

SENATE BILL No. 878

November 2, 1999, Introduced by Senators STEIL, HAMMERSTROM and NORTH and referred to the Committee on Government Operations.

A bill to amend 1970 PA 193, entitled

"An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe the functions of the legislative council relative thereto,"

by amending the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 (MCL 8.41, 8.42, 8.43, 8.44, 8.45, 8.46, 8.47, and 8.48).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe ~~the~~ CERTAIN functions of the legislative council AND CERTAIN STATE AGENCIES relative thereto.

Sec. 1. (1) The legislative council shall provide for ~~separate~~ compilations of all general laws in force. ~~and~~ administrative rules filed with the secretary of state,

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1 ~~notwithstanding section 55 of Act No. 306 of the Public Acts of~~
2 ~~1969, being section 24.255 of the Compiled Laws of 1948.~~

3 (2) THE OFFICE OF REGULATORY REFORM SHALL PROVIDE COMPILA-
4 TIONS OF ADMINISTRATIVE RULES PROMULGATED UNDER THE ADMINISTRA-
5 TIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.

6 (3) The general laws shall be arranged without alteration.
7 ~~, and both~~ ALL compilations shall include appropriate heads and
8 titles. The printed compilations shall contain an index of the
9 laws or rules contained ~~therein,~~ IN THE COMPILATIONS and notes,
10 references, and other materials as the council ~~deems~~ OR OFFICE
11 OF REGULATORY REFORM CONSIDERS necessary.

12 (4) The council shall determine the number of sets of the
13 compiled laws ~~and administrative rules~~ to be printed and bound,
14 THE weight and kind of paper, THE style and material for binding,
15 and all other matters concerning the format and contents of the
16 compilations.

17 (5) THE OFFICE OF REGULATORY REFORM SHALL DETERMINE THE
18 NUMBER OF SETS OF THE ADMINISTRATIVE RULES TO BE PRINTED AND
19 BOUND, THE WEIGHT AND KIND OF PAPER, THE STYLE AND MATERIAL FOR
20 BINDING, AND ALL OTHER MATTERS CONCERNING THE FORMAT AND CONTENTS
21 OF THE COMPILATIONS.

22 Sec. 2. (1) The ~~council~~ OFFICE OF REGULATORY REFORM shall
23 provide for an orderly revision of the Michigan administrative
24 code. ~~, hereinafter referred to as the code.~~

25 (2) Personnel working on the revision and the agency whose
26 rules are being revised shall cooperate in the revision, but the
27 decision of the revisers shall govern subject to review by the

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1 ~~council~~ OFFICE OF REGULATORY REFORM when requested by the
2 agency.

3 Sec. 3. The revision OF THE MICHIGAN ADMINISTRATIVE CODE
4 shall clarify, simplify, and shorten rules while retaining their
5 substance, sense, and meaning. The revision may INCLUDE THE
6 FOLLOWING:

7 (a) Adopt a uniform system of style, printing, punctuation,
8 capitalization, spelling, and wording; eliminate obsolete and
9 redundant words; eliminate duplications and rules rescinded indi-
10 rectly or by implication; and clarify rules.

11 (b) Change headings, subheadings, authority paragraphs, and
12 catchlines, rearrange rules, change reference numbers or words to
13 correct the references, substitute figures for written words, and
14 correct obvious clerical, typographical, and grammatical errors,
15 inaccuracies, inconsistencies, and omissions.

16 (c) Renumber rules and parts of rules, transfer rules, and
17 divide or combine rules so as to give to distinct subject matters
18 a separate rule number.

19 (d) Substitute the name of an officer, agency, or instrumen-
20 tality, in which functions are currently vested, for the name of
21 any other officer, agency, or instrumentality formerly vested
22 with the same or similar functions.

23 (e) Omit temporary, emergency, and rescinding rules if a
24 note indicates the nature and latest location in the MICHIGAN
25 ADMINISTRATIVE code of the omitted material.

26 (f) Modernize language to correspond to current drafting
27 style for ~~legislative bills and~~ administrative rules.

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1 Sec. 4. A revised rule is not subject to the requirements
2 of ~~Act No. 306 of the Public Acts of 1969, being sections~~
3 ~~24.201 to 24.313 of the Compiled Laws of 1948~~ THE ADMINISTRATIVE
4 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, per-
5 taining to the processing and filing of a rule. It shall be pub-
6 lished in the next interim or annual supplement to the MICHIGAN
7 ADMINISTRATIVE code, or both, or republication of the MICHIGAN
8 ADMINISTRATIVE code with a certificate of the ~~council~~ OFFICE OF
9 REGULATORY REFORM, which may cover all of the revisions in the
10 particular publication. ~~—~~ THE CERTIFICATE SHALL INDICATE that
11 the revised rules are a revision, without change in substance, of
12 certain identified administrative rules and that the revision has
13 been made in accordance with applicable law. The rule when so
14 printed shall constitute a part of the MICHIGAN ADMINISTRATIVE
15 code in place of the text which was revised.

16 Sec. 5. (1) The council, IN THE CASE OF THE COMPILED LAWS,
17 AND THE OFFICE OF REGULATORY REFORM, IN THE CASE OF RULES, may
18 enter into 1 or more contracts or provide for editorial work,
19 printing, binding, indexing, and other work ~~which it deems~~ THAT
20 IT CONSIDERS necessary ~~—~~ and may provide that the compilations
21 be privately printed and published and sold and distributed by
22 the publishers on ~~such~~ terms as the council AND OFFICE OF REGU-
23 LATORY REFORM may prescribe.

24 (2) The work of preparing, editing, indexing, and publishing
25 the COMPILED laws ~~and administrative rules~~ shall be under the
26 direction and supervision of the council AND THE WORK OF
27 PREPARING, EDITING, INDEXING, AND PUBLISHING THE MICHIGAN

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1 ADMINISTRATIVE CODE SHALL BE UNDER THE SUPERVISION OF THE OFFICE
2 OF REGULATORY REFORM.

3 Sec. 6. The council, IN THE CASE OF THE COMPILED LAWS, AND
4 THE OFFICE OF REGULATORY REFORM, IN THE CASE OF THE MICHIGAN
5 ADMINISTRATIVE CODE, may enter into 1 or more contracts or pro-
6 vide for the preparation and publication of subsequent editions
7 ~~of the compiled laws and administrative rules~~ and cumulative or
8 other supplements. ~~to the compiled laws and administrative code,~~
9 ~~which~~ THE contracts as to supplements may be awarded for a
10 period of not more than 10 years under such terms as PRESCRIBED
11 BY the council, ~~prescribes~~ IN THE CASE OF THE COMPILED LAWS,
12 AND AS PRESCRIBED BY THE OFFICE OF REGULATORY REFORM, IN THE CASE
13 OF THE MICHIGAN ADMINISTRATIVE CODE.

14 Sec. 7. (1) Before any copies of a volume of the compila-
15 tion of ~~either~~ the ~~general~~ COMPILED laws ~~or administrative~~
16 ~~rules shall be~~ ARE printed and bound OR OTHERWISE MADE AVAILABLE
17 TO THE GENERAL PUBLIC, they shall be examined and compared by the
18 council ~~—~~ and, if ~~they comply~~ IN COMPLIANCE with ~~the terms~~
19 ~~of~~ this act, the council shall so certify.

20 (2) BEFORE ANY COPIES OF A VOLUME OF THE COMPILATION OF THE
21 MICHIGAN ADMINISTRATIVE CODE ARE PRINTED AND BOUND OR OTHERWISE
22 MADE AVAILABLE TO THE GENERAL PUBLIC, THEY SHALL BE EXAMINED AND
23 COMPARED BY THE OFFICE OF REGULATORY REFORM AND, IF IN COMPLIANCE
24 WITH THIS ACT, THE OFFICE OF REGULATORY REFORM SHALL SO CERTIFY.

25 (3) After ~~such~~ THE certification, the COMPILED laws and
26 ADMINISTRATIVE rules shall be ~~deemed~~ CONSIDERED to be the
27 official statutes and administrative rules of this state and

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1 evidence in all courts having jurisdiction. The certification
2 shall be printed in each volume.

3 Sec. 8. The council shall purchase a sufficient number of
4 sets of the compiled laws and THE OFFICE OF REGULATORY REFORM
5 SHALL PURCHASE A SUFFICIENT NUMBER OF SETS OF THE MICHIGAN admin-
6 istrative code to be distributed in the manner provided by law.
7 ~~as it estimates will be needed for such distribution.~~

8 Enacting section 1. This amendatory act takes effect
9 January 1, 2000.

10 Enacting section 2. This amendatory act does not take
11 effect unless all of the following bills of the 90th Legislature
12 are enacted into law:

13 (a) Senate Bill No. 877.

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15 (b) Senate Bill No. 879.

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