

Act No. 263
Public Acts of 1999
Approved by the Governor
December 28, 1999
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December 28, 1999
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**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 1999**

Introduced by Senators Steil, Hammerstrom and North

ENROLLED SENATE BILL No. 878

AN ACT 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 certain functions of the legislative council and certain state agencies relative thereto.

Sec. 1. (1) The legislative council shall provide for compilations of all general laws in force.

(2) The office of regulatory reform shall provide compilations of administrative rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(3) The general laws shall be arranged without alteration. All compilations shall include appropriate heads and titles. The printed compilations shall contain an index of the laws or rules contained in the compilations and notes, references, and other materials as the council or office of regulatory reform considers necessary.

(4) The council shall determine the number of sets of the compiled laws to be printed and bound, the weight and kind of paper, the style and material for binding, and all other matters concerning the format and contents of the compilations.

(5) The office of regulatory reform shall determine the number of sets of the administrative rules to be printed and bound, the weight and kind of paper, the style and material for binding, and all other matters concerning the format and contents of the compilations.

Sec. 2. (1) The office of regulatory reform shall provide for an orderly revision of the Michigan administrative code.

(2) Personnel working on the revision and the agency whose rules are being revised shall cooperate in the revision, but the decision of the revisers shall govern subject to review by the office of regulatory reform when requested by the agency.

Sec. 3. The revision of the Michigan administrative code shall clarify, simplify, and shorten rules while retaining their substance, sense, and meaning. The revision may include the following:

(a) Adopt a uniform system of style, printing, punctuation, capitalization, spelling, and wording; eliminate obsolete and redundant words; eliminate duplications and rules rescinded indirectly or by implication; and clarify rules.

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

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

(d) Substitute the name of an officer, agency, or instrumentality, in which functions are currently vested, for the name of any other officer, agency, or instrumentality formerly vested with the same or similar functions.

(e) Omit temporary, emergency, and rescinding rules if a note indicates the nature and latest location in the Michigan administrative code of the omitted material.

(f) Modernize language to correspond to current drafting style for administrative rules.

Sec. 4. A revised rule is not subject to the requirements of the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, pertaining to the processing and filing of a rule. It shall be published in the next interim or annual supplement to the Michigan administrative code, or both, or republication of the Michigan administrative code with a certificate of the office of regulatory reform, which may cover all of the revisions in the particular publication. The certificate shall indicate that the revised rules are a revision, without change in substance, of certain identified administrative rules and that the revision has been made in accordance with applicable law. The rule when so printed shall constitute a part of the Michigan administrative code in place of the text which was revised.

Sec. 5. (1) The council, in the case of the compiled laws, and the office of regulatory reform, in the case of rules, may enter into 1 or more contracts or provide for editorial work, printing, binding, indexing, and other work that it considers necessary and may provide that the compilations be privately printed and published and sold and distributed by the publishers on terms as the council and office of regulatory reform may prescribe.

(2) The work of preparing, editing, indexing, and publishing the compiled laws shall be under the direction and supervision of the council and the work of preparing, editing, indexing, and publishing the Michigan administrative code shall be under the supervision of the office of regulatory reform.

Sec. 6. The council, in the case of the compiled laws, and the office of regulatory reform, in the case of the Michigan administrative code, may enter into 1 or more contracts or provide for the preparation and publication of subsequent editions and cumulative or other supplements. The contracts as to supplements may be awarded for a period of not more than 10 years under such terms as prescribed by the council, in the case of the compiled laws, and as prescribed by the office of regulatory reform, in the case of the Michigan administrative code.

Sec. 7. (1) Before any copies of a volume of the compilation of the compiled laws are printed and bound or otherwise made available to the general public, they shall be examined and compared by the council and, if in compliance with this act, the council shall so certify.

(2) Before any copies of a volume of the compilation of the Michigan administrative code are printed and bound or otherwise made available to the general public, they shall be examined and compared by the office of regulatory reform and, if in compliance with this act, the office of regulatory reform shall so certify.

(3) After the certification, the compiled laws and administrative rules shall be considered to be the official statutes and administrative rules of this state and evidence in all courts having jurisdiction. The certification shall be printed in each volume.

Sec. 8. The council shall purchase a sufficient number of sets of the compiled laws and the office of regulatory reform shall purchase a sufficient number of sets of the Michigan administrative code to be distributed in the manner provided by law.

Enacting section 1. This amendatory act takes effect April 1, 2000.

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

- (a) Senate Bill No. 877.
- (b) Senate Bill No. 879.

Carol Morey Viventi

Secretary of the Senate.

Gay E. Randall

Clerk of the House of Representatives.

Approved

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Governor.