

Legislative Analysis



LEGISLATIVE SERVICE BUREAU: PUBLIC ACTS REPORT & MICHIGAN MANUAL

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House Bill 5784

Sponsor: Rep. Jim Stamas

Committee: Oversight

Complete to 9-15-14

A SUMMARY OF HOUSE BILL 5784 AS INTRODUCED 9-9-14

House Bill 5784 would amend Public Act 44 of 1899 to modify certain requirements for two publications produced by the Legislative Service Bureau, the Public Acts Report and the Michigan Manual. Generally speaking, the bill would reduce the amount of information to be included in the publications and reduce distribution requirements. A detailed description of the bill follows.

Public Acts Report

Now under the law, the Legislative Service Bureau, under the direction of the Legislative Council, is required, as soon as possible after the close of any legislative session, to carefully examine, classify, assign compilation numbers to, prepare catch-lines for, and compile an index for the acts passed during the two-year legislative session. House Bill 5784 would retain this provision, but eliminate the requirement to index the new acts.

Under the law, the biennial Public Acts Report must include the following:

- a title, preface, and table of contents;
- all acts of general character that affect the people of the whole state;
- all joint resolutions;
- all amendments to the state constitution adopted after the publication of acts of the last preceding session of the legislature;
- all acts of a local or municipal character that do not affect the people of the whole state;
- all initiated laws;
- all veto messages of the governor;
- all executive orders by which the governor makes changes in executive branch organization;
- abstracts of the proceedings of boards of supervisions who organize or reorganize townships, filed with the Office of the Secretary of State;
- abstracts of proceedings to incorporate or change city and village boundaries filed with the Office of the Secretary of State;
- abstracts of proceedings to incorporate charter townships;

- a certificate from the secretary of state specifying the date of the legislature's final adjournment, and indicating the date on which all acts not given immediate effect or carrying an effective date take effect;
- the state treasurer's annual report for the latest fiscal year;
- the Michigan Compiled Laws table; and
- an index.

House Bill 5784 would retain all of these provisions except the first and last: *a title, preface, and table of contents*, and *an index*, all of which would be removed.

Now under the law, the Legislative Service Bureau must also include each final adopted apportionment and districting plan with its public acts report, doing so on the first regular session following the date upon which the redistricting plan became law. House Bill 5784 would eliminate this requirement.

The law now specifies that the information described above be published with a particular title text: "Public and Local Acts, Michigan, Session of (Year)." House Bill 5784 would eliminate this provision.

The law also specifies that the public and local acts be sequentially arranged by act number, and describes in some detail how the compilation numbers, catch-lines, and corresponding citations should appear. House Bill 5784 would eliminate this requirement.

Now under the law, the terms "publication" or "published" are defined to mean the production and dissemination of information in print, microfilm, microfiche, or electronic form. Further, the Legislative Service Bureau must publish at least one print copy of the publication. House Bill 5784 would retain these provisions. The law also allows the bureau to publish additional copies, and to file them with the Department of (Technology) Management, and Budget. House Bill 5784 would require, instead, that any additional copies be deposited with the State Library.

The Michigan Manual

In addition, the law now requires that the Legislative Service Bureau prepare and publish biennially an official state manual, known as the Michigan Manual, which must be ready for distribution before December 2 of each odd-numbered year. House Bill 5784 would retain this requirement. Now the Michigan Manual is distributed by the Department of (Technology) Management and Budget. House Bill 5784 would eliminate the reference to DTMB while retaining distribution requirement.

The state statute delineates the contents of the Michigan Manual, specifying 41 separate kinds of information. House Bill 5784 would eliminate 13 of those, reducing the kinds of information by about one-third. The categories of information that would be eliminated under the bill include the following:

- a list of Michigan post offices;
- a list of Michigan newspapers;
- the latest statistics of educational, mental, medical, reformatory, and penal institutions, arranged in such a way as to show their costs during the preceding two fiscal years, the salary of their officers, their legislative appropriations, their receipts from other sources, expenditures, the number of students, patients, or convicts, and the instruction or employment given in each;
- a table of valuation of taxable property in the counties of the state, as fixed by the State Board of Equalization for each of the last two years;
- the state judiciary;
- the names and dates of public holidays;
- the report of the state treasurer;
- a list of names and addresses of intermediate school districts, showing the counties where they are located;
- the names of members of former Michigan legislatures sitting within the latest 10 years, giving post office addresses at time of membership, districts, and terms;
- lists of miscellaneous state associations, officers, and their residences;
- a list of county officers elected at the preceding November election;
- the official canvass of votes cast at the April election in the biennium for which the manual is issued, for state officers, justices of the supreme court, and circuit judges; and,
- a complete list of all departments, boards, commissions, and agencies of the state government, including special commissions created by executive authority and all *ex officio* boards, including the authority for their creation, whether constitutional, statutory, executive order, or other authority.

To review the categories of information that would continue to be included in the Michigan Manual, see pages 6-10 of the bill.

Publication and distribution of the Michigan Manual are also provided for under the law. Now the Legislative Service Bureau must publish sufficient copies, as directed by the Legislative Council. That provision would be retained under the law. Further the law now requires that the Department of (Technology,) Management, and Budget deliver one copy of the Michigan Manual to each member of the Senate and the House. This requirement would be eliminated under House Bill 5784.

Currently the law requires the Legislative Service Bureau to price each copy of the Michigan Manual at a cost not to exceed the cost of preparation and distribution. Further, unless otherwise directed by the bureau, the Department of (Technology,) Management, and Budget must sell the copies of the manual not distributed. House Bill 5784 would retain the requirement that the manual be priced and sold by the Legislative Service Bureau, but eliminate the department's role.

Also, the law now requires the county superintendents of schools to distribute all copies of the Michigan Manual to the schools in their counties, and insure that the copies are kept for the use of such schools. House Bill 5784 would eliminate this requirement.

Repealed Sections. House Bill 5784 would repeal Sections 5 and 37 of Public Act 44 of 1899. Sections 5 and 37 read as follows:

24.5 Public and local acts; sale; price; accounting; disposition of money received.

Sec. 5. The department of management and budget may sell, at a price determined by the legislative service bureau, extra copies of the public and local acts which are not required for statutory distribution, which sale shall be at not less than the actual cost of the extra copies, and shall account for the sales to the state treasurer, and pay the money received for those extra copies into the state treasury monthly.

24.37 Michigan compiled laws; distribution; sale; price; "publication" or "published" defined.

Sec. 37. (1) A sufficient number of publications of the Michigan compiled laws shall be provided to the department of management and budget for distribution as follows:

(a) One publication copy to each member of the legislature.

(b) Forty publication copies to the secretary of the state senate for use as desk copies by the members of the senate.

(c) One hundred fourteen publication copies to the clerk of the state house of representatives for use as desk copies by the members of the house of representatives.

(2) Unless directed otherwise by the legislative service bureau, the department of management and budget may sell copies of the Michigan compiled laws at a price determined by the legislative service bureau.

(3) As used in this section, "publication" or "published" means the production and dissemination of information in print, microfilm, microfiche, or electronic form.

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FISCAL IMPACT:

House Bill 5784 would lower administrative, distribution, and printing costs for the Legislative Service Bureau by lowering the required information necessary for inclusion in the listed publications, eliminating the need for indexing, and reducing the number of hard copies necessary for distribution. At this time, the magnitude of the impact cannot be estimated.

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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.