



**House
Legislative
Analysis
Section**

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JUSTICES OF THE PEACE

House Bills 4752 through 4759 as passed by the
House

Sponsor: Rep. David Honigman

House Bills 4787 through 4792 as passed by the
House

Sponsor: Rep. Perry Bullard

Second Analysis (10-11-89)
Committee: Judiciary

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THE APPARENT PROBLEM:

Michigan's 1963 constitution abolished the office of justice of the peace. Many statutes continue to refer to that office, however. The Michigan Law Revision Commission and others have recommended that obsolete references to justices of the peace be removed from Michigan statute.

THE CONTENT OF THE BILL:

In general, the bills would amend various acts to replace references to justices of the peace with references to district and municipal judges. House Bill 4752 would repeal various apparently obsolete acts, as follows:

<u>Year of Act</u>	<u>Public Act No.</u>	<u>MCL</u>
1911	299	730.1 to 730.30
1933	269	730.101 to 730.159
1911	171	730.201 to 730.204
1947	41	730.301 to 730.302
1947	109	730.321 to 730.328
1947	103	730.351 to 730.354
1961	42	730.571 to 730.575

House Bill 4754 would repeal several sections of the Code of Criminal Procedure, as follows: MCL 774.22a, 774.22b, and 775.5.

The other bills and the acts that they would amend are as follows:

<u>Bill</u>	<u>Public Act No.</u>	<u>Short title/subject matter</u>	<u>MCL</u>
4753	359 of 1941	noxious weeds	247.70
4755	85 of 1935	married woman, common presumption re. coercion law	780.401
4756	355 of 1927	Mackinac Island	318.66
4757	146 of 1925	relief of the poor	402.18, 402.19
4758	137 of 1885	ten-hour work day	408.403
4759	238 of 1879	floating/washed ashore logs	426.160
4787	Ch. 53 of Rev. Stat. of 1846	Of Libraries and Lyceums	450.691
4788	Ch. 55 of Rev. Stat. of 1846	Genl. Provisions Relating to Corporations	450.504
4789	137 of 1929	private resort corps.	455.216
4790	39 of 1889	summer homes/camp meetings	455.62
4791	105 of 1951	posters and placards	752.822, 752.823
4792	87 of 1855	burying grounds	456.6

FISCAL IMPLICATIONS:

The House Fiscal Agency reports that the bills would have no fiscal implications. (10-11-89)

ARGUMENTS:

For:

The bills would update Michigan statute by ridding it of many obsolete references to the abolished office of justice of the peace. Such "housekeeping" action has been recommended by the Michigan Law Revision Commission.

POSITIONS:

In its 1985 and 1986 annual reports, the Michigan Law Revision Commission recommended eliminating references to abolished courts.

H.B. 4752 et al (10-11-89)

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