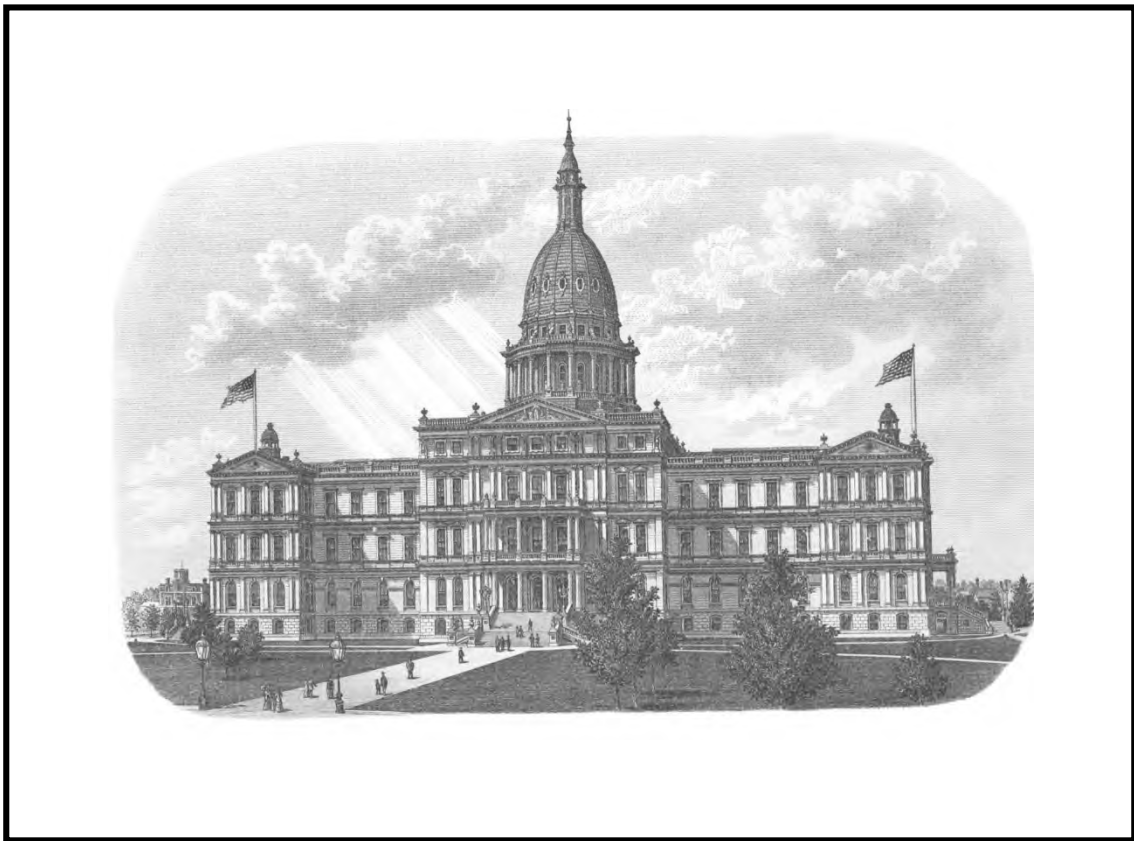


Michigan Register

Issue No. 14 – 2021 (Published August 15, 2021)



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 August 15, 2021, contains
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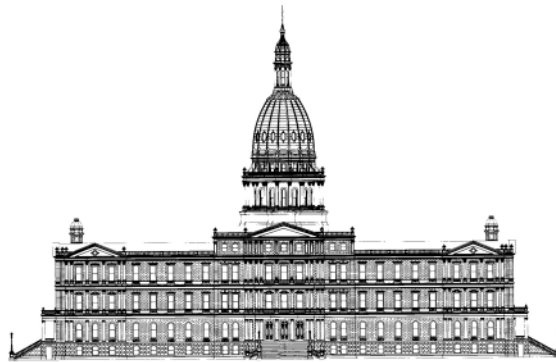
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Katherine Wienczewski, State Administrative Manager, Michigan Office of Administrative Hearings and Rules;
Deidre O’Berry, Administrative Rules Specialist for Operations and Publications.

Gretchen Whitmer, Governor



Garlin Gilchrist, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Michigan Office of Administrative Hearings and Rules 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, 2021 MR 1 refers to the year of issue (2021) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Michigan Office of Administrative Hearings and Rules 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 Michigan Office of Administrative Hearings and Rules 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, Michigan Office of Administrative Hearings and Rules, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48933.

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: Michigan Office of Administrative Hearings and Rules, Ottawa Building –Second Floor, 611 W. Ottawa Street, Lansing, MI 48933. Checks Payable: State of Michigan. Any questions should be directed to the Michigan Office of Administrative Hearings and Rules (517) 335-2484.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the website of the Michigan Office of Administrative Hearings and Rules – Administrative Rules Division: www.michigan.gov/ard.

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Michigan Office of Administrative Hearings and Rules website. 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.

Executive Director,
Michigan Office of Administrative Hearings and Rules

2021 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2021	February 1, 2021
2	February 1, 2021	February 15, 2021
3	February 15, 2021	March 1, 2021
4	March 1, 2021	March 15, 2021
5	March 15, 2021	April 1, 2021
6	April 1, 2021	April 15, 2021
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18	October 1, 2021	October 15, 2021
19	October 15, 2021	November 1, 2021
20	November 1, 2021	November 15, 2021
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24	January 1, 2022	January 15, 2022

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**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
DANA NESSEL, ATTORNEY GENERAL

THE DOG LAW: County regulation of the keeping of livestock
and poultry on residential land.
COUNTY BOARDS OF COMMISSIONERS:

The Dog Law of 1919, 1919 PA 339, MCL 287.261 *et seq.*, does not authorize a county to adopt an animal control ordinance regulating the keeping of livestock and poultry.

The county's general ordinance-making power of MCL 46.11(j) does not authorize a county board of commissioners to adopt a countywide ordinance regulating the keeping of livestock and poultry on residential land.

Opinion No. 7314

July 22, 2021

The Honorable Sarah Anthony
State Representative
S-1087 House Office Building
P.O. Box 30014
Lansing, MI 48909-7514

You have asked whether a county board of commissioners has the statutory authority to regulate the keeping of livestock and poultry. In particular, you ask whether such authority exists in the Dog Law of 1919, 1919 PA 339, MCL 287.261 *et seq.* (the Dog Law), or in the county's general ordinance-making power of MCL 46.11(j).

Your request references an Ingham County Board of Commissioners' resolution, which asks whether state law authorizes a county to regulate the keeping of livestock and poultry on residential land (i.e., non-agricultural land) by way of a county animal control ordinance adopted under Section 29a of the Dog Law and MCL 46.11(j). You note the importance of such an interpretation due to the increasing popularity of keeping livestock and poultry in urban and suburban areas.

The Dog Law of 1919

As stated in the title of the Dog Law, the purposes of the law are:

[Protecting] live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases . . . imposing powers and duties on certain state, county, city and township officers and employees. . . .

In addition to licensing dogs and protecting livestock and poultry from damage by dogs, the Dog Law allows a county to establish an animal control agency and “provide for animal control programs, facilities, personnel and necessary expenses incurred in animal control.” MCL 287.289a. But section 29a, MCL 287.289a, expressly limits a county’s jurisdiction to cities, villages and townships that do not have their own animal control ordinances.

When interpreting a statute, such as the Dog Law, the primary rule is to discern and give effect to the intent of the Legislature. *Murphy v Mich Bell Tel Co*, 447 Mich 93, 98 (1994). That intent is evidenced by the statute’s plain language. *Wickens v Oakwood Healthcare Sys*, 465 Mich 53, 60 (2001). If the statute’s language is unambiguous, it must be presumed that the Legislature intended its clearly expressed meaning. *Id.* (citations omitted). “[F]urther construction is neither required nor permitted.” *Nastal v Henderson & Assoc Investigations, Inc*, 471 Mich 712, 720 (2005).

While section 29a authorizes counties to establish animal control agencies and hire animal control officers, there is no language in the Dog Law that authorizes a county to regulate the raising of livestock and poultry. Based on the canons of statutory construction cited above, the Legislature did not, therefore, grant such authority.

A similar question regarding the scope of a county’s authority under the Dog Law was addressed in OAG, 1977-1978, No. 5341, p 556 (July 31, 1978), which considered whether the Dog Law authorized a county to operate a spay and neuter clinic for dogs and cats. That opinion explained that, consistent with its title, the Dog Law provides for protection of the public from damage caused by dogs,

for the licensing of dogs, for regulation of the keeping of dogs, and for destruction of dogs in certain cases. *Id.* at 557. And it concluded that “[n]o provision of the act specifically or impliedly authorizes a county to establish and maintain a spay and neuter clinic and cats are not mentioned in either the title or body of the act. Therefore, this law may not be used as a source of authority by a county to operate a spay and neuter clinic for dogs and cats.” *Id.*

Likewise, since no provision of the Dog Law specifically or impliedly authorizes a county board of commissioners to adopt an animal control ordinance to regulate the raising of livestock or poultry, the Dog Law may not be used as a source of such authority.

It is my opinion, therefore, that the Dog Law of 1919 does not authorize the county to adopt an animal control ordinance regulating the keeping of livestock or poultry.

MCL 46.11(j); powers of a county board of commissioners

As to the other part of your question, a county’s general ordinance-making authority is created by section 11(j) of 1851 PA 156, MCL 46.11(j), which gives a county board of commissioners the power to “pass ordinances that relate to county affairs and do not contravene the general laws of this state or interfere with the local affairs of a township, city, or village within the limits of the county”

“It is elementary that a county has only such powers as have been granted to it by the Constitution or the State Legislature.” *Alan v Wayne County*, 388 Mich 210, 245 (1972); see also OAG, 2001-2002, No. 7117, p 115 (September 11, 2002) (“A county possesses only those powers delegated to it.”), citing *Wright v Bartz*, 339 Mich 55, 60 (1954). Likewise, “[a] county board of commissioners has no inherent powers.” OAG, 2001-2002, No. 7117, p 115, citing *Mason County Civil Research Council v Mason County*, 343 Mich 313, 324 (1955).

Accordingly, a county cannot adopt an ordinance unless it has been granted the authority to do so. Examples of Michigan statutes that authorize various specific county ordinances include certain

zoning ordinances (MCL 125.3201) and noxious weed ordinances (MCL 247.70). Beyond instances of express statutory authorization, however, noncharter counties, such as Ingham County, possess the authority under MCL 46.11(j) to adopt only ordinances that “relate to county affairs.” OAG, 2001-2002, No. 7117, p 116. County affairs are those “relating to the county in its organic and corporate capacity and included within its governmental or corporate powers.” *Id.* Therefore, county ordinances must relate to, and are restricted to, affairs of the county and may not interfere with the local affairs of cities, villages, or townships. *Id.* (citing OAG, 1989-1990, No. 6665, pp 401, 403 (November 15, 1990); OAG, 1969-1970, No. 4696, pp 197, 200 (November 25, 1970)).

For instance, OAG, 1989-1990, No. 6665, p 401, concluded that, although a county lacked authority to regulate or prohibit the placement of cigarette vending machines within their respective borders, it could regulate the placement of cigarette machines on county property.

Similarly, OAG, 2001-2002, No. 7096, p 66 (December 26, 2001) addressed a county’s authority to adopt a countywide noise control ordinance. In evaluating whether a county had such authority, the opinion recognized that the proposed countywide noise control ordinance described in the request, if adopted, would apply beyond the affairs of a county. *Id.*, p 67. The opinion went on to state, however, that “it is possible that a noise control ordinance could be adopted by a county board of commissioners, provided that the ordinance was limited to the regulation of noise on property owned or occupied by the county government or its boards, commissions, or agencies.” *Id.* (citing OAG, 1989-1990, No. 6665, pp 401, 403). Because the proposed countywide noise control ordinance was not limited to county affairs, i.e., the regulation of noise on property owned or occupied by the county government or its boards, commissions, or agencies, the county lacked authority to adopt it.

Most recently, OAG, 2001-2002, No. 7117, p 116 concluded that a county board of commissioners lacks the authority to adopt a countywide ordinance limiting the amount of well water

that may be withdrawn. The Attorney General opined that a countywide well water supply ordinance, if adopted, would apply beyond the affairs of a county since the ordinance does not relate to the county in its organic and corporate capacity. *Id.* On the other hand, a county could enact a narrow well water supply ordinance provided that the ordinance is limited to the regulation of water wells on property owned or occupied by the county government or its boards, commissions, or agencies. *Id.* Additional support for a county’s limited authority to regulate its own property is found in MCL 46.11(l) and MCL 46.11(m), which, respectively, authorize a county board to manage the county’s property and manage the interests and business concerns of the county. OAG, 2001-2002, No. 7117, p 116.

Applying this framework to your question of whether a county board of commissioners has the statutory authority under MCL 46.11(j) to regulate the keeping of livestock and poultry on residential land, the text of the statute, court precedents, and Attorney General opinions indicate that such statutory authority does not exist. The keeping of livestock and poultry on residential land is not limited to “county affairs” as such activity does not relate to the county in its organic and corporate capacity and included within its governmental or corporate powers. Nor is residential land, which is the subject of your request, owned or occupied by the county government or its boards, commissions, or agencies.

It is my opinion, therefore, that MCL 46.11(j) does not authorize a county board of commissioners to adopt a countywide ordinance regulating the keeping of livestock or poultry on residential land.



DANA NESSEL
Attorney General

OPINIONS OF THE ATTORNEY GENERAL

STATE OF MICHIGAN
DANA NESSEL, ATTORNEY GENERAL

MCL 324.5901 *et seq.*

AIR POLLUTION CONTROL FACILITY;
TAX EXEMPTION:

Agency responsibilities
regarding applications for
tax exemption certificates.

The State Tax Commission, taking into consideration the Department of Environment, Great Lakes, and Energy’s findings whether machinery, equipment, or structures are a “facility” under Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.5901 *et seq.*, determines both the amount a tax exemption “shall be reduced to the extent of any commercial or productive value derived from any materials captured or recovered by any air pollution control facility” under MCL 324.5902(2), and “the total acquisition cost of the facility entitled to exemption” under MCL 324.5904(3).

Whether a cost is an “acquisition cost of the facility entitled to exemption” under MCL 324.5904(3) is a fact-specific inquiry that should be addressed through the administrative application and hearing process established in Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.*, with the burden of proof on the claimant seeking the exemption, and because the Department of Environment, Great Lakes, and Energy’s guidance document is inconsistent with this principle and is otherwise inaccurate, it should be revised or withdrawn.

The Department of Environment, Great Lakes, and Energy’s responsibility to make a finding under MCL 324.5903 and its responsibility to respond to a request for approval from the State Tax Commission under MCL 324.5902(2), refer to different stages of the statutory process created by Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.*, and the Department’s finding is a necessary precursor to its approval.

The State Tax Commission is responsible under Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.*, for initially determining whether an application is complete and, based on its preliminary review, for communicating with the applicant if more information is needed. The Department of Environment, Great Lakes, and Energy is obligated to inform the Commission when an application the Commission preliminarily found complete is, in fact, incomplete because technical information needed by the Department is missing. The Commission is responsible for informing an applicant that they need to submit the additional information identified by the Department to submit a complete application. The Department may also communicate directly with the applicant.

Opinion No. 7315

July 22, 2021

Director Liesl Eichler Clark
Department of Environment,
Great Lakes, and Energy

You have asked five questions concerning the respective responsibilities of the Department of Environment, Great Lakes, and Energy (Department) and the State Tax Commission (Commission) under Part 59, Air Pollution Control Facility; Tax Exemption, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.5901 *et seq.* (Part 59).¹

A. A review of the text of Part 59.

Answering your questions requires a general review of Part 59, which authorizes air pollution control facilities to be exempted from real and personal property taxes that would otherwise apply under the General Property Tax Act, 1893 PA 206, MCL 211.1 *et seq.* (Tax Act). In addition, Part 59 provides that tangible personal property purchased and installed as a component part of an air pollution control facility is exempt from sales taxes under the General Sales Tax Act, PA 1933 PA 137, MCL 205.51 *et seq.*, and use taxes under the Use Tax Act, 1937 PA 34, MCL 205.91 *et seq.* MCL 324.5904.

Section 5901 of Part 59, MCL 324.5901, defines an exempt “facility” as “machinery, equipment, structures, or any part or accessories of machinery, equipment, or structures, installed or acquired for the primary purpose of controlling or disposing of air pollution that if released would render the air harmful or inimical to the public health or to property within this state.” That same section excludes air conditioners, dust collectors, fans, and other similar facilities that are “for the benefit of personnel or of a business.” MCL 324.5901.

Section 5902 of Part 59, MCL 324.5902(1), establishes a process by which the owner of a facility may seek a tax exemption by filing an application with the Commission for a “pollution control tax exemption certificate.” The application shall be filed in a manner and form prescribed by the Commission. MCL 324.5902(1). Applications must contain “plans and specifications” of the facility,

¹ Although your request is specific to tax exemptions for air pollution control facilities under Part 59 of the NREPA, similar requirements exist for tax exemptions for water pollution control facilities in Part 37 of the

including all materials making up the facility, a list of all equipment acquired or to be acquired for pollution control, and proposed operating procedures. *Id.*

Before the Commission issues a pollution control tax exemption certificate, it must seek the “approval” of the Department. MCL 324.5902(2). The Commission “shall issue a certificate” only if the Department “finds” that the subject facility “is designed and operated primarily for the control, capture, and removal of pollutants from the air, and is suitable, reasonably adequate, and meets the intent and purposes of” Michigan’s air pollution control laws. MCL 324.5903. Before issuing a certificate, the Commission must notify the Department of Treasury and the assessor of the taxing unit where the facility is or will be located and shall provide the applicant and the assessor an opportunity for a hearing. MCL 324.5902(2).

When issued, the tax exemption certificate “shall state the total acquisition cost of the facility entitled to exemption.” MCL 324.5904(3). Tax exemptions granted under Part 59 “shall be reduced to the extent of any commercial or productive value derived from any materials captured or recovered by” the subject facility. MCL 324.5902(2).

B. Questions 1 and 4: Who determines the total acquisition cost of the facility under § 5904(3), and who determines the amount a tax exemption shall be reduced under § 5902(2)?

You first ask which of the two agencies determines “the total acquisition cost of the facility entitled to exemption” under Section 5904 of Part 59, MCL 324.5904(3). Your fourth question asks which of the two agencies determines the amount a tax exemption “shall be reduced to the extent of any commercial or productive value derived from any materials captured or recovered by any air pollution control facility” under Section 5902 of Part 59, MCL 324.5902(2). These two questions are inextricably related and will therefore be addressed together.

The Commission, under the Tax Act, has general supervision authority over assessing units in the state and is responsible for ensuring that all taxable property is properly assessed and valued. MCL 211.150(1). Towards that end, the Commission has broad authority to “examine the property, books, papers or accounts of any corporation, firm or individual owning property liable to assessment for taxes, general or specific under the laws of this state...to enable it to arrive at the true cash value of the property of such corporation, firm or individual subject to taxation under the laws of this state.” MCL 211.148. Moreover, the Commission may require the managing officer of any such entity to provide a sworn statement containing information sufficient for the Commission to determine the taxable value of its property. *Id.* The Commission also issues appraisal guidance for local assessing units. MCL 211.10e. *See, e.g.,* State Tax Commission Guide to Basic Assessing (Nov. 2013).

The Department, under Part 55, Air Pollution Control, of the NREPA, MCL 324.5501 *et seq.*, is tasked with, among other things, issuing and enforcing permits to limit air pollution to protect public health and the environment. MCL 324.5503(b) and (g). It is also authorized to inspect facilities and to sample air pollutant emissions to determine compliance with permits. MCL 324.5526(1). And the Department has the power to conduct studies and research with respect to air pollution control, abatement, or prevention. MCL 324.5503(p).

To fully understand the interplay between these agencies’ roles, the Tax Act and Part 55 must be read in context. “Contextual understanding of statutes is generally grounded in the doctrine of *noscitur a sociis*: ‘[i]t is known from its associates,’ see Black’s Law Dictionary (6th ed), p 1060. This doctrine stands for the principle that a word or phrase is given meaning by its context or setting.” *Brown v Genesee Co Bd of Comm’rs (After Remand)*, 464 Mich 430, 437 (2001), quoting *Tyler v Livonia Schs*, 459 Mich 382, 390-391 (1999). That context illustrates that the Commission has tax assessing and valuation responsibilities under the General Tax Act, while the Department is responsible for controlling

only Part 59, but the analysis also applies to the tax exemption process under Part 37.

air pollution under Part 55 of the NREPA. Determining “the total acquisition cost of the facility entitled to exemption” from real and personal property taxes under Section 5904 of Part 59, MCL 324.5904(3), more closely aligns with the responsibilities of the Commission.

That conclusion is further supported by the decision of the Michigan Court of Appeals in *City of River Rouge v EES Coke Battery, LLC*, unpublished per curiam opinion of the Court of Appeals, issued December 9, 2014 (Docket No. 314789)¹. In that case, the Court of Appeals ruled that the circuit court erred when it required the Department “to determine what amount, if any, of the tax exemption granted should be reduced for the commercial or productive value derived from materials captured or recovered by any pollution control facility.” *Id.* at 7. Instead, such calculations were to be made by the Commission after it received findings from the Department as to whether machinery, equipment, or structures are a “facility” under Part 59. *Id.* at 8. The Court noted that the Department “is only responsible for making [those]findings[.]” *Id.*

Although the Commission is ultimately responsible for issuing tax exemption certificates, the Department’s findings are crucial, as they establish which machinery, equipment, and structures qualify as a “facility” under Section 5901 of Part 59, MCL 324.5901, and therefore affect the Commission’s determination of the total acquisition costs of the facility entitled to exemption. As a result, if the Department’s finding decreases the scope of a qualifying facility to less than what was proposed in an application, the finding will “lower the dollar amount of property covered by the tax exemption certificates” the Commission issues. See *City of River Rouge v DTE Elec Co*, unpublished per curiam opinion of the Court of Appeals, issued May 16, 2019 (Docket No. 341331), p 6.

It is my opinion, therefore, that the State Tax Commission, taking into consideration the Department of Environment, Great Lakes, and Energy’s findings whether machinery, equipment, or

structures are a “facility” under Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.*, determines both the amount a tax exemption “shall be reduced to the extent of any commercial or productive value derived from any materials captured or recovered by any air pollution control facility” under MCL 324.5902(2), and “the total acquisition cost of the facility entitled to exemption” under MCL 324.5904(3).

Before moving on to the remaining questions, a brief discussion of the tax exemption reduction is helpful. Calculating the tax exemption reduction is a factual determination that can be challenging because valuing the commercial or productive value is different from valuing the air pollution control facility. A hypothetical example illustrates this challenge. If a gas plant installs an air pollution control device that controls air pollution in part by capturing flammable gas that can be used as fuel, that air pollution control device will qualify as a “facility” under MCL 324.5901, and the amount of productive value, i.e., avoided fuel costs, must be subtracted from the exemption amount, MCL 324.5904.

While the value of the installed facility is calculated at one point in time and, thus, does not change, the productive value of avoided fuel costs constantly changes, in part due to the fluctuation of fuel cost and in part due to operational changes in fuel demand. But Part 59 does not envision regular (or any) reassessment of the value of an exemption certificate. This may be challenging for applicants and objecting municipalities that must present the Commission with sufficient evidence to determine the correct value of an exemption certificate. In these situations, the Department’s limited role is to determine whether an air pollution control device in fact also creates commercial or productive value. And the Commission’s different but equally limited role is to weigh the evidence presented to it, the hearing body. MCL 324.5902(2). Thus, the onus is ultimately on the applicants to carefully prepare

¹ While not binding precedent, unpublished opinions of the Michigan Court of Appeals may be considered instructive or persuasive. *Paris Meadows, LLC v City of Kentwood*, 287 Mich App 136 n 3 (2010).

applications with sufficient information to calculate all values, including the value of an exemption certificate.

C. Question 2: What standard determines whether a cost is an acquisition cost entitled to exemption under § 5904(3)?

Your next question inquires as to the correct standard for deciding whether a cost is an “acquisition cost of the facility entitled to exemption” under MCL 324.5904(3). Related to this inquiry, you provided a guidance document created by your agency, entitled “Tax Exemptions for Air Pollution Control,” and asked for clarification on which costs and equipment listed therein are acquisition costs of a facility so the Department may decide whether to revise the document. Among the listed costs are miscellaneous costs that include administrative fees, contingency costs, engineering costs, feasibility costs, freight charges, installation costs, insurance fees, interest charges, start-up costs, legal fees, and taxes not including exempt taxes.

Neither Part 59 nor the Tax Act defines the term “acquisition cost.” But because the acquisition cost of an exemption on a pollution control tax certificate is subtracted from the otherwise taxable “true cash value” of assessed property, it is appropriate to look to the term “true cash value” to determine the standard for determining whether a particular expense is an “acquisition cost of the facility entitled to exemption” under MCL 324.5904(3). Although case law interpreting “true cash value” does not provide conclusive guidance for interpreting the term “acquisition cost,” because the two related terms are used and interpreted within the same valuation context, a brief discussion of “true cash value” demonstrates appropriate principles to use when interpreting “acquisition cost” as well.

The Tax Act uses the term “true cash value” to refer to the assessed value of property, consistent with the term’s usage under Michigan’s constitution. Const 1963, art 9, § 3; MCL 211.24(b). The Michigan Supreme Court has explained that the “general meaning” of the term, with its “long history of interpretation and settled meaning,” is “not only what may be put to valuable uses, but what has a

recognizable pecuniary value inherent in itself, and not enhanced or diminished according to the person who owns or uses it.” *Washtenaw Co v State Tax Comm’n*, 422 Mich 346, 370 n4 (1985).

Towards that end, the Michigan Supreme Court has explained that there are three general approaches to valuation, namely cost less depreciation, capitalization of income, and market approach. *Antisdale v City of Galesburg*, 420 Mich 265, 276, n1 (1984), citing 1 State Tax Comm Assessor’s Manual, Ch VI, pp 1–2, 4, Ch X, p 1. However, the Court of Appeals has observed that “the determination of true cash value is not an exact science and that it often involves a reconciliation of various approaches.” *Great Lakes Div of Nat Steel Corp v City of Ecorse*, 227 Mich App 379, 398 (1998). As a result, some of the listed miscellaneous costs may be included in the valuation of a facility, depending on the factual circumstances and which approach to valuation is used.

For example, the Court of Appeals held that whether freight, sales tax, and installation costs are included in the total cash value of a property, based on the market approach, requires specific evidence demonstrating that such costs are in fact included in market costs. *Lionel Trains, Inc v Chesterfield Twp*, 224 Mich App 350, 354–55, (1997). Relevant to the capitalization approach, the United States Supreme Court has held that legal costs may be capitalized as acquisition costs where “the origin of the claim litigated is in the process of acquisition itself.” *Woodward v Comm’r*, 397 US 572, 577 (1970). Moreover, the Michigan Court of Appeals has upheld different valuation approaches for the same type of steam and electricity generation facilities. Compare *Midland Cogeneration Venture v City of Midland*, unpublished per curiam opinion of the Court of Appeals, issued February 21, 2006 (Docket Nos. 254636, 254745, 255066), p 2, with *TES Filer City Station v Twp of Filer*, unpublished per curiam opinion of the Court of Appeals, issued March 21, 2006 (Docket No. 258806), p 4.

In fact, the Michigan Court of Appeals has already rejected lists that predetermine what costs or items qualify for this tax exemption without regard to the facts or circumstances of each application.

See *Sterling Heights v Chrysler Group, LLC*, 309 Mich App 676, 687–688 (2015). See also *id.*, Boonstra, J., concurring. Such presumptions run contrary to Michigan’s body of law regarding tax exemptions, which are special tax benefits that “are never presumed.” *Ladies Literary Club v City of Grand Rapids*, 409 Mich 748, 754 (1980).

As a result, the use of a generic list of items or miscellaneous expenses predetermined as “exempt” is inappropriate. Instead, when reviewing tax exemption claims, “the burden is on a claimant to establish clearly his right to exemption” because they are “strictly construe[d]” and “cannot be made out by inference or implication but must be beyond reasonable doubt.” *Id.*, quoting 2 Cooley on Taxation (4th ed), s 672, pp 1403–1404. Accordingly, under this statutory scheme, exemption applicants must prove that each included expense is properly included as part of the acquisition cost of a “facility” under MCL 324.5901. Thus, the question of which, if any, of the miscellaneous costs may be included in the acquisition cost of a particular facility is a fact-specific inquiry that should be addressed through the administrative application and hearing process established in Part 59.

As for the guidance document itself, it also mistakenly lists some equipment that do not qualify as a “facility” under Part 59. Under the statute, an exempt facility must be “installed or acquired for the primary purpose of controlling or disposing of air pollution.” MCL 324.5901. Page 9 of the guidance document includes “equipment for safer or quieter operation of exempt equipment.” But such equipment, no matter how beneficial, is not for the primary purpose of controlling or disposing of air pollution and therefore does not qualify as a “facility” under Section 5901 of Part 59, MCL 324.5901.

Similarly, “ancillary equipment installed primarily for the purpose of testing other equipment” is not a “facility” under Part 59 because operating such equipment does not reduce air pollution. *DaimlerChrysler Corp v State Tax Comm’n*, 482 Mich 220, 235 (2008). In *DaimlerChrysler*, the Michigan Supreme Court concluded that the primary purpose of test cells used by automobile companies

was to determine whether automobile engines meet federal regulations and that those test cells do not qualify as “facilities” under Part 59 because they do not themselves operate to remove air pollution from the air. In so doing, the Court interpreted Sections 5901 and 5903 of Part 59 as requiring that a “facility” actually “curb, control, and eliminate” air pollution. *Id.* at 227–228. Contrary to that holding, the guidance document lists ancillary equipment such as in-stack monitors and ambient monitoring equipment measure emissions but do not remove air pollution from the air.

The guidance document also erroneously establishes presumptively exempt percentages for equipment that typically both controls air pollution and provides benefit to personnel such as fans and motors and ductworks and hoods. Part 59 excludes from the definition of an exempt facility any “air conditioner, dust collector, fan, or other similar facility for the benefit of personnel or of a business.” MCL 324.5901. Under that provision, the Department is required to determine on a case-by-case basis whether equipment meets the definition of “facility” and may not rely on presumptive percentages in lieu of performing this analysis. The Court of Appeals previously explained that “generic and broad” categories are unacceptable substitutions for case-specific determination. *Sterling Heights*, 309 Mich App at 687.

Because the Department’s guidance document includes equipment that does not actually curb, control or eliminate air pollution and thus does not qualify as a “facility” under Part 59, it is legally inaccurate. This inaccuracy, along with the guidance document’s overbroad listed miscellaneous costs, is inconsistent with Part 59. As a result, the guidance document should be revised, if not withdrawn, so that members of the public do not rely on these erroneous discussions of the law.

It is my opinion, therefore, that whether a cost is an “acquisition cost of the facility entitled to exemption” under MCL 324.5904(3) is a fact-specific inquiry that should be addressed through the administrative application and hearing process established in Part 59 of the Natural Resources and

Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.*, with the burden of proof on the claimant seeking the exemption, and that because the Department of Environment, Great Lakes, and Energy’s guidance document is inconsistent with this principle and is otherwise inaccurate, it should be revised or withdrawn.

D. Question 3: How do the Department’s responsibilities under § 5903 and § 5902(2) compare?

In your third question, you ask: How is the Department’s responsibility to make a finding under Section 5903, MCL 324.5903 different from that agency’s responsibility to respond to a request for “approval” from the Commission under Section 5902(2), MCL 324.5902(2)?

Neither “find” nor “approval” is defined in Part 59 so answering this question requires referring to the “plain and ordinary meaning” of each. *Winiecki v Wolf*, 147 Mich App 742, 744–45 (1985). To determine the plain and ordinary meaning, a dictionary may be consulted, *Corley v Detroit Bd of Ed*, 470 Mich 274, 279 (2004), and preferably a dictionary from the time the statute was enacted, see e.g., *Cain v Waste Management Inc*, 472 Mich 236, 237 (2005). The NREPA was formerly 1965 PA 250. Referring to a dictionary contemporaneous to that enactment reveals that “find” means to “determine & declare,”¹ whereas something is “approved” if it has been “pronounced satisfactory, accepted.”²

In the context of Part 59, it is apparent that the plain meaning of the words “approval” and “find” refer to different stages of the statutory process. Under Section 5902 of Part 59, MCL 324.5902, the Commission “shall seek approval of the [D]epartment,” meaning it is to ask the Department to determine that the application for an exemption certificate describes a “facility” as defined in Section 5901 of Part 59, MCL 324.5901, that is “designed and operated” in accordance with Section 5903 of Part 59, MCL 324.5903. As part of its approval process, the Department determines whether an

¹ The Concise Oxford Dictionary of Current English (5th ed 1964), p 452.

² *Id.* at p 56.

application describes a facility that is “designed and operated primarily” for air pollution control in accordance with Section 5903 of Part 59, MCL 324.5903. In other words, when the Commission asks the Department to “approve” an application, it is asking the Department whether it accepts the application as satisfactory. In order to do so, the Department must “find” (that is, determine and make a statement about) whether the application describes a “facility” under Section 5901 of Part 59, MCL 324.5901, that is designed and operated in accordance with Section 5903 of Part 59, MCL 324.5903.

It is my opinion, therefore, that the Department’s responsibility to make a finding under MCL 324.5903, and its responsibility to respond to a request for approval from the Commission under MCL 324.5902(2), refer to different stages of the statutory process created by Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.*, and that the Department’s finding is a necessary precursor to its approval.

E. Question 5: Which agency must communicate with an applicant for air control pollution tax exemptions?

Finally, in your fifth question you ask which agency is responsible for deciding whether an application is complete and for communicating with the applicant if more information is needed. The Commission has promulgated an administrative rule for air pollution control exemption certificates. Mich Admin Code, R 209.81. That rule states that an applicant shall file “a complete application and required documents” with the Commission. R 209.81(1). A “preliminary review will be performed” by Commission staff, and a “complete air pollution application shall be forwarded” to the Department “and they will make a recommendation of approval, partial approval, or denial.” *Id.*

Based on the plain language of the rule, the Commission reviews an application to determine whether it is complete and determines whether additional information from the applicant is needed based

on its preliminary review. The Commission then forwards an application to the Department after it determines the application is complete.

However, because an application necessarily contains technical specifications that fall within the Department's subject matter expertise, it is possible that the Commission could receive an apparently complete application that the Department determines is incomplete. If that occurs, then the Department needs to inform the Commission that the application is not complete. The Department also needs to inform the Commission when the applicant has finally submitted a complete application so that the Commission correctly applies its regulatory timelines for considering complete applications. *See Mich Admin Code, R 209.81(2)*. Part 59 does not indicate whether the Commission or the Department should communicate with the applicant in that instance. It may be more efficient for the Department to directly communicate with the applicant, but the Commission must know when a complete application is submitted. In this instance, the Department and Commission may communicate with the applicant in a manner both agencies deem efficient, so long as the Department is able to obtain the required technical information and the Commission knows when a complete application is actually submitted.

It is my opinion, therefore, that the State Tax Commission is responsible under Part 59 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.5901 *et seq.* for initially determining whether an application is complete and, based on its preliminary review, for communicating with the applicant if more information is needed. The Department of Environment, Great Lakes, and Energy is obligated to inform the Commission when an application the Commission preliminarily found complete is, in fact, incomplete because technical information needed by the Department is missing. The Commission is responsible for informing an applicant that they need to submit the additional information identified by the Department to submit a complete application. The Department may also communicate directly with the applicant.

A handwritten signature in blue ink that reads "Dana Nessel". The signature is fluid and cursive, with the first name "Dana" and last name "Nessel" clearly legible.

DANA NESSEL
Attorney General

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2021 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:

* * *

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

The following table cites administrative rules promulgated during the year 2021 and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2020 RULE FILINGS)**

R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue
Rule 1	E	4	285.637.11	*	10	325.62995	*	11
Rule 2	E	4	325.34001	*	6	325.62996	*	11
Rule 1	E	4	325.34005	R	6	325.64001	*	6
Rule 2	E	4	325.34010	R	6	325.77101	*	8
Rule 3	E	4	325.47201	*	6	325.70001	*	8
Rule 4	E	4	325.50051	*	6	325.70001a	R	8
Rule 5	E	4	325.50091	*	9	325.70015	*	8
Rule 6	E	4	325.50092	R	9	325.51401	*	8
Rule 7	E	4	325.50093	R	9	338.1	*	8
Rule 8	E	4	325.50100	*	7	338.1a	*	8
Rule 9	E	4	325.50141	*	7	338.2	*	8
Rule 10	E	4	325.50142	R	7	338.3	*	8
Rule 1	E	4	325.50143	R	7	338.4	*	8
Rule 2	E	4	325.51151	*	6	338.5	*	8
Rule 3	E	4	325.51301	*	6	338.6	*	8
Rule 4	E	4	325.51302	R	6	338.7	*	8
Rule 5	E	4	325.51451	*	6	338.8	*	8
Rule 1	E	10	325.51501	*	6	338.9	*	8
Rule 2	E	10	325.51601	*	6	338.10	*	8
Rule 3	E	10	325.51651	*	6	338.11	*	8
Rule 4	E	10	325.51652	R	6	338.12	*	8
Rule 5	E	10	325.51653	R	6	338.111	*	8
Rule 6	E	10	325.51851	*	7	338.113	R	8
Rule 7	E	10	325.51901	*	7	338.114	A	8
Rule 8	E	10	325.51937	*	7	338.115	*	8
Rule 1	E	12	325.51983	*	6	338.117	*	8
Rule 2	E	12	325.51984	R	6	338.119	*	8
28.5101	*	5	325.51958	R	6	338.120	*	8
28.5102	A	5	325.51995	*	6	338.121	*	8
28.5201	*	5	325.51996	R	6	338.123	*	8
28.5202	*	5	325.51997	R	6	338.125	*	8
28.5208	*	5	325.59001	*	6	338.127	*	8
28.5209	*	5	325.60051	*	8	338.129	*	8
28.5210	A	5	325.60052	R	8	338.131	R	8
28.5211	A	5	325.60501	*	4	338.133	*	8
28.5401	*	5	325.60901	*	4	338.141	*	8
28.5402	*	5	325.62991	*	11	338.143	*	8
28.5404	R	5	325.62992	*	11	338.601	*	8
28.5414	*	5	325.62994	*	11	338.602	R	8

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

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R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue
338.603	*	8	338.1225	*	9	338.1607a	A	8
338.604	*	8	338.1226	*	9	338.1608	*	8
338.605	*	8	338.1227	*	9	338.1609	R	8
338.607	R	8	338.1228	*	9	338.1612	R	8
338.611	*	8	338.1229	*	9	338.1615	R	8
338.613	*	8	338.1229a	*	9	338.1630	*	8
338.615	*	8	338.1232	*	9	338.1631	*	8
338.617	*	8	338.1233	*	9	338.1632	*	8
338.619	*	8	338.1233a	*	9	338.1632a	A	8
338.621	*	8	338.1234	*	9	338.1751	*	9
338.623	*	8	338.1234a	A	9	338.1751a	R	9
338.627	*	8	338.1235	*	9	338.1752	R	9
338.629	*	8	338.1236	*	9	338.1752a	R	9
338.641	*	8	338.1237	*	9	338.1753	R	9
338.645	*	8	338.1251	*	9	338.1753a	R	9
338.647	*	8	338.1252	*	9	338.1753b	R	9
338.649	*	8	338.1301	*	11	338.1754	R	9
338.701	*	7	338.1302	A	11	338.1755	R	9
338.702	A	7	338.1303	*	11	338.1757	R	9
338.722	*	7	338.1309	*	11	338.1761	A	9
338.722a	A	7	338.1317	*	11	338.1763	A	9
338.724	*	7	338.1321	*	11	338.1765	A	9
338.726	*	7	338.1321a	R	11	338.1771	A	9
338.732	*	7	338.1325	*	11	338.1772	A	9
338.734	*	7	338.1345	*	11	338.1773	A	9
338.735	A	7	338.1349	*	11	338.1774	A	9
338.736	*	7	338.1354	*	11	338.1775	A	9
338.737	A	7	338.1355	*	11	338.1776	A	9
338.738	*	7	338.1357	*	11	338.1781	A	9
338.739	*	7	338.1369	*	11	338.2401	*	8
338.741	*	7	338.1378	*	11	338.2403	R	8
338.751	*	7	338.1601a	A	8	338.2405	R	8
338.752	R	7	338.1601b	A	8	338.2407	A	8
338.1211	*	9	338.1602a	A	8	338.2409	*	8
338.1212	*	9	338.1603	*	8	338.2411	*	8
338.1213	R	9	338.1604	*	8	338.2413	*	8
338.1222	*	9	338.1605	R	8	338.2421	*	8
338.1223	*	9	338.1606	R	8	338.2423	*	8
338.1223a	*	9	338.1607	R	8	338.2425	*	8

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

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338.2427	*	8	338.4901a	A	8	338.13003	A	7
338.2429	*	8	338.4902	R	8	338.13004	*	7
338.2431	*	8	338.4903	*	8	338.13005	*	7
338.2433	R	8	338.4904	*	8	338.13006	A	7
338.2435	*	8	338.4905	*	8	338.13007	A	7
338.2437	*	8	338.4906	*	8	338.13008	A	7
338.2441	*	8	338.4907	*	8	338.13010	*	7
338.2443	*	8	338.4907a	A	8	338.13015	R	7
338.2451	A	8	338.4907b	A	8	338.13020	R	7
338.2455	A	8	338.4907c	A	8	338.13025	*	7
338.2457	A	8	338.4908	R	8	338.13026	*	7
338.2461	A	8	338.4909	*	8	338.13028	A	7
338.2463	A	8	338.4910	*	8	338.13030	R	7
338.2465	A	8	338.4911	*	8	338.11101	*	8
338.2471	A	8	338.4913	R	8	338.11103	*	8
338.2473	A	8	338.4914	R	8	338.11120	*	8
338.2481	A	8	338.4914a	R	8	338.11121	*	8
338.2921	*	6	338.4915	R	8	338.11201	*	8
338.2923	*	6	338.4920	R	8	338.11202	*	8
338.2925	*	6	338.4921	*	8	338.11203	*	8
338.2929	*	6	338.4931	*	8	338.11221	*	8
338.2930	A	6	338.4933	*	8	338.11223	*	8
338.2931	*	6	338.5101	*	9	338.11233	*	8
338.2933	*	6	338.5102	*	9	338.11235	*	8
338.2935	*	6	338.5110	R	9	338.11239	*	8
338.2939	*	6	338.5110a	*	9	338.11247	*	8
338.2941	*	6	338.5112	R	9	338.11253	*	8
338.2943	*	6	338.5115	*	9	338.11255	*	8
338.2945	*	6	338.5116	*	9	338.11259	*	8
338.2947	*	6	338.5210	*	9	338.11261	*	8
338.2949	*	6	338.5215	*	9	338.11267	*	8
338.2951	*	6	338.5230	*	9	338.11301	*	8
338.2953	*	6	338.7001	*	11	338.11303	*	8
338.2955	*	6	338.7001a	*	11	338.11307	*	8
338.2957	*	6	338.7002	*	11	338.11401	*	8
338.2961	*	6	338.7002b	*	11	338.11501	*	8
338.2963	*	6	338.7004	A	11	338.11512	*	8
338.2965	R	6	338.13001	*	7	338.11513	*	8
338.4901	*	8	338.13002	*	7	338.11515	*	8

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

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338.11517	*	8	338.11222	R	8	339.14026a	*	8
338.11519	*	8	338.11241	R	8	339.19002	A	8
338.11521	*	8	338.11245	R	8	339.19004	A	8
338.11523	*	8	338.11402	R	8	339.19006	A	8
338.11525	*	8	338.11403	R	8	339.19008	A	8
338.11527	*	8	338.11404	R	8	339.19010	A	8
338.11601	*	8	338.11404a	R	8	339.19012	A	8
338.11602	*	8	338.11405	R	8	339.19014	A	8
338.11603	*	8	338.11405a	R	8	339.19016	A	8
338.11605	*	8	338.11405b	R	8	339.19018	A	8
338.11701	*	8	338.11405c	R	8	339.19023	R	8
338.11703	*	8	338.11406	R	8	339.19025	R	8
338.11704	*	8	338.11408	R	8	339.19041	*	8
338.11704a	*	8	338.11409	R	8	339.22101	*	6
338.11705	*	8	338.11410	R	8	339.22203	*	6
338.11801	*	8	338.11505	R	8	339.22217	*	6
338.11811	*	8	338.11604	R	8	339.22219	*	6
338.11813	*	8	338.11704b	R	8	339.22221	*	6
338.11815	*	8	338.11704c	R	8	339.22305	*	6
338.11817	*	8	339.1702	A	9	339.22307	*	6
338.11819	*	8	339.1703	R	9	339.22313	*	6
338.11821	*	8	339.1706	*	9	339.22321	*	6
338.11209	A	8	339.1708	A	9	339.22618	*	6
338.11213	A	8	339.1710	A	9	339.22619	*	6
338.11218	A	8	339.1712	A	9	339.22620	*	6
338.11257	A	8	339.1714	A	9	339.22621	*	6
338.11263	A	8	339.1716	A	9	339.22624	*	6
338.11265	A	8	339.1726	R	9	339.22625	*	6
338.11269	A	8	339.1731	*	9	339.22626	*	6
338.11271	A	8	339.14003	A	8	339.22629	*	6
338.11302	A	8	339.14005	*	8	339.22630	*	6
338.11302a	A	8	339.14008	*	8	339.22632	*	6
338.11411	A	8	339.14012	*	8	339.23101	*	10
338.11415	A	8	339.14013	R	8	339.23104	*	10
338.11417	A	8	339.14020	*	8	339.23203	*	10
338.11419	A	8	339.14020a	*	8	339.23203a	A	10
338.11107	R	8	339.14022	*	8	339.23205	*	10
338.11117	R	8	339.14024	*	8	339.23209	A	10
338.11123	R	8	339.14026	*	8	339.23301	*	10

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

2021 MR 14 – August 15, 2021

R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue
339.23303	*	10	408.30501c	A	11	408.42110	*	6
339.23307	*	10	408.30504	*	11	408.42149	*	6
339.23309	*	10	408.30505	*	11	408.42150	*	6
339.23311	*	10	408.30506	*	11	408.42154	*	6
339.23313	*	10	408.30512	R	11	408.42155	R	6
339.23315	*	10	408.30513	*	11	408.42156	*	6
339.23316	*	10	408.30514	R	11	408.42157	*	6
339.23317	*	10	408.30701	*	10	408.42201	*	6
339.23319	*	10	408.30711	*	10	408.42223	*	6
339.23320	*	10	408.30715	*	10	408.42209	R	6
339.23321	*	10	408.30717	*	10	431.1001	*	6
339.23323	*	10	408.30718	*	10	431.1005	*	6
339.23325	*	10	408.30719	R	10	431.1010	*	6
339.23326	*	10	408.30720	R	10	431.1015	*	6
339.23401	*	10	408.30726	A	10	431.1020	*	6
339.23403	*	10	408.30727	A	10	431.1025	*	6
339.23405	*	10	408.30729	A	10	431.1030	*	6
340.1708	*	12	408.30741c	*	10	431.1035	*	6
340.1721e	*	12	408.30755	A	10	431.1045	*	6
400.1101	R	8	408.30757	*	10	431.1047	A	6
400.1102	R	8	408.30791	*	10	431.1050	R	6
400.1103	R	8	408.40105	*	4	431.1052	A	6
400.1104	R	8	408.40132	*	4	431.1055	R	6
400.1105	R	8	408.40601	*	5	431.1060	*	6
400.1106	R	8	408.40615	*	5	431.1061	A	6
400.1107	R	8	408.40616	*	5	431.1065	*	6
408.14901	*	9	408.40617a	*	5	431.1070	*	6
408.14902	R	9	408.40624a	R	5	431.1075	R	6
408.14923	*	9	408.40636	*	5	431.1080	R	6
408.16202	*	6	408.40801	R	6	431.1085	*	6
408.16207	*	6	408.40810	*	6	431.1090	R	6
408.16211	*	6	408.40818	*	6	431.1095	*	6
408.16223	R	6	408.41301	*	11	431.1101	*	6
408.16226	*	6	408.41410	*	4	431.1105	*	6
408.16227	R	6	408.41461	*	4	431.1110	*	6
408.16234	*	6	408.41467	*	4	431.1115	*	6
408.16251	R	6	408.41475a	*	4	431.1120	*	6
408.30500	*	11	408.41477	*	4	431.1125	*	6
408.30501b	A	11	408.41478	*	4	431.1130	*	6

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

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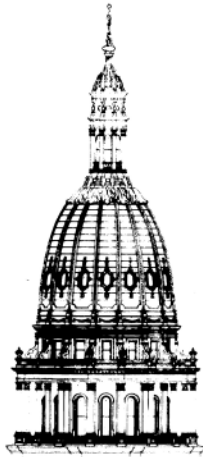
R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue
431.1135	R	6	431.1340	*	6	431.3045	*	6
431.1140	*	6	431.2001	*	6	431.3050	R	6
431.1145	*	6	431.2005	R	6	431.3055	*	6
431.1150	*	6	431.2010	*	6	431.3060	*	6
431.1155	*	6	431.2015	*	6	431.3065	*	6
431.1160	*	6	431.2020	*	6	431.3070	*	6
431.1165	*	6	431.2025	*	6	431.3075	*	6
431.1175	*	6	431.2030	*	6	431.3080	*	6
431.1180	R	6	431.2035	*	6	431.3085	R	6
431.1185	R	6	431.2036	A	6	431.3090	*	6
431.1190	R	6	431.2040	R	6	431.3095	*	6
431.1195	R	6	431.2045	R	6	431.3101	*	6
431.1200	*	6	431.2050	*	6	431.3105	*	6
431.1205	*	6	431.2055	*	6	431.3110	*	6
431.1210	*	6	431.2060	*	6	431.3115	*	6
431.1215	*	6	431.2061	R	6	431.3120	*	6
431.1220	*	6	431.2070	*	6	431.3125	*	6
431.1230	*	6	431.2061	R	6	431.3130	*	6
431.1235	*	6	431.2070	*	6	431.3140	*	6
431.1240	*	6	431.2075	*	6	431.3145	*	6
431.1245	*	6	431.2080	R	6	431.3155	*	6
431.1250	*	6	431.2090	*	6	431.3160	*	6
431.1255	*	6	431.2094	A	6	431.3165	*	6
431.1260	*	6	431.2095	R	6	431.3170	*	6
431.1261	A	6	431.2096	A	6	431.3175	*	6
431.1265	*	6	431.2100	R	6	431.3180	*	6
431.1270	*	6	431.2105	R	6	431.3201	*	6
431.1275	*	6	431.2110	R	6	431.3205	*	6
431.1280	*	6	431.2115	R	6	431.3210	*	6
431.1285	R	6	431.2120	*	6	431.3215	*	6
431.1290	R	6	431.3001	*	6	431.3220	*	6
431.1295	*	6	431.3005	*	6	431.3225	*	6
431.1301	*	6	431.3010	*	6	431.3230	*	6
431.1302	A	6	431.3015	R	6	431.3235	*	6
431.1303	A	6	431.3020	*	6	431.3240	R	6
431.1304	A	6	431.3025	*	6	431.3245	*	6
431.1325	*	6	431.3030	*	6	431.3250	*	6
431.1330	*	6	431.3035	*	6	431.3255	*	6
431.1335	*	6	431.3040	*	6	431.3260	*	6

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

2021 MR 14 – August 15, 2021

R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue	R Number	Action	2021 MR Issue
431.3265	*	6	431.4160	*	6	500.1122	*	10
431.3270	*	6	431.4165	R	6	500.1123	*	10
431.3275	*	6	431.4170	*	6	500.1124	*	10
431.3290	*	6	431.4175	*	6	500.1125	*	10
431.3295	*	6	431.4180	*	6	500.1127	*	10
431.3300	R	6	431.4185	*	6	500.1128	*	10
431.3301	*	6	431.4190	*	6	500.1130	*	10
431.3305	*	6	431.4195	*	6	500.1131	*	10
431.3310	*	6	431.4200	*	6	500.1132	*	10
431.4001	*	6	431.4205	R	6	500.1133	*	10
431.4005	*	6	431.4210	*	6	500.1134	A	10
431.4010	*	6	431.4215	*	6	500.1501	*	6
431.4015	*	6	431.4220	*	6	500.1502	*	6
431.4020	*	6	431.4225	*	6	500.1503	*	6
431.4025	*	6	431.4230	*	6	500.1501	*	6
431.4030	*	6	431.4240	*	6	500.1502	*	6
431.4035	*	6	431.4255	*	6	500.1503	*	6
431.4040	*	6	431.4260	*	6	500.1504	*	6
431.4045	*	6	431.4265	*	6	500.1505	*	6
431.4050	*	6	431.4270	*	6	500.1506	*	6
431.4055	*	6	431.4275	*	6	500.1507	*	6
431.4060	*	6	431.4280	*	6	500.1508	*	6
431.4070	*	6	431.4285	*	6	500.1509	*	6
431.4075	*	6	431.4290	*	6	500.1510	*	6
431.4080	*	6	431.5001	A	6	500.1511	*	6
431.4085	*	6	431.5005	A	6	500.1512	*	6
431.4090	*	6	431.5010	A	6	500.1513	*	6
431.4095	*	6	431.5015	A	6	500.1514	*	6
431.4100	*	6	431.5020	A	6	500.1515	*	6
431.4105	*	6	431.5025	A	6	500.1516	*	6
431.4110	*	6	431.5030	A	6	500.1517	*	6
431.4115	*	6	431.5035	A	6	500.1518	*	6
431.4125	*	6	431.5040	A	6	500.1519	*	6
431.4130	*	6	436.1319	R	3	500.1520	*	6
431.4135	*	6	500.241	A	12	500.1521	*	6
431.4140	*	6	500.242	A	12			
431.4145	*	6	500.243	A	12			
431.4150	*	6	500.244	A	12			
431.4155	*	6	500.245	A	12			

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



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**ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2021 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.”

2021 Michigan Public Acts Table

Legislative Service Bureau
Legal Division, Statutory Compiling and Law Publications Unit
124 W. Allegan, Lansing, MI 48909

July 19, 2021
Compiled through PA 65 of 2021

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
0001		0030	Yes	3/2/2021	3/2/2021	3/2/2021	Highways; memorial ; portion of I-94 in Wayne County; designate as the "Firefighter Coleman A. Tate Memorial Highway". (Sen. Adam J. Hollier)
0002	4047		Yes	3/9/2021	3/9/2021	3/9/2021 +	Appropriations; supplemental ; supplemental appropriations; provide for fiscal year 2020-2021. (Rep. Timothy Beson)
0003	4048		Yes	3/9/2021	3/9/2021	3/9/2021 +	School aid; supplemental ; supplemental school funding; provide for. (Rep. Brad Paquette)
0004		0186	Yes	3/24/2021	3/24/2021	3/24/2021	Agriculture; industrial hemp ; regulations for growing industrial hemp; modify. (Sen. Dan Lauwers)
0005		0100	Yes	3/26/2021	3/26/2021	3/26/2021	Children; child care ; definition of foster care; provide for. (Sen. John Bizon, M.D.)
0006	4126		Yes	4/8/2021	4/8/2021	4/8/2021	Natural resources; hunting ; pheasant stamp program; modify. (Rep. Gary Howell)
0007	4569		Yes	4/22/2021	4/22/2021	4/22/2021	Individual income tax; city ; extension of 2020 city income tax filing deadline; allow. (Rep. Andrew Beeler)
0008	4571		Yes	4/22/2021	4/22/2021	4/22/2021	Individual income tax; returns ; extension of filing deadline for 2020 income taxes; allow. (Rep. Tenisha Yancey)

* - 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.

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
0009	4469		Yes	5/6/2021	5/7/2021	5/7/2021	Appropriations; natural resources; Michigan natural resources trust fund; provide appropriations for fiscal year 2021-2022. (Rep. Sue Allor)
0010	4019		Yes	5/6/2021	5/7/2021	5/7/2021	Appropriations; zero budget; multi-department supplemental appropriations; provide for fiscal year 2020-2021. (Rep. Thomas Albert)
0011	4429		Yes	5/13/2021	5/13/2021	5/13/2021	Highways; memorial; portion of US-2 and US-41; designate as the "Darryl M. Rantanen Memorial Highway". (Rep. Beau LaFave)
0012	4067		No	5/13/2021	5/13/2021	**	Health occupations; dentists; health profession specialty field license; expand to include other health profession specialty fields. (Rep. Ben Frederick)
0013	4053		Yes	5/13/2021	5/13/2021	5/13/2021	Highways; memorial; portion of M-120; designate as the "Deputy Ernest W. Heikkila Memorial Highway". (Rep. Greg VanWoerkom)
0014		0016	Yes	5/19/2021	5/19/2021	8/17/2021	Housing; inspection; change of ownership; exclude certain transfers. (Sen. Dale W. Zorn)
0015		0118	Yes	5/19/2021	5/19/2021	5/19/2021	School aid; penalties; penalties for prohibited conduct; modify. (Sen. Ed McBroom)
0016		0141	Yes	5/24/2021	5/25/2021	8/23/2021 #	Liquor; spirits; definition of mixed spirit drink; modify, and modify eligibility for direct shipper license and retailer delivery. (Sen. Wayne A. Schmidt)
0017		0142	Yes	5/24/2021	5/25/2021	8/23/2021 #	Liquor; retail sales; allowing in state and out-of-state mixed spirit drink manufacturers to deliver mixed spirit drink to retailers; provide for. (Sen. Winnie Brinks)
0018		0143	Yes	5/24/2021	5/25/2021	8/23/2021 #	Liquor; spirits; definition of mixed spirit drink; modify. (Sen. Jeremy Moss)

* - 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.

PA No.	ENROLLED		I.E* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
0019		0144	Yes	5/24/2021	5/25/2021	8/23/2021 #	Liquor; spirits ; definition of mixed spirit drink; modify. (Sen. Curtis S. VanderWall)
0020		0049	Yes	6/3/2021	6/3/2021	6/3/2021	Liquor; permits ; an on-premises tasting room and an off-premises tasting room held at same location; allow under certain conditions. (Sen. Kimberly A. LaSata)
0021	4043		No	6/8/2021	6/9/2021	**	Mental health; other ; information gathered by the electronic inpatient bed registry; require to be reported to the Michigan crisis and access line. (Rep. Mary Whiteford)
0022	4044		No	6/8/2021	6/9/2021	**	Mental health; other ; state-operated registries related to mental health; require to report data to the Michigan crisis and access line. (Rep. Mary Whiteford)
0023	4376		Yes	6/9/2021	6/9/2021	9/7/2021 #	Occupations; individual licensing and registration ; waiver of licensing fees for veterans, members of the armed forces, members of the uniformed forces, and their dependents; provide for. (Rep. Andrea Schroeder)
0024	4377		Yes	6/9/2021	6/9/2021	9/7/2021	Occupations; individual licensing and registration ; licensing reciprocity for certain skilled trades for veterans, members of the armed forces, members of the uniformed services, and their dependents who hold an out-of-state license; provide for. (Rep. Sarah Anthony)
0025		0157	Yes	6/9/2021	6/9/2021	9/7/2021	Health occupations; health professionals ; reciprocity for veterans, members of the armed forces, members of the uniformed services, and their dependents who hold an out-of-state license or registration; provide for. (Sen. John Bizon, M.D.)
0026		0312	Yes	6/9/2021	6/9/2021	9/7/2021 #	Occupations; individual licensing and registration ; licensing reciprocity for certain occupations for veterans, members of the armed forces, members of the uniformed services, and their dependents who hold an out-of-state license; provide for. (Sen. Marshall Bullock)
0027		0437	Yes	6/15/2021	6/15/2021	6/15/2021	Michigan business tax; credits ; time frame for completion of certain multiphase projects; modify. (Sen. Wayne A. Schmidt)
0028	4325		No	6/15/2021	6/15/2021	**	Senior citizens; other ; criminal history check for employees, volunteers, or independent contractors of a local area agency on aging; require. (Rep. Matt Hall)

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PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
0029	4445		No	6/15/2021	6/15/2021	**	Liquor; licenses; minimum number of sporting events for a motor sports license; reduce. (Rep. Sarah Lightner)
0030		0037	Yes	6/23/2021	6/23/2021	6/23/2021	Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2020-2021. (Sen. Jim Stamas)
0031		0010	Yes	6/24/2021	6/24/2021	6/24/2021	Records; veterans; veteran services boards; allow to hold closed sessions when interviewing veterans' applications for benefits. (Sen. Lana Theis)
0032	4040		No	6/24/2021	6/24/2021	**	Education; occupational schools; occupational school regulations; exempt certain apprenticeship programs. (Rep. Ben Frederick)
0033	4050		Yes	6/24/2021	6/24/2021	6/24/2021	Civil rights; public records; certain data relating to location of game; exempt from freedom of information act requests. (Rep. John Cherry)
0034	4122		Yes	6/24/2021	6/24/2021	6/24/2021	Military affairs; other; distribution structure of the county veteran service fund; modify. (Rep. Annette Glenn)
0035		0440	Yes	6/24/2021	6/24/2021	6/24/2021	Health facilities; certificate of need; certain PET scanners; exempt from certificate of need regulations. (Sen. Winnie Brinks)
0036		0155	Yes	7/1/2021	7/1/2021	7/1/2021	Health; pharmaceuticals; emergency dispensing of insulin; provide for under certain circumstances. (Sen. Kevin Daley)
0037		0156	Yes	7/1/2021	7/1/2021	7/1/2021 #	Insurance; health insurers; coverage for emergency refill of prescription medication of insulin for up to a 30-day supply; provide for. (Sen. Kevin Daley)
0038		0256	Yes	7/1/2021	7/1/2021	7/1/2021	Sales tax; distribution; transfer of funds from the comprehensive transportation fund into the transportation administration collection fund; provide for. (Sen. Roger Victory)

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	HB	SB					
0039		0438	Yes	7/1/2021	7/1/2021	7/1/2021	Criminal procedure ; arrests; exception to the presumption for issuance of appearance tickets in lieu of an arrest in operating while intoxicated; provide for. <i>(Sen. Curtis S. VanderWall)</i>
0040	4055		Yes	7/1/2021	7/1/2021	7/1/2021	Higher education ; financial aid; state competitive scholarships; modify. <i>(Rep. Sarah Anthony)</i>
0041	4056		Yes	7/1/2021	7/1/2021	7/1/2021	Higher education ; tuition; tuition grants; modify. <i>(Rep. Scott VanSingel)</i>
0042	4540		Yes	7/1/2021	7/1/2021	7/1/2021	Law enforcement ; other; transit police officers as law enforcement officers; establish. <i>(Rep. Tyrone Carter)</i>
0043	4541		Yes	7/1/2021	7/1/2021	7/1/2021	Vehicles ; other; street cars; modify motor vehicle code to provide for. <i>(Rep. Graham Filler)</i>
0044	4641		Yes	7/1/2021	7/1/2021	7/1/2021	Economic development ; neighborhood enterprise zones; filing of neighborhood enterprise zone certificate extension; modify. <i>(Rep. Steve Marino)</i>
0045	4123		Yes	7/1/2021	7/1/2021	7/1/2021	Water supply ; systems; use of clean water assistance and safe drinking water assistance funds for energy efficiency water works projects; modify. <i>(Rep. Beth Griffin)</i>
0046	4015		No	7/1/2021	7/1/2021	**	Consumer protection ; marketing and advertising; disclosure from third-party websites conducting state business; require. <i>(Rep. Sarah Lightner)</i>
0047	4421		Yes	7/7/2021	7/7/2021	7/7/2021	Appropriations ; school aid; multisection school aid supplemental for fiscal year 2021-2022; provide for. <i>(Rep. Brad Paquette)</i>
0048	4411		Yes	7/13/2021	7/13/2021	*** +	Appropriations ; school aid; provide for fiscal years 2020-2021 and 2021-2022. <i>(Rep. Brad Paquette)</i>

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	HB	SB					
0049	4201		Yes	7/13/2021	7/13/2021	10/11/2021 #	Transportation; school vehicles; penalties for entering a school bus without authorization or impeding or obstructing a school bus; create. (Rep. Jack O'Malley)
0050	4202		Yes	7/13/2021	7/13/2021	10/11/2021 #	Transportation; school vehicles; school bus stop-arm cameras; allow. (Rep. Tyrone Carter)
0051	4203		Yes	7/13/2021	7/13/2021	10/11/2021 #	Transportation; school vehicles; allowable painting of school buses; modify. (Rep. Jewell Jones)
0052	4204		Yes	7/13/2021	7/13/2021	10/11/2021 #	Transportation; school vehicles; school bus stop-arm cameras; allow. (Rep. Greg VanWoerkom)
0053	4359		Yes	7/13/2021	7/13/2021	10/11/2021	Health occupations; nurses; scope of practice of registered professional nurse holding a specialty certification as a nurse anesthetist; modify. (Rep. Mary Whiteford)
0054	4603		Yes	7/13/2021	7/13/2021	7/13/2021	Civil rights; open meetings; circumstances permitting public meetings of certain public bodies to be held electronically by telephonic or video conferencing; modify. (Rep. Joe Bellino)
0055	4516		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; liability; sale of marihuana to an individual who is younger than 21 years of age or visibly intoxicated; prohibit, and create cause of action for harm that the individual causes. (Rep. Jim Lilly)
0056	4517		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other; definitions of marihuana and industrial hemp; modify, and require the marijuana regulatory agency to promulgate rules regarding. (Rep. Yusef Rabhi)
0057	4740		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other; certain definitions in the Medical marihuana facilities licensing act; modify. (Rep. Pat Outman)
0058	4741		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other; certain definitions in the industrial hemp growers act; modify. (Rep. TC Clements)

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	HB	SB					
0059	4742		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other ; certain definitions in the marihuana tracking act; modify. (Rep. Tenisha Yancey)
0060	4743		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other ; certain definitions in the public health code; modify. (Rep. Julie Calley)
0061	4744		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other ; certain definitions in the industrial hemp research and development act; modify. (Rep. Richard Steenland)
0062	4745		Yes	7/13/2021	7/13/2021	10/11/2021	Marihuana; other ; certain definitions in the Michigan Medical Marihuana Act; modify. (Rep. Jim Lilly)
0063	4746		Yes	7/13/2021	7/13/2021	10/11/2021	Liquor; other ; definition of marihuana in the Michigan liquor control code of 1998; modify. (Rep. Roger Hauck)
0064		0559	Yes	7/13/2021	7/13/2021	7/13/2021	Liquor; other ; provisions relating to drinks to go and social districts; remove sunset. (Sen. Aric Nesbitt)
0065		0028	Yes	7/15/2021	7/15/2021	7/15/2021	Appropriations; zero budget ; supplemental appropriations; provide for multi-year supplemental. (Sen. Jim Stamas)
Veto	4049		No	No		3/9/2021	Health; diseases ; authority to close certain schools to in-person instruction and prohibit certain sporting events in emergency orders issued in response to an epidemic; modify. (Rep. Pamela Hornberger)
Veto		0001	No	No		3/24/2021	Health; diseases ; time limits on emergency orders issued in response to an epidemic; provide for unless extension is approved by the legislature and require emergency order to include certain information. (Sen. Lana Theis)
Veto		0029	No	No		3/26/2021	Appropriations; supplemental ; supplemental appropriations for 2019-2020 and 2020-2021; provide for. (Sen. Jim Stamas)

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	HB	SB					
Veto		0114	No	No		3/26/2021	Appropriations; zero budget ; multidepartment supplemental appropriations; provide for fiscal year 2020-2021. (Sen. Jim Stamas)
Veto	4210		No	No		4/14/2021 #	Property tax; utility property ; eligible broadband equipment; exempt from certain taxes. (Rep. Beth Griffin)
Veto		0046	No	No		5/13/2021	Property tax; exemptions ; eligible broadband equipment; exempt from personal property tax. (Sen. Aric Nesbitt)
Veto		0017	No	No		5/19/2021	Public employees and officers; other ; 1968 PA 317 regarding contracts of public servants with public entities; modify certain population thresholds. (Sen. Dale W. Zorn)
Veto	4448		No	No		6/3/2021	State financing and management; other ; suspension of freedom of information act requests in an executive order under the emergency management act; prohibit. (Rep. Steven Johnson)
Veto	4728		No	No		6/3/2021	Health; diseases ; exemption for high school commencement ceremonies from emergency orders issued to control an epidemic; provide for under certain circumstances. (Rep. Ann Bollin)
Veto	4224		No	No		6/25/2021	Sales tax; exemptions ; exemption for certain personal protective equipment; provide for. (Rep. Jim Lilly)
Veto	4225		No	No		6/25/2021	Use tax; exemptions ; exemption for certain personal protective equipment; provide for. (Rep. Sarah Anthony)
Veto	4945		No	No		7/1/2021	Education; alternative ; operation of a strict discipline academy; modify. (Rep. Pamela Hornberger)
Veto	4288		No	No		7/13/2021	Corporate income tax; flow-through entities ; entity flow-through tax; provide for. (Rep. Mark Tisdel)

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