





The Rulemaking Process


PURSUANT TO ADMIN. PROCEDURES ACT OF 1969, MCL 24.231 ET SEQ.


Steps in the Rulemaking Process

- ▶ Stakeholder input
- ▶ The Commission Staff drafts the rules
- ▶ Submission of the Request for Rulemaking to the Office of Regulatory Reinvention and the Legislative Service Bureau (ORR/LSB)

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- ▶ Request for Rulemaking (RFR) approved
 - ▶ Submission of the draft rules to ORR/LSB
 - ▶ Rules informally approved

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- ▶ Submission of the Regulatory Impact Statement (RIS) and Cost/Benefit Analysis (CBA) to ORR/LSB
 - ▶ RIS/CBA approved
 - ▶ Issuance of first MPSC order inviting comment and setting public hearing – published in 3 newspapers of general circulation (Grand Rapids, Marquette, and Detroit) and in the Michigan Register

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- ▶ Public hearing and receipt of written comments
 - ▶ Analysis of comments and possible revisions
 - ▶ Issuance of second MPSC order addressing the comments and finalizing the rules
 - ▶ Submission of the Report to the Joint Committee on Administrative Rules (JCAR Report) and final rules to ORR/LSB

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- ▶ Final rule approval received
 - ▶ Countdown of 15 session days (or other possibilities)
 - ▶ Issuance of third MPSC order formally adopting the rules and forwarding them to the Secretary of State, and they are published on the MPSC website

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- ▶ Rules are filed with the Office of the Great Seal (OGS)
 - ▶ Final rules effective immediately (7 days after filing) unless otherwise noted in the rules.

Resources

- ▶ Administrative Procedures Act of 1969, MCL 24.231 et seq.
- ▶ ORR's Website
 - ▶ <https://www.michigan.gov/opt/0,5880,7-338-87827---,00.html>
 - ▶ Offers ORR's recommendations for the rulemaking process (last updated March 2014).



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