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BILL ANALYSIS



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Senate Bills 417 and 418
Sponsor: Senator Glenn D. Steil
Committee: Government Operations

Date Completed: 5-17-95

SUMMARY OF SENATE BILLS 417 and 418 as introduced 3-21-95:

Senate Bill 417 would amend Public Act 44 of 1899, which provides for the publication and distribution of laws and State documents, and Senate Bill 418 would amend the Administrative Procedures Act, to revise the Acts' requirements regarding the distribution of certain publications, and to reduce the distribution of those publications. Following is a detailed description of the bills.

Senate Bill 417

The bill would reduce the number of copies of the Michigan Compiled Laws, the Michigan Manual, and the Public and Local Acts currently required to be distributed; provide that the "publication" of these documents would mean the production and dissemination of the information in print, microfilm, microfiche, or electronic form; and remove some of the current requirements for the publication of the Public and Local Acts.

The bill specifies that a sufficient number of publications of the Michigan Compiled Laws (MCL) would have to be provided to the Department of Management and Budget (DMB) for distribution as follows: one to each member of the Legislature, and 40 to the Secretary of the Senate and 114 to the Clerk of the House for use as desk copies by the members. Currently, in addition to distributing the MCL to those offices, the DMB must distribute sets of the MCL to the Library of Congress, Governor, and Lieutenant Governor. The bill would eliminate this provision.

Currently, Public Act 44 of 1899 requires that additional sets of the MCL, upon written request to the Legislative Service Bureau (LSB), be distributed by the DMB in the quantities specified in the following manner: one set to each justice of the State Supreme Court, the clerk of the State Supreme Court, and the reporter of the State Supreme Court; four sets to the court administrator's office; one set to each judge of every court of the State, each prosecuting attorney, and each county law library; one set to the county board of commissioners of each county, which must be located in the county courthouse and available to the public; one set to each State-supported university or college and each private university or college in the State that is accredited by the North Central Association of Colleges and Secondary Schools; 250 sets to the State Library for use in the library and for exchanges; and a number of sets, as determined by the LSB, for use in the executive office of the Governor, each State department, the Legislative Council, and offices, councils, bureaus, and committees of the Legislature. The bill would eliminate these provisions.

The bill would eliminate a requirement that the DMB deliver a copy or copies of the Michigan Manual to the following offices and persons: Michigan Senators and Representatives in Congress; U.S. circuit and district court judges in Michigan; justices of the State Supreme Court; judges of the Court of Appeals; the judges of the circuit, district, and probate courts; each district, graded and city public school, and parochial school; each high school, public, private, and parochial; each public library other than school libraries; archives that are in, or a part of, public institutions in Michigan; and the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Auditor General, Attorney General, Superintendent of Public Instruction, Public Service Commission, State Tax Commission, Department of Natural Resources, Financial Institutions Bureau, Department of Agriculture, Insurance Bureau, Department of Labor, Corporation and Securities Bureau, Secretary of the Senate and Clerk of the House. The bill provides instead that the DMB would have to deliver one copy of the Michigan Manual to each member of the Legislature. The DMB could sell the publication, unless directed otherwise by the LSB, at a price determined by the LSB but not to exceed the cost of preparation and distribution.

Currently, upon written request to the LSB, the DMB must distribute, without charge, one volume of the Public and Local Acts of each legislative session to the following: libraries of all State officers, departments, boards, commissions, and institutions; Senators and Representatives of Michigan in Congress; the Library of Congress; the U.S. Supreme Court and judges and clerks of the circuit and district courts of the U.S. in the State; justices, clerks, and the reporter of the State Supreme Court; judges of the Court of Appeals, circuit, recorder's, district, and municipal courts; and all public libraries and all county law libraries. The bill would eliminate these provisions, as well as a requirement that 140 copies be deposited in the State Library. The bill provides instead that the DMB, unless otherwise directed by the LSB, would have to distribute 42 copies of the publication to the Senate and 120 to the House, to be used as desk copies.

The bill would delete a requirement that county clerks file a requisition for all copies of the Public and Local Acts for the needs of the counties, including county officers and townships, villages, and cities and their officers within the clerks' counties.

The bill would eliminate provisions that require the Public and Local Acts to be compiled in a single bound volume and embossed on the spine with high quality gold stamping foil.

Senate Bill 418

The bill would amend the Administrative Procedures Act to reduce the number of copies of the Michigan Register, and the Administrative Code and annual supplement to the Code, currently required to be distributed. The bill would eliminate provisions that require the DMB to deliver or mail a copy of these documents to each standing committee of the Legislature; each member of the Legislature at the legislator's home; each attorney on the LSB staff; each division of the Department of Attorney General; each county law library, bar association library, and law school library in this State; and any other library in the State (upon request); three copies to each State department; and any additional copies to any officer or agency of the State and any other officers, agencies, and libraries approved by the LSB. The bill would require instead that the DMB, unless otherwise directed by the LSB, provide copies of the documents to the Secretary of the Senate and Clerk of the House in sufficient numbers to supply each legislator.

Currently, members of the Legislature may retain copies of the Michigan Register and the Michigan Administrative Code sent to their homes. The DMB must send to the home address of a new member of the Legislature the current volume of the Michigan Register and a complete copy of the Michigan Administrative Code. The DMB also must deliver to the State Library the Michigan

Register, the Michigan Administrative Code, and the annual supplement, when requested by the State Library sufficient for the Library's use and for exchanges. The bill would eliminate these provisions.

MCL 24.1 et al. (S.B. 417)
24.259 (S.B. 418)

Legislative Analyst: G. Towne

FISCAL IMPACT

There would be costs savings as a result of the reduction of the free distribution of the publications in the bill. The cost of production, storage, postage, and distribution would be lowered because the number of copies published are reduced. The actual cost savings cannot be estimated at this time.

Fiscal Analyst: L. Nacionales-Tafoya

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.