



**House
Legislative
Analysis
Section**

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**EXEMPT GAS SAFETY STANDARDS
FROM APA**

House Bill 4981

Sponsor: Rep. Dennis Olshove

Committee: Judiciary and Civil Rights

Complete to 5-14-96

A SUMMARY OF HOUSE BILL 4981 AS INTRODUCED 6-16-95

The bill would amend the Administrative Procedures Act (APA) to provide an exemption from the usual rules process for rules promulgated under the Gas Safety Standards Act that were substantially similar to existing federal standards adopted under the Federal Pipeline Safety Laws. [Note: The term "substantially similar" is already defined within the APA as meaning identical, with the exception of style or format differences needed to conform to the APA or other state laws, as determined by the Department of Attorney General.] The exemption would provide the same allowances for the promulgation of rules as are currently provided for certain MIOSHA rules. Notice of the proposed rule would have to be published in the Michigan Register at least 60 days before the rule was submitted to the secretary of state. After publication, a reasonable period of up to 30 days would have to be provided for the submission of written comments.

Rules promulgated under the Gas Safety Standards Act would also be exempt from the sections of the APA which require, among other things, the following: the agency promulgating the rule, following the period for written comments, to file three copies of the rule with the secretary of state along with the approval of the Legislative Service Bureau and the attorney general; that rules be submitted to the Legislative Service Bureau and the attorney general for approval as to form and legality; a call for a public hearing on the proposed rules subsequent to notice; submission of rules to the Joint Committee on Administrative Rules for approval or disapproval; and the provision of regulatory impact statements, small business economic impact statements, and fiscal impact reports.

MCL 24.244 and 24.245

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