

OBSOLETE LAWS: AGRICULTURE

House Bill 5585 as introduced
Sponsor: Rep. Sue Tabor

House Bill 5586 (Substitute H-1)
Sponsor: Rep. Paul N. DeWeese

Committee: Agriculture and Resource
Management

Senate Bill 1078 as passed by the Senate
Sponsor: Sen. Dianne Byrum
Senate Committee: Government Operations
House Committee: Agriculture and Resource
Management

First Analysis (11-30-00)

THE APPARENT PROBLEM:

The Senate Law Revision Task Force has identified a large number of provisions in statute that are obsolete. A number of them deal with rule making by the Department of Agriculture. Legislation has been drafted, with the concurrence of the department, to eliminate these provisions.

THE CONTENT OF THE BILLS:

House Bill 5585 would amend the Motor Fuels Quality Act (MCL 290.644a) to eliminate a provision allowing the Department of Agriculture to promulgate rules.

House Bill 5586 would repeal Public Act 181 of 1974 (MCL 287.71 to 287.77), which deals the testing, destruction, and disposal of contaminated cattle.

Senate Bill 1078 would amend Public Act 74 of 1917 (MCL 290.134), which regulates the size and shape of containers for small fruits, berries, and vegetables, to delete provisions that require the Department of Agriculture to establish and promulgate rules and regulations for reasonable tolerances and variations applicable to containers.

BACKGROUND INFORMATION:

The bills discussed in this analysis were drafted based on recommendations found on pages five and six of the

Senate Law Revision Task Force Report of December 16, 1999.

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

These bills are all part of the package of obsolete or unnecessary provisions in law developed by the Senate Law Revision Task Force Report. Two of the bills simply remove the rule making authority of the Department of Agriculture, and the department has concurred that rules are not necessary for the acts in question. In the third case, House Bill 5586, the entire act has been superseded by subsequent legislation and should be repealed.

POSITIONS:

The Department of Agriculture supports the bills. (11-30-00)

Analyst: C. Couch

#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.