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## OBSOLETE LAWS: VARIOUS TOPICS

**House Bill 5588 as introduced**  
**Sponsor: Rep. Cameron Brown**

**House Bill 5590 as introduced**  
**Sponsor: Rep. Clark Bisbee**

**House Bill 5594 as introduced**  
**Sponsor: Rep. Michael Kowall**

**House Bill 5630 as introduced**  
**Sponsor: Rep. Terry Geiger**

**Committee: House Oversight and  
Operations**

**First Analysis (5-10-00)**

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

A number of bills have been introduced in both the House and the Senate to repeal obsolete laws or obsolete provisions in law based on the work done by the Senate Law Revision Task Force. The task force issued its report on December 16, 1999, describing the laws it has targeted for repeal and providing the rationale for repeal.

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

House Bill 5588 would repeal Section 6b of Public Act 59 of 1935 (MCL 28.6b), which allows the director the Department of State Police to recruit, equip, and train a special reserve statewide police force to serve as an auxiliary to the department. The section's stated intent is that the department have a standby force for use during emergencies and that police powers only be extended to reserve officers during the time they were in immediate association with regular officers of the department or were performing police functions assigned by and supervised by the department.

House Bill 5590 would repeal Section 3 of Chapter 12 of the Revised Statutes of 1846 (MCL 10.3), which allows the governor to appoint a private secretary to keep a correct record of all executive proceedings and decisions and to appoint an executive clerk to assist in the conduct of business of the executive department

(who is also to be the clerk of the advisory board in the matter of pardons) at the salary of \$1,500 per annum.

House Bill 5594 would repeal Public Act 54 of 1917 (MCL 429.301-429.311), which makes it illegal to deal in misbranded or mislabeled mattresses or comforts.

House Bill 5630 would repeal a provision in the Penal Code (MCL 750.42) that makes it a misdemeanor to disseminate an advertisement for "spirituous or intoxicating liquors" containing a reference to a deceased ex-president of the United States.

### ***BACKGROUND INFORMATION:***

For a fuller discussion of the wisdom of repealing obsolete laws, consult the report of the Senate Law Revision Task Force; the Senate Fiscal Agency's analysis of Senate Bill 1055 (et al.) dated 3-27-00; and the House Legislative Analysis Section analyses of Senate Bills 1058-1060 dated 4-19-00, House Bill 5592 (et. al.) dated 4-25-00, and House Bill 5582 (et al.) dated 5-2-00, among others.

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

There is no information at present. (However, it should be noted that the bills address provisions said no longer to be in use.)

House Bills 5588, 5590, 5594 and 5630 (5-10-00)

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

The four bills would repeal provisions in law identified as obsolete by the Senate Law Revision Task Force. For example, one would repeal a statute dating at least to 1846 that allows the governor to have a private secretary and an executive clerk, with the latter's salary capped at \$1,500 per year. Another bill would repeal a provision making it a misdemeanor to disseminate an advertisement for "spirituous or intoxicating liquors" containing a reference to a deceased ex-president of the United States. The task force report does not provide the origin of this provision (which would be of interest to cultural historians) but apparently the problem addressed is no longer pressing. A third bill addresses methods of manufacturing mattresses (and comforts) no longer in use. The last bill deals with a law that provides for a statewide reserve for the state police; the state police have recommended its repeal.

**POSITIONS:**

There are no positions at present.

Analyst: C. Couch

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.