



**House  
Legislative  
Analysis  
Section**

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## REPEAL OUT-DATED ACTS

**Senate Bill 1085 as passed by the Senate  
Sponsor: Sen. Walter North**

**Senate Bill 1158 as passed by the Senate  
Sponsor: Sen. Shirley Johnson**

**Senate Bill 1159 as passed by the Senate  
Sponsor: Sen. Michael Goschka**

**Senate Bill 1160 as passed by the Senate  
Sponsor: Sen. Beverly Hammerstrom**

**First Analysis (5-2-00)  
House Committee: Local Government and  
Urban Policy  
Senate Committee: Government  
Operations**

Senate Bills 1085, 1158, 1159 and 1160 (5-2-00)

### ***THE APPARENT PROBLEM:***

The Senate Law Revision Task Force was established in June 1999 and asked to review existing state statutes and recommend the repeal or amendment of those laws that were found to be arcane and/or irrelevant to present-day life in Michigan. To identify such laws, the task force sought the input of the public, the law enforcement community, and various legal associations and entities, including the Michigan Law Revision Commission, the State Bar of Michigan, legislators, judges, and prosecutors. After review, the task force issued a report in December 1999, recommending that various laws or sections of laws be repealed or eliminated.

### ***THE CONTENT OF THE BILLS:***

Senate Bill 1085 would repeal Public Act 204 of 1889 (MCL 446.101 - 446.105) which allows townships in the Upper Peninsula to license hawkers, peddlers, and pawnbrokers.

Senate Bills 1158, 1159 and 1160 would repeal unnecessary or duplicative rule-making authority for certain programs regulated by the Department of Treasury.

Senate Bill 1158 would amend the Emergency Municipal Loan Act (MCL 141.932) to delete a provision granting the local emergency financial assistance loan board, within the Department of Treasury, the power to promulgate rules that it considers necessary.

Senate Bill 1159 would repeal Section 5 of Public Act 354 of 1972 (MCL 129.135), which permits the Department of Treasury to promulgate rules to implement the act. (Public Act 354 authorizes the replacement or payment of lost, destroyed, or wrongfully taken bonds or other evidence of indebtedness issued by a public corporation.)

Senate Bill 1160 would delete a provision of the Shared Credit Rating Act (MCL 141.1057) that authorizes the board of the Michigan Municipal Bond Authority to promulgate rules necessary to carry out the act and to exercise the powers granted in the act.

### ***FISCAL IMPLICATIONS:***

The Senate Fiscal Agency notes that Senate Bill 1085 and Senate Bills 1158, 1159, and 1160 would have no fiscal impact on state or local government. (3-27-00)

**ARGUMENTS:*****For:***

The state's compilation of its laws was begun over 160 years ago. While many laws that became outdated, inapplicable, or inappropriate have been repealed or eliminated through the years, many other laws enacted long ago, that are of questionable relevance, remain on the books. The Senate Law Revision Task Force was established to review existing statutes and to recommend the repeal of laws found to be arcane or irrelevant. Indeed, a senator who headed the task force has suggested that it would be reasonable to infer that at least one of the laws here proposed for repeal, Senate Bill 1085, was anti-Semitic in its origin. The task force pointed out that arcane or irrelevant laws that remain enforceable are detrimental to the public. The task force report stated that Michigan residents must be free from the threat of the state's arbitrarily enforcing laws that are arcane or irrelevant to modern life; that residents must not be required to be aware of and abide by laws that no reasonable person can know exist; and that government resources should not be used perpetuating and/or imposing arcane or irrelevant laws upon its citizens. The bills would repeal or delete statutes or parts of statutes recommended for repeal or deletion by the task force.

**POSITIONS:**

The Department of Treasury supports the bills. (4-27-00)

Analyst: J. Hunault

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