

Act No. 222
Public Acts of 1996
Approved by the Governor
May 23, 1996
Filed with the Secretary of State
May 28, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Reps. Rhead, Llewellyn, Hill, Hammerstrom, Brackenridge, Dalman and McNutt

ENROLLED HOUSE BILL No. 5523

AN ACT to amend section 115 of Act No. 306 of the Public Acts of 1969, entitled as amended "An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of the Michigan register; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date," as amended by Act No. 83 of the Public Acts of 1993, being section 24.315 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 115 of Act No. 306 of the Public Acts of 1969, as amended by Act No. 83 of the Public Acts of 1993, being section 24.315 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 115. (1) Chapters 4 and 6 do not apply to proceedings conducted under the worker's disability compensation act of 1969, Act No. 317 of the Public Acts of 1969, being sections 418.101 to 418.941 of the Michigan Compiled Laws.

(2) Chapters 4 and 8 do not apply to a hearing conducted by the department of corrections pursuant to chapter IIIA of Act No. 232 of the Public Acts of 1953, being sections 791.251 to 791.256 of the Michigan Compiled Laws.

(3) Chapter 8 does not apply to any of the following:

(a) A contested case or other proceeding regarding the granting or renewing of an operator's or chauffeur's license by the secretary of state.

(b) Proceedings conducted by the Michigan employment relations commission.

(c) Worker's disability compensation proceedings under Act No. 317 of the Public Acts of 1969.

(d) Unemployment compensation hearings under the Michigan employment security act, Act No. 1 of the Public Acts of the Extra Session of 1936, being sections 421.1 to 421.75 of the Michigan Compiled Laws.

(e) Department of social services public assistance hearings under section 9 of the social welfare act, Act No. 280 of the Public Acts of 1939, being section 400.9 of the Michigan Compiled Laws.

(4) Chapter 6 does not apply to final decisions or orders rendered under article 15 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.16101 to 333.18838 of the Michigan Compiled Laws.

(5) Chapters 2, 3, and 5 do not apply to the municipal employees retirement system and retirement board created by the municipal employees retirement act of 1984, Act No. 427 of the Public Acts of 1984, being sections 38.1501 to 38.1555 of the Michigan Compiled Laws, on and after the certification date. As used in this subsection, "certification date" means that term as defined in section 2a of Act No. 427 of the Public Acts of 1984, being section 38.1502a of the Michigan Compiled Laws.

Section 2. This amendatory act shall not take effect unless House Bill No. 5525 of the 88th Legislature is enacted into law and becomes effective under the provisions of enacting section 4 of that amendatory act.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.