shall ensure that windows designated as emergency windows are be identified by a permanent, durable, and legible sign which is**

~~securely fastened at a conspicuous location and which has~~ **having** letters that are not less than 5/8 of an inch high and 1/8 of an inch wide.

15.2.11.1.2. The requirements of section 15.2.11.1.1 shall not apply to any of the following:

~~(1) Exception no. 1: In a building~~ **Buildings** protected throughout by an approved automatic sprinkler system in compliance with section ~~7-7 of the code~~ **9.7**.

~~(2) Exception no. 2: If~~ **Where** the room or space has a door leading directly to the outside of the building.

~~(3) Exception no. 3: In a room~~ **Rooms** located **4 or more than 3** stories above ~~grade the finished ground level,~~ the openable clear height, width, and area of the window may be modified to the dimensions necessary for ventilation.

(4) Where awning type or hopper-type windows that are hinged or subdivided to provide a clear opening of not less than 4 square feet (0.38 square meters) or any dimension of not less than 22 inches (560 millimeters) meet the following criteria:

(a) The windows shall be permitted to continue in use.

(b) Screen walls or devices located in front of required windows shall not interfere with rescue requirements.

(5) Where a room or space complies with the following:

(a) Doors shall exist that allow travel between adjacent classrooms.

(b) Doors used to travel from classroom to classroom shall provide either of the following:

(i) Direct access to exits in both directions.

(ii) Direct access to an exit in 1 direction and to a separate smoke compartment that provides access to another exit in the other direction.

(c) The corridor shall be separated from the classrooms by a wall that restricts the passage of smoke, and all doors between the classrooms and corridor shall be self-closing or automatic-closing pursuant to section 7.2.1.8.

(d) The length of travel to exits along such paths shall not exceed 150 feet (46 meters).

(e) Each communicating door shall be marked in accordance with section 7.10.

(f) No locking device shall be permitted on the communicating doors.

~~(6) Exception no. 4: If a window retrofit project is undertaken, in an existing school building,~~ then compliance with the window clear opening dimensions is not required. Unless the existing sill construction is being modified, the existing sill height can be maintained. All other requirements of this section **15.2.11.1.1,** however, shall apply.

(7) A school building constructed before August 1, 1989, that is in compliance with both of the following provisions:

(a) The windowless section of the story is not more than 25% of the total area of the story, excluding corridors.

(b) All windowless rooms, spaces, and public assembly places have 50% of their required exits visible directly to the exterior of the building and within 20 feet from the door of the occupied room.

15.2.11.1.3. Windowless student occupied rooms in additions to existing buildings or renovated buildings shall be permitted where it is impractical to comply with section 15.2.11.1.1 where all of the following:

(1) A minimum of 50% of the required exits pass into a separate atmosphere created by a minimum 2-hour fire rated barrier with labeled 90-minute fire rated door assemblies in all openings. Glazing, other than permitted in the door by NFPA 80, shall be permitted only if the glazing has been tested for a 2-hour rating as well. Such construction shall completely separate the building from exterior wall to exterior wall.

(2) Each separate area shall have approved exiting pursuant to the code.

(3) A maximum of 25% of the total area of the student occupied rooms in the building shall be permitted to be windowless.

15.2.11.2. Lockups. Locking devices for designated “quiet rooms” shall meet all of the following criteria:

(1) The locking mechanism shall be a spring operated latch, which is manually depressed to keep it in the latched position. Upon manual release, the latch shall automatically return to the unlatched position.

(2) A viewing window shall be required for observation of the student.

(3) There shall be constant supervision by a teacher or responsible adult at all times a student is in the room.

15.3.2.1. Rooms or spaces for the storage, processing, or use of materials specified in section 15.3.2.1(1) to (4) shall be protected pursuant to the following:

(1) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistive rating or protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Boiler and furnace rooms, unless such rooms enclose only air-handling equipment.

(b) Rooms or spaces greater than 100 square feet used for storage of combustible supplies.

(c) Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.

(d) Janitor closets [see also 15.3.2.1(4)].

(2) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating and protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

(a) Laundries.

(b) Maintenance shops, including wood working and painting areas.

(c) Rooms or spaces used for the processing or use of combustible supplies deemed hazardous by recognized standards.

(d) Industrial arts and crafts rooms.

(3) Where automatic extinguishing is used to meet the requirements of section 15.3.2(1) or (2), the protection shall be permitted pursuant to section 9.7.1.2.

(4) Where janitor closets addressed in section 15.3.2.1(1)(d) are protected pursuant to the sprinkler option of section 15.3.2.1(1), the janitor closet doors shall be permitted to have ventilating louvers.

15.3.4.1.2. The requirements of section 15.3.4.1.1 shall not apply to buildings meeting all of the following criteria:

(1) Buildings having an area not exceeding 1,000 square feet.

(2) Buildings containing a single classroom.

(3) Building located not less than 10 feet from another building.

~~10-3.2.3.1. The school or designated representative shall ensure that any room which is used for instruction and which has 3 or more gas outlets is provided with a master gas valve which is conveniently located outside the door of the room and which is clearly marked so that the valve may be closed without having to enter the room. This requirement does not apply to home economics rooms in which the gas outlets supply stoves for cooking.~~

~~10-3.3.1. The school or designated representative shall ensure that interior finish, in compliance with section 6-5 of the code, is as follows:~~

~~(a) Exits—class A.~~

~~(b) Other than exits – class A, B, or C.~~

~~Exception: The exposed portions of structural members that are in compliance with the requirements for type IV (2HH) construction need not be in compliance with the interior finish requirements specified in this section.~~

~~10-3.4.1. The school or designated representative shall ensure that educational occupancies are provided with a fire alarm system in compliance with section 7-6 of the code.~~

~~Exception: A 1-room educational building that is located not less than 25 feet from another school building and not less than 10 feet from another 1-room educational building at any point.~~

~~10-3.4.2.1. 15.3.4.2.1. The school or designated representative shall ensure that initiation of the required fire alarm system is shall be by manual means in compliance with section 7-6.2.1(a) 9.6.2.1(1) of the code. The school or designated representative shall ensure that manual Manual fire alarm pull stations are shall be provided in compliance with pursuant to sections 7-6.2.3 9.6.2.2 to through 7-6.2.6 9.6.2.5 of the code and at all other exterior doors in the natural path of escape whether or not the path of escape is designated a required exit by these rules.~~

~~Exception: In buildings where all normally occupied spaces are provided with a 2-way communication system between the spaces and a constantly attended receiving station from which a general evacuation alarm can be sounded, the manual pull stations are required only in locations specifically designated by the authority having jurisdiction.~~

~~15.3.4.2.3. Deleted.~~

~~15.3.4.2.3.1. Deleted.~~

~~15.3.4.2.3.2. Deleted.~~

~~15.3.4.3.1.7. A presignal system pursuant to section 9.6.3.3 shall be permitted.~~

~~10-3.4.4. The school or designated representative shall ensure that the fire alarm system provides alarm zone annunciation in compliance with the requirements of section 7-6.7 of the code.~~

~~10-3.4.5. In buildings provided with automatic sprinkler protection, the school or designated representative shall ensure that all sprinkler control valves are electrically supervised through the fire alarm system to cause an audible and visual supervisory alarm signal at a location in the building where the signal will alert responsible school personnel.~~

~~Exception: Control valves for isolated hazardous areas permitted to be connected directly to a domestic water supply where chain locking of valves is permitted.~~

~~10-3.6. 15.3.6. The school or designated representative shall ensure that every interior corridor Corridors is shall be separated from all use areas other parts of the story by construction that has walls having a minimum 1-hour-fire-resistance rating rated construction in compliance pursuant to with section 6-2.3 of the code. 8.3 unless otherwise permitted by the following:~~

~~(1) Exception no. 1: Corridor protection is shall not be required if where all spaces normally subject to student occupancy have at least 1-1 door opening directly to the outside or to an exterior exit access balcony or corridor pursuant to in compliance with section 40-2.5.6 of the code 7.5.3.~~

~~(2) Exception no. 2: In buildings that are The following shall apply to buildings protected throughout by an approved supervised automatic sprinkler system with valve supervision installed in compliance pursuant to with section 7-7 of the code, 9.7:~~

~~(a) corridor Corridor walls are shall not be required to be rated if the provided that the walls, in conjunction with openings in the walls and ceilings at which the walls terminate, resist the~~

~~passage of smoke. All doors in the walls shall be 1 3/4 inch solid core wood or equivalent and shall be equipped with positive latching hardware. Door closers are not required form smoke partitions pursuant to section 8.4.~~

(b) The provisions of section 8.4.3.5 shall not apply to normally occupied classrooms.

~~(3) Exception no. 3: If Where the corridor ceiling is an assembly that has having a 1-hour-fire-resistance rating when where tested as a wall, then the corridor wall may shall terminate at the corridor ceiling.~~

~~(4) Exception no. 4: Lavatories need shall not be required to be separated from corridors, provided if the lavatories they are separated from all other spaces by fire barriers that have walls having not less than a 1-hour-fire- resistance rating in compliance with pursuant to section 6-2.3 of the code 8.3.~~

(5) Lavatories shall not be required to be separated from corridors, provided that the building is protected throughout by an approved, supervised automatic sprinkler system pursuant to section 9.7.

(6) In school buildings constructed before August 1, 1989, every interior corridor, including corridors in flexible plan buildings, shall be constructed to be reasonably smoke-tight.

(7) In a school building constructed before August 1, 1989, and which is protected throughout by an approved automatic sprinkler system installed pursuant to section 9.7 of the code, corridor walls are not required.

15.3.7.2. The requirements of section 15.3.7.1 shall not apply to any of the following:

(1) Where all classrooms have exterior exit access pursuant to section 7.5.3.

(2) Buildings protected throughout by an approved automatic sprinkler system pursuant to section 9.7.

~~10-3.6.1. The school or designated representative shall ensure that all glazing in walls or doors of required fire-rated exit corridors is a minimum of 1/4 inch wired glass in steel frames and does not have a dimension that is more than 54 inches. The school or designated representative shall ensure that the maximum size of each panel is in compliance with national fire protection association pamphlet no. 80, 1995 edition, entitled "Standard for Fire Doors and Windows," which is adopted by reference in these rules.~~

~~Exception no. 1: There shall be no restriction in area and fire resistance of glass and frames in a building protected throughout by an approved automatic sprinkler system.~~

~~Exception no. 2: Alternative rated and listed glazing materials acceptable to the authority having jurisdiction are permitted.~~

~~10-3.6.2. The school or designated representative shall ensure that clothing and personal effects are not stored in corridors and lobbies.~~

~~Exception: Metal lockers with doors are permitted in corridors for storing clothing and personal effects if the required corridor width is maintained.~~

~~10-7.1.1. 15.7.2.1. The school or designated representative Emergency egress drills shall conduct fire exit drills regularly be conducted in accordance with pursuant to the act. applicable provisions of the following paragraphs and the provisions of the act.~~

15.7.2.2. Deleted.

15.7.2.3. Deleted.

15.7.3.3. Deleted.

~~10-7.1.2. Deleted.~~

~~10-7.1.2.1. Deleted.~~

~~10-7.1.2.2. Deleted.~~

~~10-7.4. Deleted.~~

15.7.4.2.1. Items permitted to be located in exit corridors, provided the required clear width of the corridor is not obstructed, shall be limited to include fixed benches or hardwood or non-combustible material, trophy cases which are not used for excessive amounts of combustible materials, drinking fountains, telephones, vending machines, and other fixtures or items as approved by the authority having jurisdiction.

15.7.4.4. Desks and other instructional equipment shall be prohibited in required egress corridors.

PART 3. COLLEGES AND UNIVERSITIES

R 29.1931 Life safety code; adoption by reference for ~~existing~~ **new** colleges and universities.

Rule 31. The provisions of chapters 1 to 7 12, ~~27 38~~, and ~~33 43~~ of the code that apply to ~~existing new~~ business occupancies, ~~except for the amendments specified in these rules,~~ are adopted by reference ~~in these rules.~~ Copies of the adopted provisions are available for inspection and distribution through ~~the State Fire Safety Board, Department of Consumer and Industry Services, Office of Fire Safety, 7150 Harris Drive, Lansing, Michigan 48913, or from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269, telephone number 1-800-344-3555.~~ The cost of the adopted provisions as of the time of adoption of these rules is ~~\$44.50.~~ **in R 29.1902, except as amended by these rules.**

R 29.1932 Amendments.

Rule 32. ~~Section 27-1.6.1 is added to the code, and sections 27-1.2.1, 27-1.6, 27-2.4.2, 27-2.5.3, Sections 38.1.6, 38.3.2.1, 38.3.4.2, and 27-3.3.2 38.7.2 of the code are amended, to read sections 38.1.1.1.1, 38.1.3.1.1.1, and 38.3.2.4 are added, as follows:~~

38.1.1.1.1. A change of use from a business occupancy to a college or university instructional facility shall be reviewed and inspected pursuant to section 43.7.2 for a change of occupancy.

38.1.3.1.1.1. If other business occupancies or uses occur in the same building that houses a college or university instructional facility, the provisions of section 6.1.14 for multiple occupancies shall apply. A college or university instructional facility that is separated from the remainder of a business occupancy by 2-hour fire resistance rated assemblies pursuant to section 6-1.14.4 shall be considered separate occupancies. Where the building is protected throughout by an approved automatic sprinkler system pursuant to section 9.7.1.1(1) and supervised pursuant to section 9.7.2, the fire resistance rated separations shall be permitted to be reduced to a 1-hour fire resistance-rated assemblies pursuant to section 6.1.14.4.3.

~~27-1.2.1. If other types of occupancies occur in the same building that houses an educational occupancy, then either of the following provisions shall apply:~~

~~-(a) The college, university, or designated representative shall ensure that the mixed occupancies are completely separated, both horizontally and vertically, by fire separation walls or floor-ceiling assemblies, or both. The wall and assemblies shall have a minimum 2-hour fire resistance rating.~~

~~–(b) The college, university, or designated representative shall apply the provisions of the code for the more restrictive of the separate occupancies to the entire facility in compliance with section 4-1.12 of the code.~~

~~–27-1.6. All multistory college or university buildings constructed before August 1, 1989, shall have all structural members protected by a minimum of a 1-hour fire-rated assembly.~~

~~–Exception no. 1: A totally sprinklered building that is not more than 2 stories may have unprotected structural members.~~

~~–Exception no. 2: An existing college or university building constructed and approved before May 15, 1973, shall have all fire protection features required at the time of construction maintained as a minimum level of protection.~~

~~–27-1.6.1. A college or university building constructed on or after August 1, 1989, is limited to the following construction types, heights, and areas per floor:~~

~~Construction Type — Allowable Height/Area I (443)..... No limit.~~

~~I (332)..... No limit.~~

~~II (222)..... 7 stories/34,200 square feet.~~

~~II (111)..... 5 stories/22,500 square feet.~~

~~II (000)..... 3 stories/14,400 square feet.~~

~~III (211)..... 4 stories/19,800 square feet.~~

~~III (200)..... 3 stories/14,400 square feet.~~

~~IV (2HH)..... 5 stories/21,600 square feet.~~

~~V (111)..... 3 stories/15,300 square feet.~~

~~V (000)..... 2 stories/7,200 square feet.~~

~~–Exception: If a college or university building is completely protected by an automatic fire suppression system, then floor areas may be increased by 200% for 1 and 2-story buildings and by 100% for a building that is more than 2 stories.~~

~~–27-2.4.2. The college, university, or designated representative shall ensure that not less than 2 separate exits are provided on every story and are accessible from every part of every story and mezzanine.~~

~~–Exception to accessibility: Exit access travel may be common for the distances allowed as common paths of travel by section 27-2.5.3 of the code.~~

~~–Exception no. 1: For a room or area which has a total occupant load of less than 100 persons, which has an exit that discharges directly to the outside at the level of exit discharge for the building, and which has a total travel distance, including travel within the exit, from any point of not more than 100 feet (30 meters), a single exit is permitted. Travel shall be on the same floor level. If the traversing of stairs is required, then the stairs shall be not more than 15 feet (4.5 meters) in height, shall be provided with complete enclosures to separate the stairs from any other part of the building, and shall not have door openings. A single outside stair that is in compliance with section 5-2.2 of the code may serve all floors allowed within the 15-foot (4.5 meters) vertical travel limitation.~~

~~–Exception no. 2: A business occupancy which is not more than 3 stories and which does not have an occupant load of more than 30 people per floor may have a single separate exit to each floor if the total travel distance to the outside of the building is not more than 100 feet (30 meters) and, if the exit is enclosed in compliance with section 5-1.3 of the code, the exit does not serve other levels and discharges directly to the outside. A single outside stair that is in compliance with section 5-2.2 of the code may serve all floors.~~

~~Exception no. 3: A single means of egress is permitted from a mezzanine within a business occupaney if the common path of travel is not more than 75 feet (23 meters) or is not more than 100 feet (30 meters) and if the means of egress is protected throughout by an approved automatic sprinkler system in compliance with section 7-7 of the code.~~

~~27-2.5.3. The college, university, or designated representative shall ensure that a common path of travel is not more than 75 feet (23 meters).~~

~~Exception: A common path of travel is permitted for the first 100 feet (30 meters) on a story protected throughout by an approved automatic sprinkler system in compliance with section 7-7 of the code.~~

~~27-3.3.2. The college, university, or designated representative shall ensure that interior wall and ceiling finish that is in compliance with section 6-5.5 of this code is class A or class B in exits and enclosed corridors furnishing access to exits and is class A, or class B, or class C in all other areas.~~

38.1.6. For minimum construction requirements, refer to the building code, R 408.30401 to R 408.30499.

38.3.2.1. Rooms or spaces for the storage, processing, or use of materials specified in section 38.3.2.1(1) to (3) shall be protected pursuant to the following:

(1) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistive rating or protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

- (a) Boiler and furnace rooms, unless such rooms enclose only air-handling equipment.**
- (b) Rooms or spaces greater than 100 square feet used for storage of combustible supplies.**
- (c) Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.**

(2) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating and protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

- (a) Laundries.**
- (b) Maintenance shops, including wood working and painting areas.**
- (c) Rooms or spaces used for the processing or use of combustible supplies deemed hazardous by recognized standards.**
- (d) Industrial arts and crafts rooms.**

(3) Where automatic extinguishing is used to meet the requirements of section 38.3.2(1) or (2), the protection shall be permitted pursuant to section 9.7.1.2.

38.3.2.4. Laboratories that use chemicals shall comply with NFPA 45. The college, university, or designated representative shall ensure that laboratory units used for instructional purposes shall be separated from non-laboratory areas by 1-hour fire rated construction regardless of the presence of fire protection. Any room which has 3 or more gas outlets shall be provided with a master gas valve which is conveniently located outside the door of the room and is clearly marked so that the valve may be closed without having to enter the room.

38.3.4.2. Initiation of the required fire alarm system shall be by all of the following means where provided:

- (1) Manual means pursuant to section 9.6.2.1(1).**
- (2) Means of an approved automatic fire detection system that complies with section 9.6.2.1(2) and provides protection throughout the building.**

(3) Means of an approved automatic sprinkler system that complies with section 9.6.2.1(3) and provides protection throughout the building.
38.7.2. Fire drills shall be held pursuant to the act.

R 29.1933 Life safety code; adoption by reference of standards for ~~new~~ **existing** colleges and universities.

Rule 33. The provisions of chapters 1 to 7 ~~11, 26 13, 39 and 33~~ **43** of the code that apply to ~~new existing~~ business occupancies, ~~except for the amendments specified in these rules,~~ are adopted by reference ~~in these rules.~~ Copies of the adopted code are available for inspection and distribution at the office of the State Fire Safety Board, Office of Fire Safety, 7150 Harris Drive, Lansing, Michigan 48909 and from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269, telephone number 1-800-344-3555. The cost of the adopted provisions as of the time of adoption of these rules is \$44.50. **in R 29.1902, except as amended by these rules.**

R 29.1934 Amendments.

Rule 34. Sections ~~26-1.2.1, 26-1.6, 26-2.4, 26-2.5.3, 26-3.3.2,~~ **39.1.6, 39.3.2.1, 39.3.4.2,** and ~~26-3.6.1~~ **39.7.2** of the code are amended, section ~~26-1.2.2.2~~ of the code is deleted, and section ~~26-3.2.3.1~~ is added, to the code, to read as follows:

~~26-1.2.1. If other types of occupancies occur in the same building that houses an educational occupany, then either of the following provisions shall apply:~~

~~–(a) The college, university, or designated representative shall ensure that the mixed uses are completely separated, both horizontally and vertically, by fire separation walls or floor ceiling assemblies, or both. The walls and assemblies shall have a minimum 2-hour fire-resistance rating.~~

~~–(b) The college, university, or designated representative shall apply the provisions of the code for the more restrictive of the separate occupancies to the entire facility in compliance with section 4.1.12 of the code.~~

~~26-1.2.2.2. Deleted.~~

~~26-1.6. A college or university is limited to the following construction types, heights, and areas per floor:~~

Construction Type—Allowable Height/Area I(443).....No limit.

I(332).....No limit.

II(222).....7 stories/34,200 square feet.

II(111).....5 stories/22,500 square feet.

II(000).....3 stories/14,400 square feet.

III(211)..... 4 stories/19,800 square feet.

III(200)..... 3 stories/14,400 square feet.

IV(2HH).....5 stories/21,600 square feet.

V(111).....3 stories/15,300 square feet.

V(000).....2 stories/7,200 square feet.

~~Exception no. 1: If a college or university building is completely protected by an automatic fire suppression system, then floor areas may be increased by 200% for 1 and 2-story buildings and by 100% for a building that is more than 2 stories.~~

~~Exception no. 2: If a college or university building is completely protected by an automatic fire suppression system, then a building may be 1 story higher than allowed in the table specified in this section.~~

~~Exception no. 3: If every student-occupied room has at least 1 door that leads directly to the exterior at grade, then tabular floor areas may be increased by 200%.~~

~~Exception no. 4: If a building or structure has more than 25% of the building perimeter fronting on a street or other unoccupied space, then tabular floor areas may be increased 2% for each 1% of the excess frontage. The unoccupied space shall be on the same lot or the unoccupied space shall be on ground dedicated for public use; shall not be less than 30 feet in width; and shall be accessible from a street by a posted fire lane that is not less than 18 feet in width.~~

~~26-2.4. The college, university, or designated representative shall ensure that not less than 2 separate exits are provided on every story and are accessible from every part of every story and mezzanine.~~

~~Exception to accessibility: Exit access travel may be common for distances allowed as common paths of travel by section 26-2.5.3 of the code.~~

~~Exception no. 1: For a room or area which has a total occupant load of less than 100 persons, which has an exit that discharges directly to the outside at the level of exit discharge for the building, and which has a total travel distance, including travel within the exit, from any point of not more than 100 feet (30 meters), a single exit is permitted. Travel shall be on the same floor level. If the traversing of stairs is required, then the stairs shall be not more than 15 feet (4.5 meters) in height, shall be~~

~~provided with complete enclosures to separate the stairs from any other part of the building, and shall not have door openings. A single outside stair that is in compliance with section 5-2.2 of the code may serve all floors allowed within the 15-foot (4.5 meters) vertical travel limitation.~~

~~Exception no. 2: A business occupancy which is not more than 3 stories and which does not have an occupant load of more than 30 people per floor may have a single separate exit to each floor if the total travel distance to the outside of the building is not more than 100 feet (30 meters) and, if the exit is enclosed in compliance with section 5-1.3 of the code, the exit does not serve other levels and discharges directly to the outside. A single outside stair that is in compliance with section 5-2.2 of the code may serve all floors.~~

~~Exception no. 3: A single means of egress is permitted from a mezzanine within a business occupancy if the common path of travel is not more than 75 feet (23 meters) or is not more than 100 feet (30 meters) and if the means of egress is protected throughout by an approved automatic sprinkler system in compliance with section 7-7 of the code.~~

~~26-2.5.3. The college, university, or designated representative shall ensure that a common path of travel is not more than 75 feet (23 meters).~~

~~Exception: A common path of travel is permitted for the first 100 feet (30 meters) in a building protected throughout by an approved supervised automatic sprinkler system in compliance with section 7-7 of the code.~~

~~26-3.2.3.1. The college, university, or designated representative shall ensure that any room which is used for instruction and which has 3 or more gas outlets is provided with a master gas valve which is conveniently located outside the door of the room and which is clearly marked so that the valve may be closed without having to enter the room.~~

~~26-3.3.2. The college, university, or designated representative shall ensure that interior wall and ceiling finish in compliance with section 6-5.5 of the code is class A or class B in exits and enclosed corridors furnishing access to exits and is class A, or class B, or class C in all other areas.~~

~~26-3.6.1. If access to exits is provided by corridors, then the college, university, or designated representative shall ensure that the corridors are separated from use areas by fire barriers that have a fire resistance rating of at least 1 hour in compliance with section 6-2.3 of the code.~~

~~Exception no. 1: If exits are available from an open floor area.~~

~~Exception no. 2: In a building protected throughout by an approved, automatic sprinkler system installed in compliance with section 7-7 of the code, the college, university, or designated representative shall ensure that corridors are separated from all other use areas by reasonably smoke-tight construction.~~

~~Exception no. 3: Lavatories need not be separated from corridors if the lavatories are separated from all other spaces by fire barriers that have not less than a 1-hour fire resistance rating in compliance with section 6-2.3 of the code.~~

39.1.6. For minimum construction requirements, refer to the rehabilitation code, R 408.30551 to R 408.30577.

39.3.2.1. Rooms or spaces for the storage, processing, or use of materials specified in section 39.3.2.1(1) to (3) shall be protected pursuant to the following:

(1) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistive rating or protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

- (a) Boiler and furnace rooms, unless such rooms enclose only air-handling equipment.**
- (b) Rooms or spaces greater than 100 square feet used for storage of combustible supplies.**
- (c) Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards.**

(2) The rooms or spaces shall be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating and protected by automatic extinguishing systems as specified in section 8.7 in the following areas:

- (a) Laundries.**
- (b) Maintenance shops, including wood working and painting areas.**
- (c) Rooms or spaces used for the processing or use of combustible supplies deemed hazardous by recognized standards.**
- (d) Industrial arts and crafts rooms.**

(3) Where automatic extinguishing is used to meet the requirements of section 39.3.2(1) or (2), the protection shall be permitted pursuant to section 9.7.1.2.

39.3.4.2. Initiation of the required fire alarm system shall be by all of the following means where provided:

- (1) Manual means pursuant to section 9.6.2.1(1).**
- (2) Means of an approved automatic fire detection system that complies with section 9.6.2.1(2) and provides protection throughout the building.**
- (3) Means of an approved automatic sprinkler system that complies with section 9.6.2.1(3) and provides protection throughout the building.**

39.7.2. Fire drills shall be held pursuant to the act.

NOTICE OF PUBLIC HEARING

**NOTICE OF PUBLIC HEARING
NEW AND EXISTING SCHOOL, COLLEGE AND UNIVERSITY
FIRE SAFETY RULES
THURSDAY, NOVEMBER 5, 2015
RULE SET # 2011- 002 LR**

The Department of Licensing and Regulatory Affairs (LARA) will hold a public hearing on Thursday, November 5, 2015, starting at 2:00 PM at the Bureau of Fire Services (BFS), Conference Room B located at 3101 Technology Blvd., Suite H in Lansing, Michigan 48910.

The public hearing is being held to receive comments on proposed rules amendments to the New and Existing School, College and University Fire Safety Rules. The current rules, which took effect on August 18, 1999, implement the Fire Prevention Code (PA 207 of 1941). The proposed rules will apply to all new and existing school, college and university facilities used for instructional purposes as defined in the rules. The proposed rules will adopt, with amendments, the 2012 Life Safety Code published by the National Fire Protection Association. The current rules are based on the 1997 Life Safety Code.

These rules are being promulgated under the authority of the Fire Prevention Code, Public Act 207 of 1941, Section 29.3c(1)(a). The rules will take effect 30 days after filing with the Secretary of State.

Comments on the proposed rules may be presented in person at the public hearing. Written comments may be submitted at the time of presentation and will also be accepted until 5:00 PM on Thursday, November 5, 2015, at the following mailing address or e-mail address:

LARA/BFS
Attention: Brian Williams
P.O. Box 30700
Lansing, MI 48909-8170
williamsb@michigan.gov

A copy of the proposed rules may be obtained by contacting the Bureau at 517-241-8847 or at williamsb@michigan.gov. Electronic copies may be obtained on the Bureau's website at www.michigan.gov/bfs or at the following link:

[http://www.michigan.gov/documents/lara/2011-002_LR - RIS -
_New and Existing School College and University Fire Safety 499695 7.pdf?20150917161004](http://www.michigan.gov/documents/lara/2011-002_LR_-_RIS_-_New_and_Existing_School_College_and_University_Fire_Safety_499695_7.pdf?20150917161004)

All hearings are conducted in compliance with the 1990 Americans with Disabilities Act. Hearings are held in buildings that accommodate individuals with disabilities and where accessible parking is available. An individual who requires accommodations in order to participate in a hearing should call Hollie Metts (517) 241-8847 to make the necessary arrangements. To ensure availability of the accommodation, please call at least 1 week in advance of the public hearing.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Draft September 29, 2015

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, MCL 408.1019 and 408.1021 and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.41605 and R 408.41610 of the Administrative Code are amended, as follows:

PART 16. POWER TRANSMISSION AND DISTRIBUTION

R 408.41605 Adoption of OSHA rules.

Rule 1605. (1) The following provisions of the occupational safety and health administration, (OSHA) regulations, except as amended in these rules, are adopted by reference in these rules:

- (a) 29 C.F.R. §1926.950 “General.”
- (b) 29 C.F.R. §1926.951 “Medical services and first aid.”
- (c) 29 C.F.R. §1926.952 “Job briefing.”
- (d) 29 C.F.R. §1926.953 “Enclosed spaces.”
- (e) 29 C.F.R. §1926.954 “Personal protective equipment.”
- (f) 29 C.F.R. §1926.955 “Portable ladders and platforms.”
- (g) 29 C.F.R. §1926.956 “Hand and portable power equipment.”
- (h) 29 C.F.R. §1926.957 “Live-line tools.”
- (i) 29 C.F.R. §1926.958 “Materials handling and storage.”
- (j) 29 C.F.R. §1926.959 “Mechanical equipment.”
- (k) 29 C.F.R. §1926.960 “Working on or near exposed energized parts.”
- (l) 29 C.F.R. §1926.961 “Deenergizing lines and equipment for employee protection.”
- (m) 29 C.F.R. §1926.962 “Grounding for the protection of employees.”
- (n) 29 C.F.R. §1926.963 “Testing and test facilities.”
- (o) 29 C.F.R. §1926.964 “Overhead lines and live-line barehand work.”
- (p) 29 C.F.R. §1926.965 “Underground electrical installations.”
- (q) 29 C.F.R. §1926.966 “Substations.”
- (r) 29 C.F.R. §1926.967 “Special conditions.”

- (s) 29 C.F.R. §1926.968 “Definitions.”
 - (t) Appendix A to Subpart V of Part 1926 “Reserved.”
 - (u) Appendix B to Subpart V of Part 1926 “Working on Exposed Energized Parts.”
 - (v) Appendix C to Subpart V of Part 1926 “Protection from Hazardous Differences in Electric Potential.”
 - (w) Appendix D to Subpart V of Part 1926 “Methods of Inspecting and Testing Wood Poles.”
 - (x) Appendix E to Subpart V of Part 1926 “Protection from Flames and Electric Arcs.”
 - (y) Appendix F to Subpart V of Part 1926 “Work-Positioning Equipment Inspection Guidelines.”
 - (z) Appendix G to Subpart V of Part 1926 “Reference Documents.”
- (2) All of the following provisions apply with respect to the regulations adopted in subrule (1) of this rule and are referenced in R 408.41610:
- (a) A reference to 29 C.F.R. §1926.50 “Medical services and first aid,” means Construction Safety Standard (CS) Part 1 “General Rules.”
 - (b) A reference to 29 C.F.R. §1926.54. “Nonionizing radiation,” means Occupational Health Standard (OH) Part 681 “Radiation of Construction: Ionizing and Nonionizing.”
 - (c) A reference to 29 C.F.R. §1926.56 “Illumination,” means CS Part 1 “General Rules.”
 - (d) A reference to 29 C.F.R. §1926.59 “Hazard Communication,” means CS Part 42 “Hazard Communication.”
 - (e) A reference to 29 C.F.R. §1926.95 “Criteria for personal protective equipment,” means CS Part 6 “Personal Protective Equipment.”
 - (f) A reference to 29 C.F.R. §1926.100 “Head protection,” means CS Part 6 “Personal Protective Equipment.”
 - (g) A reference to 29 C.F.R. §1926.106 “Working over or near water,” means CS Part 6 “Personal Protective Equipment.”
 - (h) A reference to 29 C.F.R. §1926.200 “Accident prevention signs and tags,” means CS Part 22 “Signals, Signs, Tags, and Barricades.”
 - (i) A reference to 29 C.F.R. §1926.302 “Power-operated hand tools,” means CS Part 19 “Tools.”
 - (j) A reference to 29 C.F.R. §1926.453 “Aerial lifts,” means CS Part 32 “Aerial Work Platforms.”
 - (k) A reference to 29 C.F.R. §1926.502 “Fall protection systems criteria and practices,” means CS Part 45 “Fall Protection.”
 - (l) A reference to 29 C.F.R. §1926.1053 “Ladders,” means CS Part 11 “Fixed and Portable Ladders.”
 - (m) A reference to 29 C.F.R. §1926.1204 “Permit-required confined space program” through §1926.1211 “Rescue and emergency services,” means CS Part 35 “Confined Space in Construction.”**
 - (n) A reference to “subpart AA of this part,” means CS Part 35 “Confined Space in Construction.”**
 - (o) ~~(m)~~ A reference to 29 C.F.R. §1910.97 “Nonionizing radiation,” means OH Part 382 “Nonionizing Radiation.”
 - (p) ~~(n)~~ A reference to 29 C.F.R. §1910.135 “Head protection,” means General Industry Safety Standard (GI) Part 33 “Personal Protective Equipment.”
 - ~~(o) A reference to 29 C.F.R. §1910.146 “Permit-required confined spaces,” means GI Part 90 “Permit-Required Confined Spaces,” and OH Part 490 “Permit-Required Confined Spaces.”~~

(q) ~~(p)~~ A reference to 29 C.F.R. §1910.268 “Telecommunications,” means CS Part 30 “Telecommunications,” and GI Part 50 “Telecommunications.”

(r) ~~(q)~~ A reference to 29 C.F.R. §1910.269 “Electric Power Generation, Transmission, and Distribution,” means GI Part 86 “Electric Power Generation, Transmission, and Distribution.”

(s) ~~(r)~~ A reference to 29 C.F.R. §1910.1200 “Hazard Communication,” means GI Part 92 “Hazard Communication,” and OH Part 430 “Hazard Communication.”

(3) The provisions of the OSHA regulations adopted in these rules have the same force and effect as rules promulgated under Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094.

R 408.41610 Adopted and referenced standards.

Rule 1610. (1) The following federal occupational safety and health administration (OSHA) regulations, **amended July 10, 2014, filed April 1, 2014, except as noted**, are adopted by reference in these rules:

(a) 29 C.F.R. §1926.950 “General.”

(b) 29 C.F.R. §1926.951 “Medical services and first aid.”

(c) 29 C.F.R. §1926.952 “Job briefing.”

(d) 29 C.F.R. §1926.953 “Enclosed ~~spaces.~~ **spaces,**” **amended May 4, 2015.**

(e) 29 C.F.R. §1926.954 “Personal protective equipment.”

(f) 29 C.F.R. §1926.955 “Portable ladders and platforms.”

(g) 29 C.F.R. §1926.956 “Hand and portable power equipment.”

(h) 29 C.F.R. §1926.957 “Live-line tools.”

(i) 29 C.F.R. §1926.958 “Materials handling and storage.”

(j) 29 C.F.R. §1926.959 “Mechanical equipment.”

(k) 29 C.F.R. §1926.960 “Working on or near exposed energized ~~parts.~~ **parts,**” **amended September 24, 2014.**

(l) 29 C.F.R. §1926.961 “Deenergizing lines and equipment for employee protection.”

(m) 29 C.F.R. §1926.962 “Grounding for the protection of employees.”

(n) 29 C.F.R. §1926.963 “Testing and test facilities.”

(o) 29 C.F.R. §1926.964 “Overhead lines and live-line barehand work.”

(p) 29 C.F.R. §1926.965 “Underground electrical installations.”

(q) 29 C.F.R. §1926.966 “Substations.”

(r) 29 C.F.R. §1926.967 “Special conditions.”

(s) 29 C.F.R. §1926.968 “~~Definitions.~~ **Definitions,**” **amended May 4, 2015.**

(t) Appendix A to Subpart V of Part 1926 “Reserved.”

(u) Appendix B to Subpart V of Part 1926 “Working on Exposed Energized ~~Parts.~~ **Parts,**” **amended September 24, 2014.**

(v) Appendix C to Subpart V of Part 1926 “Protection from Hazardous Differences in Electric Potential.”

(w) Appendix D to Subpart V of Part 1926 “Methods of Inspecting and Testing Wood Poles.”

(x) Appendix E to Subpart V of Part 1926 “Protection from Flames and Electric Arcs.”

(y) Appendix F to Subpart V of Part 1926 “Work-Positioning Equipment Inspection Guidelines.”

(z) Appendix G to Subpart V of Part 1926 “Reference Documents.”

(2) The standards adopted in these rules are available from the United States department of labor, occupational safety and health administration website: www.osha.gov, at no charge as of the time of adoption of these rules.

(3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, **530 West Allegan Street, P.O. Box 30643, 7150 Harris Drive**, Lansing, Michigan, 48909-8143.

(4) The standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, **530 West Allegan Street, 7150 Harris Drive**, P.O. Box 30643, Lansing, Michigan, 48909-8143, plus \$20.00 for shipping and handling.

(5) The following Michigan occupational safety and health (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, **530 West Allegan Street, 7150 Harris Drive**, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 1 “General Rules,” R 408.40101 to R 408.40134.

(b) Construction Safety Standard Part 6 “Personal Protective Equipment,” R 408.40601 to R 408.40641.

(c) Construction Safety Standard Part 11 “Fixed and Portable Ladders,” R 408.41101 to R 408.41140

(d) Construction Safety Standard Part 19 “Tools,” R 408.41901 to R 408.41980.

(e) Construction Safety Standard Part 22 “Signals, Signs, Tags, and Barricades,” R 408.42201 to R 408.42243.

(f) Construction Safety Standard Part 30 “Telecommunications,” R 408.43001 to R 408.43006.

(g) Construction Safety Standard Part 32 “Aerial Work Platforms,” R 408.43201 to R 408.43220.

(h) Construction Safety Standard Part 35 “Confined Space in Construction,” R 408.43501 to R 408.43510.

(i) ~~(h)~~ Construction Safety Standard Part 42 “Hazard Communication,” R 408.44201 to R 408.44204.

(j) ~~(i)~~ Construction Safety Standard Part 45 “Fall Protection,” R 408.44501 to R 408.44502

(k) ~~(j)~~ General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.

(l) ~~(k)~~ General Industry Safety Standard Part 50 “Telecommunications,” R 408.15001 to R 408.15004.

(m) ~~(l)~~ General Industry Safety Standard Part 86 “Electric Power Generation, Transmission, and Distribution,” R 408.18601 to R 408.18602.

~~(m) General Industry Safety Standard Part 90 “Permit-Required Confined Spaces,” R 408.19001 to R 408.19002.~~

(n) General Industry Safety Standard Part 92 “Hazard Communication,” R 408.19201 to R 408.19204.

(o) ~~(n)~~ Occupational Health Standard Part 382 “Nonionizing Radiation,” R 325.60701 to R 325.60704.

(p) ~~(o)~~ Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77004.

~~(p) Occupational Health Standard Part 490 “Permit-Required Confined Spaces,” R 325.63001 to R 325.63049.~~

(q) ~~(p)~~ Occupational Health Standard Part 681 “Radiation of Construction: Ionizing and Nonionizing,” R 325.68101 to R 325.68102.

**OPINIONS OF THE
ATTORNEY GENERAL**

MCL 14.32 states in part:

“It shall be the duty of the attorney general, when required, to give his opinion upon all questions of law submitted to him by the legislature, or by either branch thereof, or by the governor, auditor general, treasurer or any other state officer”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(j) Attorney general opinions.”

OPINIONS OF THE ATTORNEY GENERAL

STATE OF MICHIGAN

BILL SCHUETTE, ATTORNEY GENERAL

NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION ACT:

Preemption of local ordinance
prohibiting taking of wild birds.

PREEMPTION:

Part 401 of the Natural Resources and Environmental Protection Act, 1995 PA 57, MCL 324.40101 *et seq.*, preempts a local ordinance that prohibits the taking of wild birds because the ordinance directly conflicts with state law by prohibiting what state law and regulations permit, and because the field of wild animal regulation is fully occupied by state law.

Opinion No. 7286

September 28, 2015

The Honorable Robert Wittenberg
State Representative
The Capitol
Lansing, MI 48909

You have asked whether state law preempts a city ordinance that makes it a misdemeanor for any “person, except a public officer acting in his official capacity,” to “molest, injure, kill or capture any wild bird[.]”

According to your request, a city resident, who is not a public officer acting in an official capacity, wishes to kill or capture English sparrows because the sparrows have damaged the resident’s property.¹ The resident, however, fears prosecution

¹ This opinion assumes that your reference to the resident’s “property” means the individual’s private residence or other private property owned or controlled by the individual. If your request involved public or city-owned property, a different analysis would apply. See, e.g. OAG, 1993-1994, No 6786, p 105 (February 3, 1994) (“A county may prohibit hunting and trapping on lands owned by the county.”).

under the city’s ordinance for the killing or capturing of English sparrows. To address your question, it is important to first review the extent of the State’s authority to manage Michigan’s wild birds and animals. Then the interplay between state law and the city’s ordinance will be examined and principles of preemption applied.

I. State management of wild birds and animals.

State law gives state entities broad, statewide authority to manage Michigan’s wild animals. Part 401 of the Natural Resources and Environmental Protection Act (NREPA), 1995 PA 57, MCL 324.40101 *et seq.*, defines “animals” as “wild birds and wild mammals,” MCL 324.40102(1), and declares that “[a]ll animals found in this state . . . are the property of the people of the state.” MCL 324.40105. Part 401 further states that “the *taking of all animals* shall be regulated by the [Department of Natural Resources] as provided by law,” *id.* (emphasis added), and defines “take” to mean “hunt . . . kill; chase; follow; harass; harm; pursue; shoot; rob; trap; capture; or collect animals.” MCL 324.40104(1). According to state law, the Department of Natural Resources (Department) is the entity that must regulate the killing, capture, or collection of any wild animals in Michigan – including wild birds.

Part 401, however, also provides for the designation of a species of animal as “game.” MCL 324.40110. In that context, “only” the Legislature or the Natural Resources Commission (Commission) “may designate a wildlife species as game,” and only the Legislature or the Commission “may establish the first open season for a game species[.]” MCL 324.40110(1).² The Commission “has the exclusive authority to regulate the taking of game as defined in section 40103 in this state.” MCL 324.40113a(2). After the Legislature or Commission acts, the Department “may issue orders pertaining to that animal for each of the purposes listed in section

40107.” MCL 324.40110(2). Section 40107 mandates that the Department “manage animals in this state,” and provides that the Department may issue orders relating to such management. MCL 324.40107(1). Thus, with the exception of designating animals as “game,” establishing a first open season for game animals, and regulating the taking of game, which authority belongs to the Legislature and Commission, the Department regulates the taking and managing of “all animals” generally. MCL 324.40105 and 324.40107.³

Both the Department and the Commission implement much of their Part 401 authority by issuing orders. MCL 324.40107(1); MCL 324.40110(1). An order prepared by either must follow a process that provides the public and various legislative committees with notice and an opportunity to comment before the order can be issued. MCL 324.40107(2); MCL 324.40113a(2). Once issued, if an order relates to the management of animals or a game species, the order is incorporated into the standing Wildlife Conservation Order (WCO) that was first created on March 31, 1989. Orders issued under the Department’s statutory authority have the force of law. *Department of Natural Resources v Seaman*, 396 Mich 299, 310-314; 240 NW2d 206 (1976); OAG, 2003-2004, No 7123, p 4 (February 11, 2003).

II. State law preemption of local law.

The Michigan Constitution gives cities the “power to adopt resolutions and ordinances relating to its municipal concerns.” Const 1963, art 7, § 22. However, a city’s power to adopt

² But only the Legislature may remove a wildlife species from the list of game species. MCL 324.40110(1).

³ Previously, the Legislature managed animals by passing and amending the Game Law of 1929, 1929 PA 286. But in 1988, the Legislature replaced the Game Law of 1929 with the Wildlife Conservation Act, 1988 PA 256, MCL 300.251 *et seq.* Section 8 of the Wildlife Conservation Act gave the Commission authority to issue orders on a wide range of topics, including the power to “determine the kinds of animals that may be taken.” MCL 300.258(1)(b) (repealed). But when the Legislature replaced the Wildlife Conservation Act with Part 401 of the NREPA in 1994 PA 451 and 1995 PA 57, it gave the Department all the power the Wildlife Conservation Act had given the Commission, including the authority to issue orders in accordance with section 40107. MCL 324.40107(4).

ordinances is “subject to the constitution and law.” *Id.* The Michigan Supreme Court has determined that the phrase “subject to the . . . law” means that a city’s power to adopt ordinances is “subject to the laws of this state, i.e., statutes.” *Ter Beek v City of Wyoming*, 495 Mich 1, 19; 846 NW2d 531 (2014) (internal quotation omitted).

There are two different ways a state statutory scheme can preempt a local ordinance. First, an ordinance is preempted if “the ordinance is in direct conflict with the state statutory scheme.” *Ter Beek*, 495 Mich at 19-20, quoting *People v Llewellyn*, 401 Mich 314, 322; 257 NW2d 902 (1977). And second, even if the local ordinance does not directly conflict with state law, the ordinance is preempted if “the state statutory scheme . . . occup[ies] the field of regulation which the municipality seeks to enter” *Id.*

A. The local ordinance is preempted because it directly conflicts with state law.

An ordinance directly conflicts with a state statutory scheme if it either “permits what the statute prohibits,” or it “prohibits what the statute permits.” *Ter Beek*, 495 Mich at 20 (internal quotation omitted).

Under Part 401, the Commission has exclusive authority “to regulate the taking of game,” MCL 324.40113a(2), including the right shared with the Legislature to designate animals as “game.” MCL 324.40110(1). However, not all animals are game. The term animals broadly includes “wild birds and wild mammals,” MCL 324.40102(1), while “game” includes only those animals currently identified in MCL 324.40103(1)(a)-(mm) (listing 39 animals), and any animals the Commission designates as game under MCL 324.40110(1). With respect to animals, the “taking of *all animals* shall be regulated by the” Department. MCL 324.40105 (emphasis added). Similarly, the Department is required “to manage animals in this state,” and in doing so

it may issue orders that “[d]etermine the kinds of animals that may be taken.” MCL 324.40107(1)(b). The city ordinance at issue directly conflicts with this statutory scheme in at least two ways.

First, the ordinance directly conflicts with an order issued by the Department. Relying on the above statutory authority, the Department issued section 9.1(1) of the Wildlife Conservation Order (WCO). Section 9.1(1) states that individuals can take certain non-game animals, including “English sparrows, feral pigeons, and starlings,” by “hunting statewide,” unless the animals are within “state park and recreation areas [between] April 1 [and] September 14.”⁴ Additionally, English sparrows and starlings “may be taken without a permit when doing or about to do damage to property or committing or about to commit depredations.” *Id.*

Under section 9.1(1) of the WCO, the Department permits individuals, other than public officials acting in their official capacities, to take English sparrows, feral pigeons, and starlings. But the city’s ordinance prohibits such a taking. By prohibiting what section 9.1(1) of the WCO permits, the ordinance directly conflicts with state law, and is, therefore, preempted. *Ter Beek*, 495 Mich at 20.⁵

⁴ WCO 9.1 is available online at www.michigan.gov/documents/ChapterIX_128642_7.pdf. (accessed 08/25/15).

⁵ Notably, *Michigan Audubon Society v Natural Resources Comm’n*, 206 Mich App 1; 520 NW2d 353 (1994), does not bind interpretation of Part 401. There the Court held the Commission was unauthorized to permit the taking of certain raptors because the birds had not been designated as game by the Legislature. *Id.* at 6. But that decision interpreted the Wildlife Conservation Act, 1988 PA 256, which was repealed in 1994 by NREPA, and replaced with Part 401, 1995 PA 57, which transferred authority to the Department. See *People v Gardner*, 482 Mich 41, 65-66; 753 NW2d 78 (2008) (“[T]o whatever extent courts correctly divined past legislatures’ intents using previously enacted language, those intents should not guide [] interpretation of the *unambiguous* language of the current versions of the statutes[.]”) (emphasis in original, citation omitted). This is true even though Part 401 reenacted many provisions of the Wildlife Conservation Act. See *Jones v Dep’t of Corrections*, 468 Mich 646, 657-658; 664 NW2d 717 (2003) (“[T]he reenactment rule cannot be used as a tool to circumvent the plain and unambiguous language of a statute.”). The plain language of Part 401 authorizes the Department to provide for the taking of non-game animals, including English sparrows.

Second, the city’s ordinance directly conflicts with state law by failing to provide an exemption for businesses or individuals that hold permits under MCL 324.40114(4)(b). Under that section, the Department may “issue permits authorizing . . . [t]he taking of animals to prevent or control damage and nuisance caused by the animals” MCL 324.40114(4)(b). Section 5.50 of the WCO describes how a business or individual may obtain a permit to take nuisance animals under MCL 324.40114(4)(b). If a person has obtained a permit under MCL 324.40114(4)(b) authorizing the taking of wild birds, then the city’s ordinance is preempted to the extent it forbids the permit holder from taking the wild birds. Again, a local ordinance cannot forbid what state law permits. *Ter Beek*, 495 Mich at 20.

B. The local ordinance is preempted because it attempts to enter a field of regulation that is fully occupied by state law.

A local ordinance is also preempted by state law – even if it does not directly conflict with state law – if the local ordinance attempts to enter a field of regulation that is fully occupied by state law. *Ter Beek*, 495 Mich at 19-20, quoting *Llewellyn*, 401 Mich at 322. Since the city’s ordinance attempts to enter the field of wild animal regulation, the question is whether that field is fully occupied by state law.

There are four factors to consider when determining whether a field is occupied by state law to the exclusion of local regulation. First, “there is no doubt that municipal regulation is preempted” if a statute “expressly provides that the state’s authority to regulate in a specified area of the law is to be exclusive.” *Rental Property Owners Ass’n of Kent Co v City of Grand Rapids*, 455 Mich 246, 257; 566 NW2d 514 (1997), quoting *Llewellyn*, 401 Mich at 323. As explained above, “[a]ll animals found in this state . . . are the property of the people of the state.” MCL 324.40105. The Department is required to

“manage animals in this state,” MCL 324.40107(1), and in particular, “the taking of *all* animals shall be regulated by the department as provided by law.” MCL 324.40105 (emphasis added).

Part 401 demonstrates that the management of wild animals – particularly the taking of wild animals – is exclusively a matter of state law. See OAG, 1993-1994, No 6786, p 105 (February 3, 1994) (local regulation of hunting and fishing is preempted because state law occupies the field of hunting and fishing regulation). Therefore, the first factor weighs strongly in favor of field preemption.

The second factor considers whether “pre-emption of a field of regulation may be implied upon an examination of legislative history.” *Rental Property Owners*, 455 Mich at 257, quoting *Llewellyn*, 401 Mich at 323. The Legislature has long used broad, sweeping language to describe and regulate wild animals in Michigan. The Game Law of 1929 stated that “[a]ll wild animals and wild birds . . . found in this state, are hereby declared to be the property of the state.” 1929 PA 286, Chap I, § 2 (repealed). The Game Law dictated that no “person shall at any time of the year, or in any manner take . . . any wild bird or wild animal mentioned in this act . . . contrary to the provisions of this act.” 1929 PA 286, Chap II, § 1 (repealed). And Chapters II-IV of the Game Law specified in great detail how and when wild birds and animals could be taken and by whom.

In 1988, the Wildlife Conservation Act defined “animals” as “wild birds and wild mammals,” MCL 300.253(1) (repealed), and also stated that “[a]ll animals . . . found in this state are the property of the people of the state” MCL 300.256 (repealed). The Wildlife Conservation Act explicitly required the Commission to “manage animals in this state,” MCL 300.258, and declared that “the taking of *all* animals shall be regulated by the commission and the department as provided by law.” MCL 300.256 (emphasis added) (repealed).

In replacing the Wildlife Conservation Act with Part 401 of the NREPA, 1995 PA 57, the Legislature again described animals as property of the State, MCL 324.40105, and preserved the State’s responsibility to regulate the “taking of all animals,” MCL 324.40105, and later, its “exclusive authority to regulate the taking of game.” 1996 PA 377, MCL 324.40113a(2).

A review of the Game Law and the Wildlife Conservation Act, now repealed, and of Part 401 of the NREPA, the current law, demonstrates that the Legislature has consistently used language describing Michigan’s wild animals as property of the State, and consistently identified only state-level entities as the entities responsible for regulating the State’s animals. Therefore, the second factor – legislative history– also weighs in favor of field preemption.

The third factor to consider when determining whether a field of regulation is fully occupied by state law is “the pervasiveness of the state regulatory scheme.” *Rental Property Owners*, 455 Mich at 257, quoting *Llewellyn*, 401 Mich at 323.

This factor examines the breadth of the state statutory scheme and, in particular, examines whether the scheme already addresses the concern the local ordinance addresses. *City of Grand Haven v Grocer’s Co-op Dairy Co*, 330 Mich 694, 700-01; 48 NW2d 362 (1951); *Howell Twp v Rooto Corp*, 258 Mich App 470, 484-89; 670 NW2d 713 (2003) (analyzing the case law governing this factor).

The breadth of the State’s scheme to regulate wild animals is already described above, and there is no question that the wild animals within the city, including animals that have been identified as game species, fall under state jurisdiction. See *Llewellyn*, 401 Mich at 327 (the “breadth and detail” of a “statutory scheme provides an indication that the Legislature has preempted” local regulation).

The city's ordinance seeks to protect wild birds in the city by making it a misdemeanor for any "person, except a public officer acting in his official capacity," to "molest, injure, kill or capture any wild bird[.]" However, Part 401 already orders the Department to regulate "the taking of all animals," including wild birds, MCL 324.40105, and authorizes it to issue orders to "[d]etermine the kinds of animals that are taken." MCL 324.40107(1)(b). In accordance with that authority, the Department issued sections 9.1 and 9.3 of the WCO, which identify the nongame

birds that can be taken and under what circumstances. Moreover, many of the wild birds to which the city's ordinance applies have been designated as game animals, whose taking is regulated by the Commission and the WCO. MCL 324.40113a(2). Therefore, the Legislature has already taken "all precautions reasonably necessary" to protect the wild birds in the city from unauthorized disturbance. *City of Grand Haven*, 330 Mich at 701. For this reason, the third factor also weighs in favor of field preemption.

The fourth factor to consider when determining if a field of regulation is fully occupied by state law is whether "the nature of the regulated subject matter" requires "exclusive state regulation" in order "to achieve the uniformity necessary to serve the state's purpose or interest." *Rental Property Owners*, 455 Mich at 257, quoting *Llewellyn*, 401 Mich at 324. The regulated subject matter in this circumstance is the State's wild animals. The State's purpose in regulating the State's wild animals is expressed in the Michigan Constitution, which states that the "conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety and general welfare of the people." Const 1963, art 4, § 52. The Legislature also declared that the "the fish and wildlife populations of the state and their habitat are of paramount importance to the citizens of this state," MCL

324.40113a(1)(a), and that “hunting, fishing, and the taking of game . . . play an important part in the state’s economy and in the conservation, preservation, and management of the state’s natural resources.” MCL 324.40113a(3).

Wild animals roam, swim, and fly without regard to political boundaries, and the population of any particular species can depend on habitats that cross into multiple jurisdictions. This is the “nature of the regulated subject matter.” *Rental Property Owners*, 455 Mich at 257, quoting *Llewellyn*, 401 Mich at 324. Because of this nature, the State cannot conserve, preserve, and manage wild animal populations for the benefit of the public and the State’s economy if local jurisdictions create a patchwork of conflicting regulatory schemes within a population’s habitat. The Department and the Commission are tasked with relying on “sound scientific management” to ensure the “wise use” of the State’s “fish and wildlife populations.” MCL 324.40113a(1)(b). The State’s efforts to manage wild animals scientifically could be thwarted if municipalities were free to regulate the State’s wild animals according to purely local preferences.

Additionally, the Michigan Supreme Court has determined that if an area of law governs individual rights, it is likely that the area “demands uniform, statewide treatment” in order to avoid “confusion and provocation of endless appeals.” *Llewellyn*, 401 Mich at 327-329. The *Llewellyn* Court determined that, in the context of regulating obscene material, the localized regulation of obscenity made it “extremely difficult” for “national or statewide” distributors to know what conduct would expose them to “criminal prosecution.” *Llewellyn*, 401 Mich at 328. The resulting “unfairness” raised “serious due-process problems” because “persons subject to [criminal] penalties” are entitled to be informed of “the elements of [a criminal] offense” with

“reasonable certainty” so that they “may know what acts it is their duty to avoid.” *Id.*, citing *People v Goulding*, 275 Mich 353, 358; 266 NW 378 (1936).

The *Llewellyn* Court’s reasoning applies to the taking of animals as well. All wild animals belong to the State, and the Legislature has given the Department the power to regulate “the taking of all animals” in this State. MCL 324.40105. The people have a “right to hunt, fish, and take game” animals, MCL 324.40113a(3), and the Department also permits people to take certain non-game animals, such as English sparrows. As individuals move within Michigan and exercise their right to take animals, it would be “extremely difficult” for them to “to determine what acts it is his or her duty to avoid” if “municipalities of all sizes across the state” have local ordinances that forbid what state law allows, or that allow what state law forbids. *Llewellyn*, 401 Mich at 328. Statewide regulation of that right is the best way to ensure clarity and minimize litigation. Because wild animals move without regard to political boundaries, and because the citizens’ right to take animals could be frustrated by local regulation, the fourth factor also weighs in favor of field preemption.

As a result, all four factors that govern whether the field of wild animal regulation is fully occupied by state law weigh in favor of preempting local regulation of Michigan’s wild animals. See also OAG No 6786 at 106 (“state hunting and trapping statutes are of the type contemplated by the *Llewellyn* decision as preempting the field of regulation.”).

It is my opinion, therefore, that Part 401 of the NREPA preempts a local ordinance that prohibits the taking of wild birds because the ordinance directly conflicts with state law by prohibiting what state law and regulations permit, and because the field of wild animal regulation is fully occupied by state law.

A handwritten signature in black ink, reading "Bill Schuette". The signature is written in a cursive style with a long horizontal flourish extending from the end of the name.

BILL SCHUETTE
Attorney General

**CERTIFICATE OF NEED
REVIEW STANDARDS**

MCL 24.208 states in part:

Sec. 8. The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(k) All of the items in section 7(l) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.2217.

MCL 24.207 states in part:

Sec. 7. “Rule” means an agency regulation, statement, standard, policy, ruling, or instruction of general applicability that implements or applies law enforced or administered by the agency, or that prescribes the organization, procedure, or practice of the agency, including the amendment, suspension, or rescission of the law enforced or administered by the agency. Rule does not include any of the following:

* * *

(l) All of the following, after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217:

(i) The designation, deletion, or revision of covered medical equipment and covered clinical services.

(ii) Certificate of need review standards

(iii) Data reporting requirements and criteria for determining health facility viability.

(iv) Standards used by the department of community health in designating a regional certificate of need review agency.

(v) The modification of the 100 licensed bed limitation for short-term nursing care programs set forth in section 22210 of the public health code, 1978 PA 368, MCL 333.22210.

CERTIFICATE OF NEED REVIEW STANDARDS

**CERTIFICATE OF NEED (CON) REVIEW STANDARDS
SYNOPSIS FOR PUBLICATION IN THE MICHIGAN REGISTER
PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, 1969 PA 306, MCL
24.208(1)(k)**

CARDIAC CATHETERIZATION (CC) SERVICES

Final Approval by the CON Commission 6/11/15 and Effective 9/14/15

The language changes include the following:

1. Section 2: Definitions have been modified, and new definitions have been added as follows:
 - "Cardiac catheterization service" means the provision of one or more of the following types of procedures: adult diagnostic cardiac catheterizations; adult therapeutic cardiac catheterizations; and pediatric cardiac catheterizations. This definition was updated.
 - "ELECTIVE PERCUTANEOUS CORONARY INTERVENTION (PCI)" MEANS A PCI PROCEDURE PERFORMED ON A NON-EMERGENT BASIS. Definition added to allow for elective PCI without on-site open heart surgery.
 - "ELECTIVE PCI SERVICES WITHOUT ON-SITE OPEN HEART SURGERY (OHS)" MEANS PERFORMING PCI, PERCUTANEOUS TRANSLUMINAL CORONARY ANGIOPLASTY (PTCA), AND CORONARY STENT IMPLANTATION ON AN ORGANIZED, REGULAR BASIS IN A HOSPITAL HAVING A DIAGNOSTIC CARDIAC CATHETERIZATION SERVICE AND A PRIMARY PCI SERVICE BUT NOT HAVING OHS ON-SITE AND ADHERING TO PATIENT SELECTION AS OUTLINED IN THE SCAI/ACC/AHA EXPERT CONSENSUS DOCUMENT: 2014 UPDATED ON PCI WITHOUT ON-SITE SURGICAL BACKUP AND PUBLISHED IN CIRCULATION 2014, 129:2610-2626 AND ITS UPDATE OR FURTHER GUIDELINE CHANGES. Definition added to allow for elective PCI without on-site open heart surgery.
 - "Primary percutaneous coronary intervention (PCI)" means a PCI performed on an acute myocardial infarction (AMI) patient with confirmed ST elevation or new left bundle branch block ON AN EMERGENT BASIS. This definition was updated.
 - "PRIMARY PCI SERVICE WITHOUT ON-SITE OHS" MEANS PERFORMING PRIMARY PCI ON AN EMERGENT BASIS IN A HOSPITAL HAVING A DIAGNOSTIC CARDIAC CATHETERIZATION SERVICE. Definition added for clarity.
 - "Therapeutic cardiac catheterization service" means providing therapeutic cardiac catheterizations on an organized, regular basis in a laboratory to treat and resolve anatomical and/or physiological problems in the heart. Procedures include pci, ptca, atherectomy, stent, laser, cardiac valvuloplasty, balloon atrial septostomy, catheter ablation, cardiac permanent pacemaker, icd device implantations, transcatheter valve, other structural heart disease procedures, PTCA WITH coronary stent implantation and left sided arrhythmia therapeutic procedures. The term does not include the intra

coronary administration of drugs where that is the only therapeutic intervention. This definition was updated.

2. Section 3(3): Revised consistent with current practice.
3. Section 4: New section that provides the requirements to initiate primary PCI service without on-site OHS (previously included in Section 3) or elective PCI services without on-site OHS services (new to standards). To be considered for an elective PCI service without on-site OHS services, the applicant shall have operated a primary PCI service for one year prior to the date of application. If the applicant was not approved as a primary PCI service prior to the effective date of the new standards, then, in addition, the applicant shall demonstrate that there is no PCI or OHS service within 60 radius miles or 60 minutes travel time from the proposed site.
4. Section 7: Modified the language consistent with other CON review standards to clarify that any acquisition of a cardiac catheterization service, after the first acquisition, on or after February 27, 2012, must be meeting volume requirements to be acquired.
5. Section 10(2): Revised consistent with current practice and national guidelines. Included a requirement for applicant hospitals providing therapeutic cardiac catheterization services, primary PCI services without on-site OHS service, or elective PCI services without on-site OHS service to participate with a data registry administered by the Department or its designee (currently BMC2) that monitors quality and risk adjusted outcomes.
6. Section 10(4): Revised language for consistency with other changes in the standards as well as consistency with other CON review standards.
7. Section 10(5): Updated the quality reporting criteria for primary and elective PCI for hospitals providing therapeutic cardiac catheterization services, primary PCI services without on-site OHS services, or elective PCI services without on-site OHS service.
8. Section 10(6) and (7): Added for administrative feasibility and consistent with other CON review standards.
9. Section 12: Added requirements for documentation of projections for applicants proposing to initiate an elective PCI service without on-site OHS services.
10. Appendix A: Updated the counties based on the 2010 Census data.
11. Other technical edits.

Complete Standards

A complete set of the approved language can be found at www.michigan.gov/con. A hard copy may be obtained, for a fee, by sending a written request to:

Michigan Department of Health and Human Services
Office of Health Policy and Innovation
Planning and Access to Care Section
15th Floor Grand Tower Bldg.,
235 S. Grand Ave.
Lansing, MI 48933

(517) 335-6708

Email address: MDCH-ConWebTeam@michigan.gov

CERTIFICATE OF NEED REVIEW STANDARDS

**CERTIFICATE OF NEED (CON) REVIEW STANDARDS
SYNOPSIS FOR PUBLICATION IN THE MICHIGAN REGISTER
PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, 1969 PA 306, MCL
24.208(1)(k)**

HOSPITAL BEDS

Final Approval by the CON Commission 12/11/14 and Effective 3/20/15

The language changes include the following:

1. Section 2: Definitions have been modified consistent with other CON review standards, and new definitions have been added as follows:
 - “Inpatient rehabilitation facility hospital” or “IRF hospital” means a hospital that has been approved to participate in the Title XVIII (Medicare) program as a prospective payment system (PPS) exempt inpatient rehabilitation hospital in accordance with 42 CFR Part 412 Subpart P. Definition added to allow for IRF Hospitals the same considerations as LTAC Hospitals.
 - “Replace beds” means a change in the location of the licensed hospital, the replacement of a portion of the licensed beds at the same licensed site, OR THE ONE-TIME REPLACEMENT OF LESS THAN 50% OF THE LICENSED BEDS TO A NEW SITE WITHIN 250 YARDS OF THE BUILDING ON THE LICENSED SITE CONTAINING MORE THAN 50% OF THE LICENSED BEDS, WHICH MAY INCLUDE A NEW SITE ACROSS A HIGHWAY(S) OR STREET(S) AS DEFINED IN MCL 257.20 AND EXCLUDES A NEW SITE ACROSS A LIMITED ACCESS HIGHWAY AS DEFINED IN MCL 257.26. The hospital beds will be in new physical plant space being developed in new construction or in newly acquired space (purchase, lease, donation, etc.) within the replacement zone. Definition modified to allow for a one-time replacement of beds to property separated by a road(s).
2. Section 5: Modified consistent with other CON review standards.
3. Section 6(2): Modified to allow for IRF Hospitals the same considerations as LTAC Hospitals.
4. Section 7(2): Modified to allow for the one-time replacement of beds to property separated by a road(s). This includes the same additional language as added in the definition of “replace beds.”
5. Removal of Previous Section 10: Technical edit consistent with other CON Review Standards.
6. Appendix B: Updated the counties based on the 2010 Census data.
7. Other technical edits.

Complete Standards

A complete set of the approved language can be found at www.michigan.gov/con. A hard copy may be obtained, for a fee, by sending a written request to:

2015 MR 18 – October 15, 2015

Michigan Department of Community Health
Office of Health Policy and Innovation
Planning and Access to Care Section
Capitol View Building
201 Townsend
Lansing, MI 48913

(517) 335-6708

Email address: MDCH-ConWebTeam@michigan.gov

CERTIFICATE OF NEED REVIEW STANDARDS

**CERTIFICATE OF NEED (CON) REVIEW STANDARDS
SYNOPSIS FOR PUBLICATION IN THE MICHIGAN REGISTER
PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, 1969 PA 306, MCL
24.208(1)(k)**

MEGAVOLTAGE RADIATION THERAPY (MRT) SERVICES/UNITS

Final Approval by the CON Commission 6/11/15 and Effective 9/14/15

The language changes include the following:

1. Section 2: Definitions have been modified, moved, and/or deleted if no longer needed, and new definitions have been added as follows:
 - “DEDICATED STEREOTACTIC RADIOSURGERY UNIT” MEANS AN MRT UNIT FOR WHICH MORE THAN 90 PERCENT OF CASES WILL BE TREATED WITH RADIOSURGERY. The term wasn’t previously defined.
 - "Megavoltage radiation therapy" or "MRT" means a clinical modality in which patients with cancer, other neoplasms, cerebrovascular system abnormalities, OR CERTAIN BENIGN CONDITIONS are treated with radiation which is delivered by a MRT unit. This definition was updated.
 - "Simulation" means the precise mock-up of a patient treatment with an apparatus that uses a diagnostic x-ray tube, MAGNETIC RESONANCE IMAGING DEVICE, OR COMPUTED TOMOGRAPHY SCANNER, WHICH IS USED IN REPRODUCING THE TWO-DIMENSIONAL OR THREE-DIMENSIONAL INTERNAL OR EXTERNAL GEOMETRY OF THE PATIENT, FOR USE IN TREATMENT PLANNING AND DELIVERY. This definition was updated.
 - "Special purpose MRT unit" or "special purpose unit" or "special unit" means any of the following types of MRT units: (i) dedicated stereotactic radiosurgery unit, (ii) dedicated total body irradiator (TBI), OR (iii) an OR-based IORT unit. This definition was updated. “PRIMARY PCI SERVICE WITHOUT ON-SITE OHS” MEANS PERFORMING PRIMARY PCI ON AN EMERGENT BASIS IN A HOSPITAL HAVING A DIAGNOSTIC CARDIAC CATHETERIZATION SERVICE. Definition added for clarity.
 - "Treatment visit" means one patient encounter during which MRT is administered AND BILLED. One treatment visit may involve one or more treatment ports or fields. Each separate encounter by the same patient at different times of the same day shall be counted as a separate treatment visit. Definition updated for clarification.
2. Section 4(1)(a) and (d): Updated language to allow for replacement of a special purpose unit with a non-special purpose unit . The site at which a special purpose unit is replaced shall continue to operate a non-special purpose unit.
3. Section 5(2)(a): Updated language to reflect that if expanding an existing MRT service with a special purpose MRT unit, that the applicant shall demonstrate that the existing and approved special purpose MRT units are averaging 1,000 ETVs in the most recent 12-month

- period in addition to the non-special MRT units averaging 8,000 ETVs in the most recent 12-month period.
4. Section 6: Modified the language consistent with other CON review standards to clarify that any acquisition of an MRT service, after the first acquisition, on or after November 21, 2011, must be meeting volume requirements to be acquired.
 5. Section 10 Table 1 Equivalent Treatments: Updated to better reflect current practice.
 6. Section 11(2)(e)(ii): Revised as the American College of Radiology (ACR) and the American Society for Radiation Oncology (ASTRO) are no longer one organization, but two separate organizations.
 7. Other technical edits.

Complete Standards

A complete set of the approved language can be found at www.michigan.gov/con. A hard copy may be obtained, for a fee, by sending a written request to:

Michigan Department of Health and Human Services
Office of Health Policy and Innovation
Planning and Access to Care Section
15th Floor Grand Tower Bldg.,
235 S. Grand Ave.
Lansing, MI 48933

(517) 335-6708

Email address: MDCH-ConWebTeam@michigan.gov

CERTIFICATE OF NEED REVIEW STANDARDS

**CERTIFICATE OF NEED (CON) REVIEW STANDARDS
SYNOPSIS FOR PUBLICATION IN THE MICHIGAN REGISTER
PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, 1969 PA 306, MCL
24.208(1)(k)**

NURSING HOME AND HOSPITAL LONG-TERM-CARE UNIT (HLTCU) BEDS

Final Approval by the CON Commission 12/11/14 and Effective 3/20/15

The language changes include the following:

1. Section 1: Modified for consistency with other CON review standards.
2. Section 2: Definitions have been modified, moved, and/or deleted if no longer needed, and a new definition has been added as follows:
 - “Applicant’s cash” has been revised to include contributions designated for the project from the landlord to reflect the investment by the lease holder.
 - “PROPOSED LICENSED SITE” MEANS THE PHYSICAL LOCATION AND ADDRESS (OR LEGAL DESCRIPTION OF PROPERTY) OF THE PROPOSED PROJECT OR WITHIN 250 YARDS OF THE PHYSICAL LOCATION AND ADDRESS (OR LEGAL DESCRIPTION OF PROPERTY) AND WITHIN THE SAME PLANNING AREA OF THE PROPOSED PROJECT THAT WILL BE AUTHORIZED BY LICENSE AND WILL BE LISTED ON THAT LICENSEE'S CERTIFICATE OF LICENSURE. This definition would allow for 250 yards of movement, if necessary, when a CON application has been approved, but the specific site cannot be used for new construction.
3. Section 6(1)(a)(vi) and other applicable sections: Changed “outstanding” to “delinquent” to meet the intent and aid in administering this requirement.
4. Section 6(1)(d)(ii) and 6(1)(d)(iii)(B): The Staffing/Bed Utilization Ratios Report is no longer available. The CON Annual Survey will now be used.
5. Section 6(2)(a)(vi) and other applicable sections: Added Preadmission Screening and Annual Resident Review (PASARR) to the list of outstanding debts as well as adding “including, but not limited to,” to aid in debt collection.
6. Section 6(2)(c) and other applicable sections: Revised consistent with change under comparative review criteria in Section 10(7).
7. Section 7(1)(b) and (c): Language revised consistent with the proposed new definition for “proposed licensed site.”
8. Section 7(3)(c)(i): Removed three mile radius language as it is no longer necessary. This was originally drafted for the pilot programs (new design model) in 2008, and all pilot programs are now CON approved.
9. Section 8(1): Removed the restrictions of relocating no more than 50% of a nursing home’s beds and the seven year restriction making it consistent with HLTCUs and added that relocation of beds shall not increase the number of rooms with three or more bed wards at the receiving facility.

10. Section 10(2): Updated to reduce redundancy and to simplify while maintaining the high consideration of Medicaid access.
11. Old Section 10(3): Removed the points for Medicare participation within the most recent 12 months based on the modifications made to Section 10(2).
12. New Section 10(3): Removed redundant special focus nursing home/HLTCU language.
13. Section 10(4): Revised points. Qualifying projects that already participate or plan to participate in a culture change model will receive three points. They will receive an additional 5 points if the culture change model is a Department approved model.
14. Old Section 10(6): Removed the requirement for sprinklers as this became Federal law in 2013.
15. New Section 10(6): Revised to award points if there is climate control for the entire facility.
16. Section 10(7): Revised language and points for facility design to create a more homelike environment for the resident while recognizing that there is still a need for semi-private rooms too.
17. Old Section 10(11): Removed for redundancy as this is a requirement in the Administrative Rules.
18. Section 10(10): Revised to award points if the entire facility will have no more than double occupancy rooms at completion of the project to help with improved quality of care.
19. Section 10(11): Points revised to balance the points of comparative review based on the relevance of care to the resident.
20. Section 10(12): Revised to reflect technology Innovations to better reflect on changes in healthcare, i.e. wireless nurse call/paging system for the proposed project; wireless internet with resident access to related equipment/device in entire facility; integrated electronic medical records system for the entire facility; a backup generator for the proposed project.
21. Section 10(13): Added points if the proposed project includes bariatric rooms to ensure access for the bariatric resident.
22. Section 11: Divided requirements into distinct groups consistent with other standards: quality assurance, access to care, and monitoring and reporting.
 - Under subsection (1), added clarifying language that an applicant approved pursuant to Section 10 will be held accountable for complying with the requirements agreed to in the awarding of beds for the approved project.
 - Under new subsection (3), added access to care requirements consistent with other CON review standards.
23. Other technical edits.

Complete Standards

A complete set of the approved language can be found at www.michigan.gov/con. A hard copy may be obtained, for a fee, by sending a written request to:

Michigan Department of Community Health
Office of Health Policy and Innovation
Planning and Access to Care Section
Capitol View Building
201 Townsend
Lansing, MI 48913
(517) 335-6708
Email address: MDCH-ConWebTeam@michigan.gov

CERTIFICATE OF NEED REVIEW STANDARDS

**CERTIFICATE OF NEED (CON) REVIEW STANDARDS
SYNOPSIS FOR PUBLICATION IN THE MICHIGAN REGISTER
PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, 1969 PA 306, MCL
24.208(1)(k)**

POSITRON EMISSION TOMOGRAPHY (PET) SCANNER SERVICES

Final Approval by the CON Commission 6/11/15 and Effective 9/14/15

The language changes include the following:

1. Section 6(1) and (2): Updated acquisition language for clarity consistent with other CON review standard.
2. Section 11(4)(a): Technical edit.
3. Section 19: Technical edit.
4. Appendix C: Updated the counties based on the 2010 Census data.

Complete Standards

A complete set of the approved language can be found at www.michigan.gov/con. A hard copy may be obtained, for a fee, by sending a written request to:

Michigan Department of Health and Human Services
Office of Health Policy and Innovation
Planning and Access to Care Section
15th Floor Grand Tower Bldg.,
235 S. Grand Ave.
Lansing, MI 48933

(517) 335-6708

Email address: MDCH-ConWebTeam@michigan.gov

(2015 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

** * **

(i) Other official information considered necessary or appropriate by the Office of Regulatory Reform.”

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2015 RULE FILINGS)**

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
30.58	*	9	38.1672	R	1	205.2009	A	9
38.22	R	1	38.1673	R	1	205.2010	A	9
38.23	R	1	38.1674	R	1	205.2011	A	9
38.24	R	1	38.1675	R	1	225.1	R	1
38.25	R	1	38.1676	R	1	225.2	R	1
38.28	R	1	38.1677	R	1	225.3	R	1
38.71	R	1	38.1678	R	1	225.4	R	1
38.72	R	1	38.1679	R	1	225.5	R	1
38.73	R	1	38.1680	R	1	225.6	R	1
38.74	R	1	38.1681	R	1	225.7	R	1
38.75	R	1	38.1682	R	1	225.8	R	1
38.76	R	1	38.1683	R	1	225.9	R	1
38.77	R	1	38.1684	R	1	225.10	R	1
38.78	R	1	38.1685	R	1	247.351	R	1
38.79	R	1	38.1686	R	1	247.403	R	1
38.80	R	1	38.2171	R	1	247.404	R	1
38.81	R	1	38.2172	R	1	247.405	R	1
38.82	R	1	38.2173	R	1	247.406	R	1
38.83	R	1	38.2174	R	1	247.741	R	1
38.84	R	1	38.2175	R	1	247.742	R	1
38.85	R	1	38.2176	R	1	247.748	R	1
38.86	R	1	38.2177	R	1	281.423	*	12
38.1371	R	1	38.2178	R	1	281.511	*	17
38.1372	R	1	38.2179	R	1	281.514	*	17
38.1373	R	1	38.2180	R	1	281.515	*	17
38.1374	R	1	38.2181	R	1	281.519	*	17
38.1375	R	1	38.2182	R	1	281.520	A	17
38.1376	R	1	38.2183	R	1	281.521	A	17
38.1377	R	1	38.2184	R	1	281.522	A	17
38.1378	R	1	38.2185	R	1	281.523	A	17
38.1379	R	1	38.2186	R	1	281.524	A	17
38.1380	R	1	205.2001	A	9	281.811	*	5
38.1381	R	1	205.2002	A	9	285.635.15	R	13
38.1382	R	1	205.2003	A	9	285.635.16	R	13
38.1383	R	1	205.2004	A	9	285.635.17	R	13
38.1384	R	1	205.2005	A	9	285.900.1	R	3
38.1385	R	1	205.2006	A	9	299.4101	*	5
38.1386	R	1	205.2007	A	9	299.4102	*	5
38.1671	R	1	205.2008	A	9	299.4103	*	5

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

2015 MR 18 – October 15, 2015

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
299.4104	*	5	299.5061	R	14	324.203	*	5
299.4105	*	5	324.1	R	1	324.206	*	5
299.4106a	*	5	324.2	R	1	324.210	*	5
299.4110	*	5	324.3	R	1	324.301	*	5
299.4111	*	5	324.21	R	1	324.302	*	5
299.4117	*	5	324.23	R	1	324.303	*	5
299.4121	*	5	324.24	R	1	324.407	*	5
299.4128	*	5	324.31	R	1	324.411	*	5
299.4201	*	5	324.32	R	1	324.102	*	5
299.4203	*	5	324.33	R	1	324.130	*	5
299.4302	*	5	324.41	R	1	324.201	*	5
299.4307	*	5	324.42	R	1	324.202	*	5
299.4318	*	5	324.43	R	1	324.203	*	5
299.4420	*	5	324.51	R	1	324.206	*	5
299.4428	*	5	324.52	R	1	324.210	*	5
299.4430	*	5	324.53	R	1	324.301	*	5
299.4440	*	5	324.54	R	1	324.302	*	5
299.4701	*	5	324.55	R	1	324.303	*	5
299.4702	*	5	324.56	R	1	324.407	*	5
299.4703	*	5	324.57	R	1	324.411	*	5
299.4706	*	5	324.58	R	1	324.413	*	5
299.4707	*	5	324.59	R	1	324.418	*	5
299.4708	*	5	324.59a	R	1	324.503	*	5
299.4709	*	5	324.59b	R	1	324.511	*	5
299.4710	*	5	324.59c	R	1	324.613	*	5
299.4711	*	5	324.59d	R	1	324.705	*	5
299.4712	*	5	324.59e	R	1	324.801	*	5
299.4806	*	5	324.61	R	1	324.1015	*	5
299.4118a	A	5	324.62	R	1	324.1103	*	5
299.5051	R	14	324.63	R	1	324.1202	*	5
299.5052	R	14	324.64	R	1	324.1204	*	5
299.5053	R	14	324.65	R	1	324.1206	*	5
299.5054	R	14	324.71	R	1	324.1401	A	5
299.5055	R	14	324.72	R	1	324.1402	A	5
299.5056	R	14	324.75	R	1	324.1403	A	5
299.5057	R	14	324.102	*	5	324.1404	A	5
299.5058	R	14	324.130	*	5	324.1405	A	5
299.5059	R	14	324.201	*	5	324.1406	A	5
299.5060	R	14	324.202	*	5	325.151	R	16

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
325.152	R	16	325.22360	R	1	325.50069	*	7
325.153	R	16	325.22361	R	1	325.50070	*	7
325.154	R	16	325.22362	R	1	325.50071	*	7
325.155	R	16	325.47401	A	4	325.50072	*	7
325.156	R	16	325.47403	A	4	325.50051a	A	7
325.971	R	15	325.47405	A	4	325.50053a	A	7
325.9087	R	9	325.47407	A	4	325.50056a	A	7
325.9081	*	9	325.47408	A	4	325.50056b	A	7
325.9082	*	9	325.47409	A	4	325.50056c	A	7
325.9083	*	9	325.47410	A	4	325.50056d	A	7
325.9084	*	9	325.47411	A	4	325.50056e	A	7
350.9085	*	9	325.47414	A	4	325.50059a	A	7
325.9086	*	9	325.47415	A	4	325.50059b	A	7
325.9571	R	1	325.47416	A	4	325.50060a	A	7
325.9572	R	1	325.47417	A	4	325.50060b	A	7
325.9573	R	1	325.47418	A	4	325.50061a	A	7
325.9574	R	1	325.47419	A	4	325.50061b	A	7
325.9575	R	1	325.47420	A	4	325.50061c	A	7
325.9576	R	1	325.47424	A	4	325.50062a	A	7
325.9577	R	1	325.47425	A	4	325.50062b	A	7
325.9578	R	1	OHR 4201	R	4	325.50063a	A	7
325.9579	R	1	OHR 4202	R	4	325.50063b	A	7
325.9580	R	1	325.50051	*	7	325.50064a	A	7
325.9581	R	1	325.50052	*	7	325.50064b	A	7
325.9582	R	1	325.50054	*	7	325.50067a	A	7
325.22346	R	1	325.50055	*	7	325.50067b	A	7
325.22347	R	1	325.50056	*	7	325.50067c	A	7
325.22348	R	1	325.50057	*	7	325.50069a	A	7
325.22349	R	1	325.50058	*	7	325.50070a	A	7
325.22350	R	1	325.50059	*	7	325.50902	R	10
325.22351	R	1	325.50060	*	7	325.51004	R	10
325.22352	R	1	325.50061	*	7	325.51152	*	4
325.22353	R	1	325.50062	*	7	325.51156	*	4
325.22354	R	1	325.50063	*	7	325.51158	*	4
325.22355	R	1	325.50064	*	7	325.51162	*	4
325.22356	R	1	325.50065	*	7	325.51163	*	4
325.22357	R	1	325.50066	*	7	325.51164	*	4
325.22358	R	1	325.50067	*	7	325.51166	*	4
325.22359	R	1	325.50068	*	7	325.51167	*	4

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
325.51169	*	4	325.51909	*	4	325.51950a	*	4
325.51172	*	4	325.51910	*	4	325.51950b	*	4
325.51173	*	4	325.51912	*	4	325.51951	*	4
325.51174	*	4	325.51913	*	4	325.51952	*	4
325.51175	*	4	325.51914	*	4	325.51953	*	4
325.51151a	A	4	325.51915	*	4	325.51955	*	4
325.51156a	A	4	325.51916a	*	4	325.51956	*	4
325.51168a	A	4	325.51916b	*	4	325.51957	*	4
325.51177	R	4	325.51917	*	4	325.51902a	A	4
325.51501	*	4	325.51918	*	4	325.51924a	A	4
325.51502	*	4	325.51922	*	4	325.51921	R	4
325.51505	*	4	325.51923	*	4	325.51958	R	4
325.51507	*	4	325.51924	*	4	333.101	*	1
325.51508	*	4	325.51925	*	4	333.103	*	1
325.51509	*	4	325.51926	*	4	333.105	*	1
325.51510	*	4	325.51928	*	4	333.109	*	1
325.51511	*	4	325.51929	*	4	333.111	*	1
325.51513	*	4	325.51930	*	4	333.113	*	1
325.51516	*	4	325.51931	*	4	333.117	*	1
325.51517	*	4	325.51931a	*	4	333.119	*	1
325.51519	*	4	325.51932	*	4	333.123	*	1
325.51520	*	4	325.51933	*	4	333.125	*	1
325.51521	*	4	325.51934	*	4	333.131	*	1
325.51522	*	4	325.51935	*	4	333.133	*	1
325.51523	*	4	325.51936	*	4	333.126	A	1
325.51524	*	4	325.51937	*	4	333.107	R	1
325.51525	*	4	325.51938	*	4	333.121	R	1
325.51526	*	4	325.51938a	*	4	333.127	R	1
325.51501a	A	4	325.51939	*	4	336.1901	*	10
325.51519a	A	4	325.51940	*	4	336.1902	*	10
325.51504	R	4	325.51941	*	4	336.1906	*	10
325.51527	R	4	325.51943	*	4	336.1911	*	10
325.51902	*	4	325.51944	*	4	336.1912	*	10
325.51903	*	4	325.51945	*	4	336.1930	*	10
325.51904	*	4	325.51946	*	4	336.1940	*	10
325.51905	*	4	325.51947	*	4	336.1941	*	10
325.51906	*	4	325.51948	*	4	336.1942	*	10
325.51907	*	4	325.51949	*	4	336.1943	*	10
325.51908	*	4	325.51950	*	4	336.1944	*	10

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
336.1945	*	10	338.1629	R	1	338.2571	A	17
336.1946	*	10	338.1633	R	1	338.2573	A	17
336.1947	*	10	338.1634	R	1	338.2581	A	17
336.1948	*	10	338.1635	R	1	338.2583	A	17
336.1949	*	10	338.1636	R	1	338.3001	R	5
336.1950	*	10	338.1637	R	1	338.3002	R	5
336.1971	*	10	338.2501	R	17	338.3003	R	5
336.1951	A	10	338.2502	R	17	338.3004	R	5
336.1952	A	10	338.2504	R	17	338.3005	R	5
336.1953	A	10	338.2505	R	17	338.3006	R	5
336.1954	A	10	338.2505a	R	17	338.3007	R	5
336.1955	A	10	338.2506	R	17	338.3801	R	6
336.1956	A	10	338.2507	R	17	338.7121	*	17
336.1957	A	10	338.2507a	R	17	338.7131	*	17
336.1958	A	10	338.2510	R	17	338.7132	*	17
336.1959	A	10	338.2510a	R	17	338.7134	*	17
336.1960	A	10	338.2511	R	17	338.7135	*	17
336.1972	A	10	338.2511a	R	17	338.7136	*	17
336.1931	R	10	338.2513	R	17	338.7137	*	17
336.1932	R	10	338.2514	R	17	338.7139	*	17
336.1970	R	10	338.2515	R	17	338.7141	*	17
338.1601	R	1	338.2516	R	17	338.7142	*	17
338.1602	R	1	338.2521	A	17	338.7146	*	17
338.1610	R	1	338.2523	A	17	338.7147	*	17
338.1611	R	1	338.2527	A	17	338.7148	*	17
338.1614	R	1	338.2529	A	17	338.7149	*	17
338.1616	R	1	338.2541	A	17	338.7161	A	17
338.1617	R	1	338.2543	A	17	338.7163	A	17
338.1618	R	1	338.2545	A	17	338.7165	A	17
338.1619	R	1	338.2547	A	17	338.7123	R	17
338.1620	R	1	338.2549	A	17	338.7125	R	17
338.1621	R	1	338.2551	A	17	338.7143	R	17
338.1622	R	1	338.2553	A	17	338.7144	R	17
338.1623	R	1	338.2555	A	17	338.7150	R	17
338.1624	R	1	338.2561	A	17	338.11109	R	6
338.1625	R	1	338.2563	A	17	338.11115	R	6
338.1626	R	1	338.2565	A	17	338.30310	R	5
338.1627	R	1	338.2567	A	17	339.1701	R	1
338.1628	R	1	338.2569	A	17	339.1705	R	1

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
339.1709	R	1	390.1202	R	1	400.941	R	1
339.1713	R	1	390.1206	R	1	400.3151	*	6
339.1721	R	1	390.1207	R	1	400.3155	*	6
339.1741	R	1	390.1209	R	1	400.3156	*	6
339.1743	R	1	390.1210	R	1	400.3157	*	6
339.1745	R	1	390.1212	R	1	400.3158	*	6
339.1747	R	1	390.1213	R	1	400.3159	*	6
339.1751	R	1	390.1214	R	1	400.3160	*	6
339.1755	R	1	390.1251	R	1	400.3161	*	6
339.1757	R	1	400.10	A	9	400.3162	*	6
339.1759	R	1	400.11	A	9	400.3163	*	6
339.1761	R	1	400.12	A	9	400.3164	*	6
339.1763	R	1	400.13	A	9	400.3165	*	6
339.1765	R	1	400.14	A	9	400.3168	*	6
339.1767	R	1	400.15	A	9	400.3169	*	6
339.1771	R	1	400.16	A	9	400.3170	*	6
339.23102	*	5	400.17	A	9	400.3171	*	6
339.23403	*	5	400.18	A	9	400.3173	*	6
340.1793a	*	18	400.901	R	1	400.3178	*	6
340.1883	R	1	400.902	R	1	400.3179	*	6
340.1884	R	1	400.903	R	1	400.3167	R	6
340.1885	R	1	400.905	R	1	400.3401	R	1
380.1	R	19	400.906	R	1	400.3403	R	1
380.2	R	19	400.907	R	1	400.3409	R	1
380.3	R	19	400.908	R	1	400.3410	R	1
380.4	R	19	400.909	R	1	400.3411	R	1
380.5	R	19	400.910	R	1	400.3412	R	1
380.6	R	19	400.911	R	1	400.3413	R	1
380.7	R	19	400.912	R	1	400.3414	R	1
380.8	R	19	400.913	R	1	400.3415	R	1
380.9	R	19	400.914	R	1	400.3416	R	1
380.10	R	19	400.915	R	1	400.3417	R	1
380.126	R	1	400.916	R	1	400.3418	R	1
380.127	R	1	400.917	R	1	400.3419	R	1
380.128	R	1	400.918	R	1	400.3420	R	1
380.129	R	1	400.919	R	1	400.3421	R	1
380.132	R	1	400.920	R	1	400.3422	R	1
380.133	R	1	400.921	R	1	400.3423	R	1
380.134	R	1	400.922	R	1	400.4101	*	9

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

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R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
400.4104	*	9	400.4504	*	9	400.4102	A	9
400.4105	*	9	400.4510	*	9	400.4103	A	9
400.4106	*	9	400.4512	*	9	400.4107	A	9
400.4108	*	9	400.4515	*	9	400.4110	A	9
400.4109	*	9	400.4517	*	9	400.4115	A	9
400.4111	*	9	400.4520	*	9	400.4122	A	9
400.4112	*	9	400.4522	*	9	400.4123	A	9
400.4113	*	9	400.4523	*	9	400.4124	A	9
400.4114	*	9	400.4524	*	9	400.4125	A	9
400.4116	*	9	400.4527	*	9	400.4129	A	9
400.4117	*	9	400.4532	*	9	400.4135	A	9
400.4118	*	9	400.4535	*	9	400.4136	A	9
400.4119	*	9	400.4538	*	9	400.4139	A	9
400.4120	*	9	400.4540	*	9	400.4140	A	9
400.4121	*	9	400.4545	*	9	400.4149	A	9
400.4126	*	9	400.4546	*	9	400.4151	A	9
400.4127	*	9	400.4548	*	9	400.4153	A	9
400.4128	*	9	400.4552	*	9	400.4154	A	9
400.4131	*	9	400.4554	*	9	400.4155	A	9
400.4132	*	9	400.4555	*	9	400.4156	A	9
400.4134	*	9	400.4559	*	9	400.4157	A	9
400.4137	*	9	400.4560	*	9	400.4158	A	9
400.4138	*	9	400.4562	*	9	400.4159	A	9
400.4141	*	9	400.4563	*	9	400.4162	A	9
400.4142	*	9	400.4566	*	9	400.4164	A	9
400.4143	*	9	400.4568	*	9	400.4165	A	9
400.4144	*	9	400.4601	*	9	400.4166	A	9
400.4145	*	9	400.4602	*	9	400.4505	A	9
400.4146	*	9	400.4612	*	9	400.4604	A	9
400.4147	*	9	400.4618	*	9	400.4605	A	9
400.4148	*	9	400.4620	*	9	400.4621	A	9
400.4150	*	9	400.4623	*	9	400.4168	R	9
400.4152	*	9	400.4632	*	9	400.4169	R	9
400.4160	*	9	400.4635	*	9	400.4170	R	9
400.4161	*	9	400.4638	*	9	400.4172	R	9
400.4163	*	9	400.4640	*	9	400.4173	R	9
400.4167	*	9	400.4652	*	9	400.4175	R	9
400.4501	*	9	400.4657	*	9	400.4176	R	9
400.4502	*	9	400.4666	*	9	400.4177	R	9

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

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R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
400.4178	R	9	400.7020	*	9	408.10644	*	8
400.4181	R	9	400.7021	*	9	408.10645	*	8
400.4182	R	9	400.7022	*	9	408.10647	*	8
400.4183	R	9	400.7024	*	9	408.10661	*	8
400.4201	R	9	400.7026	*	9	408.10664	*	8
400.4231	R	9	400.7027	*	9	408.10671	*	8
400.4232	R	9	400.7029	*	9	408.10673	*	8
400.4234	R	9	400.7030	*	9	408.10675	*	8
400.4237	R	9	400.7031	*	9	408.10677	*	8
400.4238	R	9	400.7032	*	9	408.10685	*	8
400.4302	R	9	400.7033	*	9	408.10686	*	8
400.4331	R	9	400.7034	*	9	408.10695	*	8
400.4332	R	9	400.12101	*	17	408.10696	*	8
400.4334	R	9	400.12413	*	17	408.10627	A	8
400.4335	R	9	408.6203	R	5	408.10680	A	8
400.4336	R	9	408.6204	R	5	408.10637	R	8
400.4337	R	9	408.6206	R	5	408.10638	R	8
400.4338	R	9	408.6208	R	5	408.13301a	*	10
400.4513	R	9	408.6209	R	5	408.13385	*	10
400.7025	R	9	408.6301	R	5	408.13387	*	10
400.7028	R	9	408.10601	*	8	408.13387a	*	10
400.7001	*	9	408.10603	*	8	408.13388	A	10
400.7002	*	9	408.10604	*	8	408.13389	A	10
400.7003	*	9	408.10605	*	8	408.13901	*	9
400.7004	*	9	408.10606	*	8	408.13902	*	9
400.7006	*	9	408.10611	*	8	408.13905	A	9
400.7007	*	9	408.10612	*	8	408.14001	*	7
400.7008	*	9	408.10613	*	8	408.14002	*	7
400.7009	*	9	408.10621	*	8	408.14004	*	7
400.7010	*	9	408.10623	*	8	408.14005	*	7
400.7011	*	9	408.10624	*	8	408.14008	*	7
400.7012	*	9	408.10631	*	8	408.14009	*	7
400.7013	*	9	408.10632	*	8	408.14001a	A	7
400.7014	*	9	408.10633	*	8	408.14001b	A	7
400.7015	*	9	408.10634	*	8	408.14511	*	10
400.7016	*	9	408.10636	*	8	408.14522	*	10
400.7017	*	9	408.10639	*	8	408.14555	*	10
400.7018	*	9	408.10641	*	8	408.14502	A	10
400.7019	*	9	408.10643	*	8	408.14527	R	10

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R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
408.15001	*	8	408.22112	*	10	408.22968	R	1
408.15002	*	8	408.22113	*	10	408.22969	R	1
408.15003	*	8	408.22115	*	10	408.22970	R	1
408.15004	A	8	408.22117	*	10	408.22971	R	1
408.15501	*	8	408.22119	*	10	408.30501	*	19
408.15601	*	8	408.22129	*	10	408.30505	*	19
408.15915	*	7	408.22130	*	10	408.30506	*	19
408.15922	*	7	408.22138	*	10	408.30507	*	19
408.15923	*	7	408.22139	*	10	408.30510	*	19
408.15903	A	7	408.22151	*	10	408.30512	*	19
408.15911	R	7	408.22156	*	10	408.30513	*	19
408.16204	*	7	408.22102a	A	10	408.30514	*	19
408.16223	*	7	408.22110a	A	10	408.30518	*	19
408.16227	*	7	408.22110b	A	10	408.30520	*	19
408.16234	*	7	408.22112a	A	10	408.30522	*	19
408.16237	*	7	408.22112b	A	10	408.30522a	*	19
408.16251	*	7	408.22112c	A	10	408.30527	*	19
408.16202	A	7	408.22112d	A	10	408.30528a	*	19
408.17310	*	10	408.22112e	A	10	408.30529	*	19
408.17312	*	10	408.22112f	A	10	408.30536	*	19
408.17314	*	10	408.22161	R	10	408.30536a	*	19
408.17315	*	10	408.22162	R	10	408.30537	*	19
408.17316	*	10	408.22951	R	1	408.30537a	*	19
408.17317	*	10	408.22952	R	1	408.30537b	*	19
408.17318	*	10	408.22953	R	1	408.30537c	*	19
408.17320	*	10	408.22954	R	1	408.30541	*	19
408.17302	A	10	408.22955	R	1	408.30542	*	19
408.17801	*	8	408.22956	R	1	408.30544	*	19
408.18602	*	9	408.22957	R	1	408.30545	*	19
408.18605	A	9	408.22958	R	1	408.30545a	*	19
408.22101	*	10	408.22959	R	1	408.30546	*	19
408.22102	*	10	408.22960	R	1	408.30500	A	19
408.22103	*	10	408.22961	R	1	408.30501a	A	19
408.22104	*	10	408.22962	R	1	408.30509a	A	19
408.22105	*	10	408.22963	R	1	408.30510a	A	19
408.22106	*	10	408.22964	R	1	408.30521a	A	19
408.22107	*	10	408.22965	R	1	408.30523	A	19
408.22109	*	10	408.22966	R	1	408.30523a	A	19
408.22110	*	10	408.22967	R	1	408.30525a	A	19

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
408.30533a	A	19	408.40130	*	4	408.41638	R	10
408.30533b	A	19	408.40131	*	4	408.41639	R	10
408.30537d	A	19	408.40132	*	4	408.41640	R	10
408.30547d	A	19	408.40133	*	4	408.41641	R	10
408.30547e	A	19	408.40105	A	4	408.41642	R	10
408.30547f	A	19	408.40601	*	6	408.41643	R	10
408.30547g	A	19	408.40603	*	6	408.41644	R	10
408.30526	R	19	408.40617a	*	6	408.41645	R	10
408.30531	R	19	408.40623	*	6	408.41646	R	10
408.30543	R	19	408.40625	*	6	408.41647	R	10
408.30547	R	19	408.40631	*	6	408.41648	R	10
408.30801	*	12	408.40650	A	6	408.41649	R	10
408.30811	*	12	408.40655	A	6	408.41650	R	10
408.30813	*	12	408.40660	A	6	408.41651	R	10
408.30818	*	12	408.40709	*	4	408.41652	R	10
408.30819	*	12	408.40713	*	4	408.41653	R	10
408.30834	*	12	408.40721	*	4	408.41654	R	10
408.30838	*	12	408.40722	*	4	408.41655	R	10
408.30869	*	12	408.40723	*	4	408.41656	R	10
408.30870	*	12	408.40731	*	4	408.41657	R	10
408.30871	*	12	408.40751	*	4	408.41658	R	10
408.30873	*	12	408.40761	*	4	408.41802	*	7
408.30865	R	12	408.40762	*	4	408.41836	*	7
408.31059	*	19	408.41601	*	10	408.41837	*	7
408.31060	*	19	408.41610	*	10	408.41838	*	7
408.31063	*	19	408.41605	A	10	408.41841	*	7
408.31063a	*	19	408.41625	R	10	408.41851	*	7
408.31065	*	19	408.41626	R	10	408.41852	*	7
408.31066	*	19	408.41627	R	10	408.41853	*	7
408.31069	*	19	408.41628	R	10	408.41854	*	7
408.31070	*	19	408.41629	R	10	408.41855	*	7
408.31071	R	19	408.41630	R	10	408.41861	*	7
408.31071a	R	19	408.41631	R	10	408.41862	*	7
408.40115	*	4	408.41632	R	10	408.41863	*	7
408.40120	*	4	408.41633	R	10	408.41864	*	7
408.40121	*	4	408.41634	R	10	408.41865	*	7
408.40122	*	4	408.41635	R	10	408.41866	*	7
408.40123	*	4	408.41636	R	10	408.41867	*	7
408.40128	*	4	408.41637	R	10	408.41868	*	7

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
408.41869	*	7	408.42754	R	7	421.1101	R	1
408.41874	*	7	408.42755	R	7	421.1102	R	1
408.41875	*	7	408.42757	R	7	421.1103	R	1
408.41877	*	7	408.42758	R	7	421.1104	R	1
408.41884	*	7	408.42759	R	7	421.1105	R	1
408.41861a	A	7	408.42761	R	7	421.1106	R	1
408.41861b	A	7	408.42762	R	7	421.1107	R	1
408.41861c	A	7	408.42763	R	7	421.1108	R	1
408.41861d	A	7	408.42799	R	7	421.1109	R	1
408.41877a	A	7	408.44501	*	7	421.1110	R	1
408.41871	R	7	408.44502	*	7	421.1201	R	1
408.41872	R	7	409.2	*	18	421.1202	R	1
408.41876	R	7	409.3	*	18	421.1203	R	1
408.41878	R	7	409.4	*	18	421.1204	R	1
408.41879	R	7	409.5	*	18	421.1205	R	1
408.41881	R	7	418.1	R	1	421.1206	R	1
408.41882	R	7	418.2	R	1	421.1207	R	1
408.41883	R	7	418.3	R	1	421.1208	R	1
408.42701	*	7	418.4	R	1	421.1209	R	1
408.42705	A	7	418.5	R	1	421.1210	R	1
408.42710	R	7	418.6	R	1	421.1211	R	1
408.42724	R	7	418.7	R	1	421.1212	R	1
408.42725	R	7	418.8	R	1	421.1213	R	1
408.42726	R	7	418.51	R	1	421.1214	R	1
408.42727	R	7	418.52	R	1	421.1301	R	1
408.42728	R	7	418.53	R	1	421.1302	R	1
408.42731	R	7	418.54	R	1	421.1304	R	1
408.42732	R	7	418.55	R	1	421.1305	R	1
408.42733	R	7	418.56	R	1	421.1306	R	1
408.42734	R	7	418.57	R	1	421.1307	R	1
408.42735	R	7	418.58	R	1	421.1308	R	1
408.42737	R	7	418.10904	*	17	421.1309	R	1
408.42741	R	7	418.10915	*	17	421.1310	R	1
408.42742	R	7	418.10922	*	17	421.1311	R	1
408.42743	R	7	418.10923	*	17	421.1313	R	1
408.42744	R	7	418.101007	*	17	421.1314	R	1
408.42751	R	7	418.101008	*	17	421.1315	R	1
408.42752	R	7	418.101015	*	17	421.1316	R	1
408.42753	R	7	418.101208	*	17	421.1317	R	1

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
456.101	R	19	456.1302	A	19	460.17329	R	1
456.111	R	19	456.1303	A	19	460.17331	R	1
456.121	R	19	456.1401	A	19	460.17333	R	1
456.123	R	19	456.1501	A	19	460.17335	R	1
456.124	R	19	456.1502	A	19	460.17337	R	1
456.125	R	19	456.1503	A	19	460.17339	R	1
456.126	R	19	456.1601	A	19	460.17341	R	1
456.131	R	19	456.1701	A	19	460.17401	R	1
456.132	R	19	456.1702	A	19	460.17403	R	1
456.133	R	19	456.1801	A	19	460.17405	R	1
456.134	R	19	456.1802	A	19	460.17501	R	1
456.136	R	19	456.1803	A	19	460.17503	R	1
456.137	R	19	460.17101	R	1	460.17505	R	1
456.138	R	19	460.17103	R	1	460.17507	R	1
456.139	R	19	460.17105	R	1	460.17509	R	1
456.144	R	19	460.17107	R	1	460.17511	R	1
456.145	R	19	460.17109	R	1	460.17513	R	1
456.146	R	19	460.17111	R	1	460.17515	R	1
456.151	R	19	460.17113	R	1	460.17601	R	1
456.152	R	19	460.17115	R	1	460.17701	R	1
456.153	R	19	460.17201	R	1	484.903	*	12
456.154	R	19	460.17203	R	1	500.101	A	12
456.161	R	19	460.17205	R	1	500.102	A	12
456.162	R	19	460.17207	R	1	500.103	A	12
456.163	R	19	460.17209	R	1	500.104	A	12
456.164	R	19	460.17301	R	1	500.105	A	12
456.165	R	19	460.17303	R	1	500.106	A	12
456.166	R	19	460.17305	R	1	500.107	A	12
456.167	R	19	460.17307	R	1	500.108	A	12
456.191	R	19	460.17309	R	1	500.109	A	12
456.192	R	19	460.17311	R	1	500.110	A	12
456.193	R	19	460.17313	R	1	500.111	A	12
456.194	R	19	460.17315	R	1	500.2101	R	1
456.195	R	19	460.17317	R	1	500.2105	R	1
456.196	R	19	460.17319	R	1	500.2106	R	1
456.1101	A	19	460.17321	R	1	500.2107	R	1
456.1201	A	19	460.17323	R	1	500.2109	R	1
456.1202	A	19	460.17325	R	1	500.2110	R	1
456.1301	A	19	460.17327	R	1	500.2111	R	1

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R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
500.2112	R	1	554.31	R	5	792.10114	A	1
500.2113	R	1	554.32	R	5	792.10115	A	1
500.2114	R	1	554.33	R	5	792.10116	A	1
500.2115	R	1	554.34	R	5	792.10117	A	1
500.2116	R	1	554.35	R	5	792.10118	A	1
500.2117	R	1	554.41	R	5	792.10119	A	1
500.2118	R	1	554.42	R	5	792.10120	A	1
500.2119	R	1	554.51	R	5	792.10121	A	1
500.2120	R	1	554.52	R	5	792.10122	A	1
500.2121	R	1	554.53	R	5	792.10123	A	1
500.2122	R	1	554.61	R	5	792.10124	A	1
500.2123	R	1	554.62	R	5	792.10125	A	1
500.2124	R	1	554.63	R	5	792.10126	A	1
500.2125	R	1	554.64	R	5	792.10128	A	1
500.2126	R	1	554.65	R	5	792.10129	A	1
500.2127	R	1	554.66	R	5	792.10130	A	1
500.2128	R	1	554.67	R	5	792.10131	A	1
500.2129	R	1	554.68	R	5	792.10132	A	1
500.2130	R	1	554.69	R	5	792.10133	A	1
500.2131	R	1	554.70	R	5	792.10134	A	1
500.2134	R	1	554.71	R	5	792.10135	A	1
500.2136	R	1	791.3301	R	1	792.10136	A	1
500.2137	R	1	791.3305	R	1	792.10137	A	1
500.2138	R	1	791.3310	R	1	792.10201	*	1
554.1	R	5	791.3315	R	1	792.10203	*	1
554.2	R	5	791.33100	A	17	792.10205	*	1
554.3	R	5	792.10101	A	1	792.10207	*	1
554.4	R	5	792.10102	A	1	792.10209	*	1
554.5	R	5	792.10103	A	1	792.10211	*	1
554.6	R	5	792.10104	A	1	792.10213	*	1
554.21	R	5	792.10105	A	1	792.10215	*	1
554.22	R	5	792.10106	A	1	792.10219	*	1
554.23	R	5	792.10107	A	1	792.10221	*	1
554.24	R	5	792.10108	A	1	792.10223	*	1
554.25	R	5	792.10109	A	1	792.10225	*	1
554.26	R	5	792.10110	A	1	792.10227	*	1
554.27	R	5	792.10111	A	1	792.10229	*	1
554.28	R	5	792.10112	A	1	792.10231	*	1
554.29	R	5	792.10113	A	1	792.10233	*	1

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
792.10237	*	1	792.10412	A	1	792.10503	A	1
792.10239	*	1	792.10413	A	1	792.10504	A	1
792.10241	*	1	792.10414	A	1	792.10505	A	1
792.10243	*	1	792.10415	A	1	792.10506	A	1
792.10247	*	1	792.10416	A	1	792.10507	A	1
792.10251	*	1	792.10417	A	1	792.10508	A	1
792.10253	*	1	792.10418	A	1	792.10509	A	1
792.10255	*	1	792.10419	A	1	792.10510	A	1
792.10257	*	1	792.10420	A	1	792.10511	A	1
792.10259	*	1	792.10421	A	1	792.10512	A	1
792.10261	*	1	792.10422	A	1	792.10601	A	1
792.10263	*	1	792.10423	A	1	792.10602	A	1
792.10265	*	1	792.10424	A	1	792.10603	A	1
792.10269	*	1	792.10425	A	1	792.10604	A	1
792.10271	*	1	792.10426	A	1	792.10605	A	1
792.10273	*	1	792.10427	A	1	792.10606	A	1
792.10275	*	1	792.10428	A	1	792.10607	A	1
792.10277	*	1	792.10429	A	1	792.10608	A	1
792.10279	*	1	792.10430	A	1	792.10609	A	1
792.10283	*	1	792.10431	A	1	792.10701	A	1
792.10287	*	1	792.10432	A	1	792.10702	A	1
792.10289	*	1	792.10433	A	1	792.10703	A	1
792.10301	A	1	792.10434	A	1	792.10704	A	1
792.10302	A	1	792.10435	A	1	792.10705	A	1
792.10303	A	1	792.10436	A	1	792.10706	A	1
792.10304	A	1	792.10437	A	1	792.10707	A	1
792.10305	A	1	792.10438	A	1	792.10708	A	1
792.10306	A	1	792.10439	A	1	792.10709	A	1
792.10401	A	1	792.10440	A	1	792.10710	A	1
792.10402	A	1	792.10441	A	1	792.10711	A	1
792.10403	A	1	792.10442	A	1	792.10712	A	1
792.10404	A	1	792.10443	A	1	792.10713	A	1
792.10405	A	1	792.10444	A	1	792.10714	A	1
792.10406	A	1	792.10445	A	1	792.10715	A	1
792.10407	A	1	792.10446	A	1	792.10801	A	1
792.10408	A	1	792.10447	A	1	792.10802	A	1
792.10409	A	1	792.10448	A	1	792.10803	A	1
792.10410	A	1	792.10501	A	1	792.10804	A	1
792.10411	A	1	792.10502	A	1	792.10805	A	1

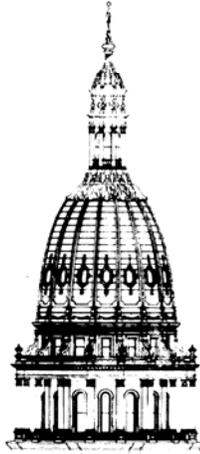
(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
792.10806	A	1	792.11024	A	1	792.11311	A	1
792.10807	A	1	792.11025	A	1	792.11312	A	1
792.10808	A	1	792.11026	A	1	792.11313	A	1
792.10809	A	1	792.11027	A	1	792.11314	A	1
792.10901	A	1	792.11101	A	1	792.11315	A	1
792.10902	A	1	792.11102	A	1	792.11316	A	1
792.10903	A	1	792.11103	A	1	792.11317	A	1
792.10904	A	1	792.11104	A	1	792.11318	A	1
792.10905	A	1	792.11105	A	1	792.11319	A	1
792.10906	A	1	792.11106	A	1	792.11320	A	1
792.10907	A	1	792.11107	A	1	792.11321	A	1
792.10908	A	1	792.11108	A	1	792.11401	A	1
792.10909	A	1	792.11109	A	1	792.11402	A	1
792.10910	A	1	792.11110	A	1	792.11403	A	1
792.10911	A	1	792.11111	A	1	792.11404	A	1
792.10912	A	1	792.11112	A	1	792.11405	A	1
792.11001	A	1	792.11113	A	1	792.11406	A	1
792.11002	A	1	792.11114	A	1	792.11407	A	1
792.11003	A	1	792.11115	A	1	792.11408	A	1
792.11004	A	1	792.11116	A	1	792.11409	A	1
792.11005	A	1	792.11117	A	1	792.11410	A	1
792.11006	A	1	792.11118	A	1	792.11411	A	1
792.11007	A	1	792.11201	A	1	792.11412	A	1
792.11008	A	1	792.11202	A	1	792.11413	A	1
792.11009	A	1	792.11203	A	1	792.11414	A	1
792.11010	A	1	792.11204	A	1	792.11415	A	1
792.11011	A	1	792.11205	A	1	792.11416	A	1
792.11012	A	1	792.11206	A	1	792.11417	A	1
792.11013	A	1	792.11207	A	1	792.11418	A	1
792.11014	A	1	792.11208	A	1	792.11419	A	1
792.11015	A	1	792.11301	A	1	792.11420	A	1
792.11016	A	1	792.11302	A	1	792.11421	A	1
792.11017	A	1	792.11303	A	1	792.11422	A	1
792.11018	A	1	792.11304	A	1	792.11423	A	1
792.11019	A	1	792.11305	A	1	792.11424	A	1
792.11020	A	1	792.11306	A	1	792.11425	A	1
792.11021	A	1	792.11307	A	1	792.11426	A	1
792.11022	A	1	792.11309	A	1	792.11427	A	1
792.11023	A	1	792.11310	A	1	792.11428	A	1

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
792.11429	A	1	792.11707	A	1
792.11430	A	1	792.11708	A	1
792.11431	A	1	792.11709	A	1
792.11432	A	1	792.11801	A	1
792.11433	A	1	792.11802	A	1
792.11501	A	1	792.11803	A	1
792.11502	A	1	792.11901	A	1
792.11503	A	1	792.11902	A	1
792.11504	A	1	792.11903	A	1
792.11505	A	1			
792.11506	A	1			
792.11507	A	1			
792.11508	A	1			
792.11509	A	1			
792.11510	A	1			
792.11511	A	1			
792.11512	A	1			
792.11513	A	1			
792.11514	A	1			
792.11515	A	1			
792.11516	A	1			
792.11517	A	1			
792.11601	A	1			
792.11602	A	1			
792.11603	A	1			
792.11604	A	1			
792.11605	A	1			
792.11606	A	1			
792.11607	A	1			
792.11608	A	1			
792.11609	A	1			
792.11610	A	1			
792.11611	A	1			
792.11701	A	1			
792.11702	A	1			
792.11703	A	1			
792.11704	A	1			
792.11705	A	1			
792.11706	A	1			

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)



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Part 7. Disciplinary Proceedings (2015-1)
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Part 27 Blasting and Use of Explosive CS (2015-7)
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**ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2015 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

2015 Michigan Public Acts Table

Legislative Service Bureau
Legal Division, Statutory Compiling and Law Publications Unit
124 W. Allegan, Lansing, MI 48909

July 28, 2015
Through PA 130 of 2015

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
1		0044	Yes	2/19	2/20	5/21/15 #	Elections; primary ; presidential primary election date; revise. (Sen. D. Robertson)
2		0045	Yes	2/19	2/20	5/21/15 #	Elections; primary ; presidential primary election date; revise. (Sen. D. Robertson)
3		0034	Yes	3/4	3/4	3/4/15	Weapons; licensing ; concealed pistol licensing boards; eliminate, and transfer duties to the department of state police and county clerks. (Sen. M. Green)
4		0035	Yes	3/4	3/4	10/1/15 #	Criminal procedure ; sentencing guidelines; reference in sentencing guidelines; update. (Sen. M. Green)
5	4110		Yes	3/10	3/10	3/10/15	Appropriations; supplemental ; omnibus school aid supplemental adjusting certain appropriations and fund sources; provide for. (Rep. A. Pscholka)
6	4112		Yes	3/10	3/10	3/10/15	Appropriations; zero budget ; supplemental appropriations; provide for fiscal year 2014-2015. (Rep. A. Pscholka)
7	4078		Yes	3/17	3/17	3/17/15	Appropriations; capital outlay ; Michigan natural resources trust fund; provide appropriations. (Rep. J. Bumstead)

- * - I.E. means Legislature voted to give the Act immediate effect.
- ** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
- *** - See Act for applicable effective date.
- + - Line item veto.
- ++ - Pocket veto.
- # - Tie bar.

2015 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
8		0137	Yes	4/1	4/1	4/1/15	Insurance; health insurers; amount of autism coverage fund revenues to be expended for university autism programs and autism family assistance services; increase. (Sen. D. Hildenbrand)
9		0138	Yes	4/1	4/1	6/30/15	Crime victims; rights; distribution of crime victim's rights funds; modify. (Sen. D. Hildenbrand)
10	4051		Yes	4/9	4/9	4/9/15	Taxation; administration; disclosure of certain tax-exempt property; provide for. (Rep. J. Farrington)
11		0042	Yes	4/9	4/9	4/9/15	Vehicles; driver training; certain requirements applicable to commercial learner's permit; amend to comply with federal regulations. (Sen. T. Casperson)
12		0054	Yes	4/14	4/14	7/13/15	Natural resources; hunting; use of unmanned vehicles or devices to interfere with or harass another individual who is hunting or fishing; prohibit. (Sen. T. Casperson)
13		0055	Yes	4/14	4/14	7/13/15 #	Natural resources; hunting; use of unmanned vehicles or device for taking game or fish; prohibit. (Sen. P. Pavlov)
14	4119		Yes	4/14	4/14	4/14/15 #	Civil procedure; garnishment; garnishment of periodic payments; revise procedure. (Rep. D. Garcia)
15	4120		Yes	4/14	4/14	9/30/15 #	Labor; fair employment practices; deductions from wages without written consent of employee; include certain reimbursements related to garnishment. (Rep. M. McCready)
16		0053	Yes	4/14	4/14	7/13/15	Weapons; firearms; exemption for retired federal law enforcement officers to carry a concealed pistol in pistol-free zones; provide for. (Sen. R. Jones)

- * - I.E. means Legislature voted to give the Act immediate effect.
- ** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
- *** - See Act for applicable effective date.
- + - Line item veto.
- ++ - Pocket veto.
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2015 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
17		0160	Yes	4/22	4/22	4/22/15	Cities; home rule ; provision regarding financial recovery bonds; modify. (Sen. D. Booher)
18		0018	Yes	4/29	4/29	4/29/15 #	Property; conveyances ; certain land in Calhoun County; provide for conveyance after obtaining from United States. (Sen. M. Nofs)
19		0019	Yes	4/29	4/29	4/29/15 #	Property tax; assessments ; definition of transfer of ownership; exclude certain transfers. (Sen. M. Nofs)
20		0012	Yes	5/5	5/5	5/5/15	Retirement; state employees ; retired state employees to contract with department of attorney general in litigation matters involving this state; allow under certain circumstances without losing retirement allowance. (Sen. R. Jones)
21	4151		Yes	5/12	5/12	5/12/15 #	Weapons; firearms ; 1959 PA 186; repeal. (Rep. P. Pettalia)
22	4152		Yes	5/12	5/12	7/1/15 #	Weapons; firearms ; definition of firearm in MCL 8.3t; modify. (Rep. J. Sheppard)
23	4153		Yes	5/12	5/12	7/1/15 #	Weapons; firearms ; definition of firearm in MCL 752.841; modify. (Rep. R. Franz)
24	4154		Yes	5/12	5/12	7/1/15 #	Weapons; firearms ; definition of firearm in the natural resources and environmental protection act; modify. (Rep. B. Roberts)
25	4156		Yes	5/12	5/12	7/1/15 #	Weapons; firearms ; definition of firearm in 1927 PA 372; modify. (Rep. T. Barrett)

- * - I.E. means Legislature voted to give the Act immediate effect.
- ** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
- *** - See Act for applicable effective date.
- + - Line item veto.
- ++ - Pocket veto.
- # - Tie bar.

2015 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
26	4155		Yes	5/12	5/12	7/1/15 #	Weapons; firearms; definition of firearm in the Michigan penal code; modify. <i>(Rep. T. Cole)</i>
27	4160		Yes	5/12	5/12	8/10/15 #	Weapons; other; brandishing a firearm; exempt certain actions. <i>(Rep. J. Johnson)</i>
28	4161		Yes	5/12	5/12	8/10/15 #	Weapons; other; definition of brandish; provide for. <i>(Rep. H. Hughes)</i>
29		0085	Yes	5/12	5/12	8/10/15	Weapons; firearms; definition of pneumatic guns; provide for, and prohibit certain regulations by local units of government. <i>(Sen. D. Hildenbrand)</i>
30		0099	Yes	5/18	5/18	5/18/15	Highways; name; portion of business loop I-94; designate as the "Detective LaVern S. Brann Memorial Highway". <i>(Sen. M. Nofs)</i>
31	4069		Yes	5/20	5/20	8/18/15	Criminal procedure; youthful trainees; eligibility criteria for youthful trainee program; modify. <i>(Rep. H. Santana)</i>
32	4135		Yes	5/20	5/20	8/18/15	Criminal procedure; youthful trainees; revocation of trainee status under Holmes youthful trainee act for committing certain subsequent crimes; provide for. <i>(Rep. K. Heise)</i>
33	4169		Yes	5/20	5/20	8/18/15	Criminal procedure; sentencing; option of placing individual in prison under the Holmes youthful trainee act; eliminate. <i>(Rep. M. Hovey-Wright)</i>
34	4162		Yes	5/21	5/21	8/19/15 #	Occupations; individual licensing and regulation; requirement for installation and repair of elevators by elevator journeymen; modify for installation and repair of residential lifts. <i>(Rep. A. Nesbitt)</i>

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2015 Michigan Public Acts Table

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	HB	SB					
35	4163		Yes	5/21	5/21	8/19/15 #	Occupations; individual licensing and regulation; licensing of residential lift contractors; create as class of elevator contractors. <i>(Rep. A. Pscholka)</i>
36	4038		Yes	5/21	5/21	8/19/15	Housing; landlord and tenants; demand for payment of rent or possession of premises; allow by electronic mail. <i>(Rep. A. Forlini)</i>
37	4076		Yes	5/21	5/21	5/21/15	Weapons; firearms; reference to certain repealed definition in the penal code; eliminate. <i>(Rep. B. Rendon)</i>
38		0052	Yes	5/21	5/21	8/19/15	Veterans; other; veterans welcome home act; replace reference to "department of labor and economic growth" with "Michigan veterans affairs agency". <i>(Sen. J. Stamas)</i>
39	4075		Yes	6/1	6/1	6/1/15	Records; public; transcripts and abstracts of records act; clarify fee for electronic copies. <i>(Rep. B. Rendon)</i>
40	4054		Yes	6/3	6/3	9/1/15	Mobile homes; other; health and safety violations; provide for remedies and require posting of financial assurance. <i>(Rep. A. Schor)</i>
41	4017		Yes	6/3	6/3	6/3/15	Food; other; persons donating food to nonprofit organizations or corporations that distribute donated food; provide immunity for. <i>(Rep. J. Farrington)</i>
42		0139	Yes	6/3	6/3	9/1/15	Education; other; certain fund-raising activities during school hours; allow. <i>(Sen. P. Colbeck)</i>
43		0329	Yes	6/5	6/5	6/5/15	Elections; election officials; modifying the nominating petition filing deadline for candidates for city offices; authorize under certain circumstances and add certain election accountability provisions. <i>(Sen. J. Ananich)</i>

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	HB	SB					
44	4060		Yes	6/8	6/9	9/7/15	Higher education; state universities; acceptance of an American council on education transcript; allow, and clarify transferable credits. <i>(Rep. H. Hughes)</i>
45		0221	Yes	6/8	6/9	6/9/15	Higher education; education programs; participation in interstate compacts or agreements concerning distance education; regulate. <i>(Sen. T. Schuitmaker)</i>
46		0086	Yes	6/8	6/9	6/9/15	State financing and management; bonds; issuance of certain types of bonds; extend sunset. <i>(Sen. J. Brandenburg)</i>
47		0271	Yes	6/8	6/9	6/9/15	Liquor; licenses; sale of unlimited quantity of alcoholic liquor at a specific price at a private function; allow, and regulate price of 2 or more drinks sold to an individual. <i>(Sen. W. Schmidt)</i>
48		0196	Yes	6/8	6/9	9/7/15	Vehicles; other; issuance of salvage or scrap certificate of title to insurance company; allow under certain circumstances and make other revisions. <i>(Sen. T. Casperson)</i>
49	4467		Yes	6/9	6/9	6/9/15	Corrections; other; use of certain privately owned correctional facility to house certain adult inmates; allow. <i>(Rep. J. Bumstead)</i>
50	4071		Yes	6/8	6/9	9/7/15 #	Family law; child custody; requirement to file motion for change of custody or parenting time order when parent is called to active military duty; modify. <i>(Rep. T. Barrett)</i>
51	4482		Yes	6/8	6/9	9/7/15 #	Family law; child custody; requirement to file motion for change of custody or parenting time order when parent is called to active military duty; modify. <i>(Rep. K. Kesto)</i>
52		0009	Yes	6/8	6/9	9/7/15 #	Family law; child custody; requirement to file motion for change of custody order when parent is called to active military duty; modify. <i>(Sen. R. Jones)</i>

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2015 Michigan Public Acts Table

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	HB	SB					
53	4188		Yes	6/11	6/11	9/9/15 #	Children; adoption; objection to placements by child placing agency based on religious or moral convictions; allow. (Rep. A. LaFontaine)
54	4189		Yes	6/11	6/11	9/9/15 #	Children; adoption; objection to placements by child placing agency based on religious or moral convictions; allow. (Rep. H. Santana)
55	4190		Yes	6/11	6/11	9/9/15 #	Children; adoption; licensure of child placing agency that objects to placements on religious or moral grounds; allow. (Rep. E. Leutheuser)
56	4041		Yes	6/10	6/11	6/11/15	Human services; services or financial assistance; family independence assistance program group's compliance with compulsory school attendance; require in order to receive assistance. (Rep. A. Pscholka)
57	4404		Yes	6/10	6/11	10/1/15	Employment security; funds; use of contingent funds for workforce training programs; allow. (Rep. L. Inman)
58	4409		Yes	6/10	6/11	10/1/15	Human services; services or financial assistance; families leaving family independence programs due to no longer meeting financial eligibility; eliminate monthly payment. (Rep. E. Poleski)
59	4444		Yes	6/10	6/11	10/1/15	Mental health; code; certain fees under the mental health code; modify, and provide other general amendments. (Rep. C. Afendoulis)
60	4449		Yes	6/10	6/11	10/1/15	Environmental protection; air pollution; air emission fees; modify. (Rep. R. Victory)
61	4470		Yes	6/9	6/11	10/1/15	Food; other; certain MDARD fees; increase. (Rep. J. Hoadley)

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	HB	SB					
62	4363		Yes	6/10	6/11	10/1/15	Occupations; mechanical contractors ; certain fees under the Forbes mechanical contractors act; modify. <i>(Rep. H. Santana)</i>
63	4382		Yes	6/10	6/11	10/1/15	Occupations; electricians ; certain fees under the electrical administrative act; modify. <i>(Rep. C. Afendoulis)</i>
64	4383		Yes	6/10	6/11	10/1/15	Occupations; inspectors ; building officials, inspectors, and plan reviewers; modify fees. <i>(Rep. C. Afendoulis)</i>
65	4384		Yes	6/10	6/11	10/1/15	Businesses; nonprofit corporations ; annual report fees under the nonprofit corporation act; modify. <i>(Rep. C. Afendoulis)</i>
66	4397		Yes	6/10	6/11	10/1/15	Businesses; business corporations ; annual report fees under the business corporation act; modify. <i>(Rep. G. Darany)</i>
67	4398		Yes	6/10	6/11	10/1/15	Trade; securities ; certain fees under the uniform securities act; modify. <i>(Rep. R. Kosowski)</i>
68	4399		Yes	6/10	6/11	10/1/15	Businesses; limited liability companies ; annual statement fees under the Michigan limited liability company act; modify. <i>(Rep. L. Love)</i>
69	4400		Yes	6/10	6/11	6/11/15	Agriculture; animals ; licensing fees related to livestock operators; extend sunset. <i>(Rep. N. Jenkins)</i>
70	4439		Yes	6/10	6/11	10/1/15	Vehicles; title ; tire disposal surcharge; earmark to the solid waste management fund and extend sunset. <i>(Rep. R. Victory)</i>

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	HB	SB					
71	4443		Yes	6/10	6/11	10/1/15	Law enforcement; fingerprinting; fees charged for fingerprinting and criminal record check; modify sunset. (Rep. A. Miller)
72	4445		Yes	6/10	6/11	10/1/15	Traffic control; other; disposition of commercial look-up service fees; extend sunset. (Rep. A. Pscholka)
73	4446		Yes	6/10	6/11	10/1/15	Traffic control; other; disposition of commercial look-up service fees; extend sunset. (Rep. A. Pscholka)
74	4364		Yes	6/10	6/11	10/1/15	Occupations; plumbers; certain fees under the state plumbing act; modify. (Rep. H. Santana)
75	4381		Yes	6/10	6/11	10/1/15	Occupations; licensing fees; occupational code fees under state license fee act; modify. (Rep. C. Afendoulis)
76	4448		Yes	6/10	6/11	10/1/15	Natural resources; inland lakes; inland lakes and streams application fees; modify. (Rep. R. Victory)
77	4568		Yes	6/10	6/11	10/1/15	Traffic control; other; disposition of commercial look-up service fees; extend sunset. (Rep. A. Pscholka)
78	4569		Yes	6/10	6/11	10/1/15	Vehicles; registration; vehicle registration tax credited to transportation administration collection fund; extend sunset. (Rep. A. Pscholka)
79		0100	No	6/16	6/16	**	Taxation; administration; prepayment of tax, penalty, and interest requirement as a prerequisite to filing a case regarding the assessment of tax in the Michigan court of claims; eliminate. (Sen. J. Brandenburg)

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	HB	SB					
80		0304	Yes	6/16	6/16	6/16/15	Occupations; junk and secondhand dealers; payment requirements for certain scrap metal purchase transactions; modify. <i>(Sen. M. Kowall)</i>
81	4434		Yes	6/16	6/16	10/1/15	Human services; county services; sunset on certain administrative rate changes to foster care services; eliminate, and make subject to appropriation. <i>(Rep. E. Poleski)</i>
82	4441		Yes	6/16	6/16	10/1/15	Environmental protection; other; water pollution, solid waste, and recycling fees and sewerage expedited review process; extend sunset. <i>(Rep. S. Roberts)</i>
83	4451		Yes	6/16	6/16	10/1/15	Agriculture; other; feed law; provide general amendments. <i>(Rep. N. Jenkins)</i>
84		0133	Yes	6/17	6/17	6/17/15 +	Appropriations; zero budget; omnibus budget appropriations bill; provide for. <i>(Sen. D. Hildenbrand)</i>
85	4115		Yes	6/17	6/17	6/17/15	Appropriations; zero budget; fiscal year 2015-2016 omnibus appropriations for school aid, higher education, and community colleges; provide for. <i>(Rep. A. Pscholka)</i>
86	4101		Yes	6/23	6/23	6/23/15	Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2014-2015. <i>(Rep. A. Pscholka)</i>
87	4175		Yes	6/23	6/23	9/21/15	Torts; liability; liability of persons under equine activity liability act; limit to willful or wanton acts under certain circumstances. <i>(Rep. J. Johnson)</i>
88	4245		Yes	6/23	6/23	9/21/15	Occupations; inspectors; registration as a building official, plan reviewer, or inspector; eliminate employment with governmental subdivision as a requirement for and change renewal dates. <i>(Rep. A. Forlini)</i>

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	HB	SB					
89	4203		Yes	6/25	6/25	6/25/15 #	Businesses; nonprofit corporations; reference to "crippled children" in trustee corporation law; revise to "children and youth with special health care needs". (Rep. M. Callton)
90	4204		Yes	6/25	6/25	6/25/15 #	Human services; children's services; reference to "crippled children"; revise to "children and youth with special health care needs". (Rep. J. Graves)
91	4205		Yes	6/25	6/25	6/25/15	Health; children; reference to "crippled children"; revise to "children and youth with special health care needs" and change the date on licensing pharmacy technicians. (Rep. A. Schor)
92		0112	Yes	6/25	6/25	6/25/15 #	Records; health; reference to "crippled children"; revise to "children and youth with special health care needs". (Sen. C. Hertel)
93		0113	Yes	6/25	6/25	6/25/15 #	Human services; children's services; reference to "crippled children"; revise to "children and youth with special health care needs". (Sen. J. Marleau)
94		0114	Yes	6/25	6/25	6/25/15 #	Children; child care; reference to "crippled children"; revise to "children and youth with special health care needs". (Sen. M. O'Brien)
95	4468		Yes	6/30	6/30	6/30/15	Aeronautics; airport authority; regional airport authority; allow to be created. (Rep. R. VerHeulen)
96	4496		Yes	6/29	6/30	6/30/15	State financing and management; bonds; qualifying refunding bonds; provide for a school district to recalculate its millage levy. (Rep. R. Victory)
97	4497		Yes	6/29	6/30	6/30/15	State financing and management; bonds; qualification of refunding bonds; revise for schools that will not meet their final mandatory repayment date. (Rep. R. Victory)

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2015 Michigan Public Acts Table

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	HB	SB					
98	4271		Yes	6/29	6/30	9/28/15 #	Elections; scheduling; February regular election date; eliminate. (Rep. L. Lyons)
99	4276		Yes	6/29	6/30	9/28/15 #	Elections; scheduling; February regular election date; eliminate. (Rep. L. Lyons)
100	4272		Yes	6/29	6/30	9/28/15 #	Elections; scheduling; February regular election date; eliminate. (Rep. D. Lauwers)
101	4273		Yes	6/29	6/30	9/28/15 #	Elections; scheduling; February regular election date; eliminate. (Rep. K. Heise)
102	4274		Yes	6/29	6/30	9/28/15 #	Elections; scheduling; February regular election date; eliminate. (Rep. K. Kesto)
103	4385		Yes	6/29	6/30	9/28/15 #	Elections; scheduling; February regular election date; eliminate. (Rep. B. Jacobsen)
104	4447		Yes	6/30	6/30	10/1/15	Health facilities; other; certain fees under the public health code; modify, and provide other general amendments. (Rep. A. Pscholka)
105	4052		Yes	6/30	6/30	6/30/15	Labor; benefits; mandatory wage, benefit, leave time scheduling, training, or application information requirements; prohibit local units of government from establishing for employers. (Rep. E. Poleski)
106	4457		Yes	6/30	6/30	9/28/15	Children; adoption; adoption registry fee; eliminate. (Rep. J. Runestad)

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	HB	SB					
107		0217	Yes	6/30	6/30	6/30/15	Property tax; classification; reference to qualified forest in qualified agriculture definition; remove. (Sen. D. Booher)
108		0108	Yes	6/30	6/30	6/30/15	Libraries; district; district library establishment act; modify. (Sen. D. Zorn)
109	4325		Yes	7/7	7/7	7/7/15 #	Education; school districts; reporting of budgetary assumptions and certain periodic financial status reports; require as part of early warning system. (Rep. E. Poleski)
110	4326		Yes	7/7	7/7	7/7/15	Education; financing; preliminary review to determine the existence of probable financial stress in school districts; require under certain conditions and modify the state financial authority for certain school districts. (Rep. E. Poleski)
111	4327		Yes	7/7	7/7	7/7/15 #	Education; school districts; enhanced deficit elimination plans; provide. (Rep. A. Pscholka)
112	4328		Yes	7/7	7/7	7/7/15 #	School aid; other; deficit elimination plan requirement; revise. (Rep. L. Lyons)
113	4329		Yes	7/7	7/7	7/7/15 #	Education; financing; school district placement under control of an emergency manager for failure to comply with enhanced deficit elimination plan; provide for. (Rep. P. Somerville)
114	4330		Yes	7/7	7/7	7/7/15 #	School aid; payments; reference to deficit elimination plan compliance in school aid act; update, include enhanced deficit elimination plans, and revise other reporting requirements. (Rep. T. Kelly)
115	4331		Yes	7/7	7/7	7/7/15 #	Local government; financing; emergency municipal loan act; increase cap on emergency loans. (Rep. B. Jacobsen)

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	HB	SB					
116	4332		Yes	7/7	7/7	7/7/15	State financing and management ; funds; surplus funds for certain emergency loans; modify. <i>(Rep. D. Garcia)</i>
117	4122		Yes	7/9	7/10	7/10/15	Taxation ; administration; film credits; sunset. <i>(Rep. D. Lauwers)</i>
118	4391		Yes	7/9	7/10	10/1/15	Agriculture ; pesticides; fertilizer fees; revise to provide regulatory support and research. <i>(Rep. D. Lauwers)</i>
119	4553		Yes	7/9	7/10	7/10/15	Property tax ; exemptions; general property tax act; modify filing deadlines, exemptions, and requirements. <i>(Rep. D. Maturen)</i>
120	4554		Yes	7/9	7/10	7/10/15	Property tax ; special assessments; state essential services assessment; modify certain definitions, dates, and filing requirements and provide for other general amendments. <i>(Rep. D. Maturen)</i>
121	4555		Yes	7/9	7/10	7/10/15	Property tax ; special assessments; alternative state essential services assessment; modify certain definitions, dates, and filing requirements and provide for other general amendments. <i>(Rep. K. Yonker)</i>
122	4556		Yes	7/9	7/10	7/10/15	Local government ; other; distribution of local community stabilization authority act share revenues; modify. <i>(Rep. K. Yonker)</i>
123	4557		Yes	7/9	7/10	7/10/15	Economic development ; plant rehabilitation; plant rehabilitation act; modify certain exemptions. <i>(Rep. J. Townsend)</i>
124	4558		Yes	7/9	7/10	7/10/15	Use tax ; rate; local community stabilization share tax rate; modify. <i>(Rep. J. Townsend)</i>

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	HB	SB					
125	4226		Yes	7/15	7/15	7/15/15	Economic development ; economic development corporations; certified technology park distinct geographic areas; increase. <i>(Rep. D. Garcia)</i>
126		0165	Yes	7/15	7/15	7/15/15 #	Vehicles ; other; commercial quadricycles; allow to serve alcohol under certain circumstances and make other revisions to Michigan vehicle code. <i>(Sen. W. Schmidt)</i>
127		0166	Yes	7/15	7/15	7/15/15 #	Vehicles ; other; commercial quadricycle; define, and exclude from definition of "motor vehicle". <i>(Sen. T. Casperson)</i>
128	4319		Yes	7/15	7/15	7/15/15	Traffic control ; traffic regulation; criteria for vehicles to proceed without stopping at inactive railroad track grade crossings; amend. <i>(Rep. A. Nesbitt)</i>
129	4320		Yes	7/15	7/15	7/15/15	Transportation ; school vehicles; requirement for driver of school bus to stop at certain railroad track grade crossings; revise. <i>(Rep. A. Nesbitt)</i>
130		0069	Yes	7/22	7/22	7/22/15	Higher education ; community colleges; job training programs; revise sunset provision for new training agreements and clarify definition of new job. <i>(Sen. D. Booher)</i>

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