

# SENATE BILL No. 560

October 24, 1991, Introduced by Senator VAN REGENMORTER  
and referred to the Committee on Technology and Energy.

A bill to amend section 71 of Act No. 306 of the Public Acts  
of 1969, entitled as amended  
"Administrative procedures act of 1969,"  
as amended by Act No. 28 of the Public Acts of 1984, being  
section 24.271 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 71 of Act No. 306 of the Public Acts of  
2 1969, as amended by Act No. 28 of the Public Acts of 1984, being  
3 section 24.271 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 71. (1) The parties in a contested case shall be given  
6 an opportunity for a hearing without undue delay.

7 (2) The parties shall be given a reasonable notice of the  
8 hearing. ~~—, which~~ EXCEPT AS OTHERWISE PROVIDED IN

9 SUBSECTION (4), THE notice shall include:

1 (a) A statement of the date, hour, place, and nature of the  
2 hearing. Unless otherwise specified in the notice, the hearing  
3 shall be held at the principal office of the agency.

4 (b) A statement of the legal authority and jurisdiction  
5 under which the hearing is to be held.

6 (c) A reference to the particular sections of the statutes  
7 and rules involved.

8 (d) A short and plain statement of the matters asserted. If  
9 the agency or other party is unable to state the matters in  
10 detail at the time the notice is given, the initial notice may  
11 state the issues involved. Thereafter, on application, the  
12 agency or other party shall furnish a more definite and detailed  
13 statement on the issues.

14 (3) A member of the legislature shall not be privileged from  
15 service of notice or other process pursuant to this chapter  
16 except on a day on which there is a scheduled meeting of the  
17 house of which he or she is a member. However, a member of the  
18 legislature shall not be privileged from service of notice or  
19 other process pursuant to this chapter on a day on which there is  
20 a scheduled meeting of the house of which he or she is a member,  
21 if such service of notice or process is executed by certified  
22 mail, return receipt requested.

23 (4) A GAS, TELEPHONE, OR ELECTRIC UTILITY PETITIONING OR  
24 APPLYING TO THE MICHIGAN PUBLIC SERVICE COMMISSION FOR A FINDING  
25 OR ORDER TO CHANGE ITS RATES OR CHARGES OR TO CHANGE ITS RATES OR  
26 RATE SCHEDULES THAT COMPLY WITH THE NOTICE REQUIREMENTS IMPOSED  
27 IN SECTION 6A OF ACT NO. 3 OF THE PUBLIC ACTS OF 1939, BEING

1 SECTION 460.6A OF THE MICHIGAN COMPILED LAWS, IS EXEMPT FROM THE  
2 NOTICE REQUIREMENTS IMPOSED IN SUBSECTION (2).

3       Section 2. This amendatory act shall not take effect unless  
4 Senate Bill No. 558  
5                       of the 86th Legislature is enacted into law.