

HOUSE BILL No. 6054

September 19, 1990, Introduced by Rep. Van Regenmorter and referred to the Committee on Public Utilities.

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~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4),
8 THE parties shall be given a reasonable notice of the hearing,
9 which 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 agency
12 or other party shall furnish a more definite and detailed state-
13 ment 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 ALTER, CHANGE, OR
26 AMEND ITS RATES OR RATE SCHEDULES WHICH COMPLIES WITH THE NOTICE
27 REQUIREMENTS IMPOSED IN SECTION 6A OF ACT NO. 3 OF THE PUBLIC

1 ACTS OF 1939, BEING SECTION 460.6A OF THE MICHIGAN COMPILED LAWS,
2 IS EXEMPT FROM THE NOTICE REQUIREMENTS IMPOSED IN SUBSECTION (2).