

THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976
Part 33
MISCELLANEOUS

380.1851 Repeal of acts and parts of acts.

Sec. 1851.

The following acts and parts of acts are repealed:

- (a) Act No. 169 of the Public Acts of 1927, being sections 388.131 to 388.134 of the Compiled Laws of 1970.
- (b) Act No. 81 of the Public Acts of 1931, being sections 388.351 to 388.353 of the Compiled Laws of 1970.
- (c) Sections 1 and 3 of Act No. 205 of the Public Acts of 1931, being sections 388.371 and 388.373 of the Compiled Laws of 1970.
- (d) Act No. 238 of the Public Acts of 1939, being sections 388.321 and 388.322 of the Compiled Laws of 1970.
- (e) Act No. 223 of the Public Acts of 1941, being sections 388.881 to 388.884 of the Compiled Laws of 1970.
- (f) Act No. 254 of the Public Acts of 1945, being section 388.701 of the Compiled Laws of 1970.
- (g) Act No. 19 of the Public Acts of the First Extra Session of 1946, being section 388.751 of the Compiled Laws of 1970.
- (h) Act No. 269 of the Public Acts of 1955, as amended, being sections 340.1 to 340.984 of the Compiled Laws of 1970.
- (i) Act No. 244 of the Public Acts of 1969, as amended, being sections 388.171a to 388.183 of the Compiled Laws of 1970.
- (j) Act No. 242 of the Public Acts of 1970, being sections 388.391 to 388.394 of the Compiled Laws of 1970.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977

Popular Name: Act 451

380.1851a Rules prohibited; condition.

Sec. 1851a.

If the Michigan supreme court rules that sections 45 and 46 of the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.245 and 24.246 of the Michigan Compiled Laws, are unconstitutional, and a statute requiring legislative review of administrative rules is not enacted within 90 days after the Michigan supreme court ruling, the state board or the department shall not promulgate rules under this act.

History: Add. 1995, Act 289, Eff. July 1, 1996

Compiler's Notes: In separate opinions, the Michigan Supreme Court held that Section 45(8), (9), (10), and (12) and the second sentence of Section 46(1) ("An agency shall not file a rule ... until at least 10 days after the date of the certificate of approval by the committee or after the legislature adopts a concurrent resolution approving the rule.") of the Administrative Procedures Act of 1969, in providing for the Legislature's reservation of authority to approve or disapprove rules proposed by executive branch agencies, did not comply with the enactment and presentment requirements of Const 1963, Art 4, and violated the separation of powers provision of Const 1963, Art 3, and, therefore, were unconstitutional. These specified portions were declared to be severable with the remaining portions remaining effective. *Blank v Department of Corrections*, 462 Mich 103 (2000).

Popular Name: Act 451

380.1852 Effective date.

Sec. 1852.

This act shall take effect January 1, 1977.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977

Popular Name: Act 451

380.1853 Expired. 1976, Act 451, Eff. Jan. 1, 1978.

Compiler's Notes: The expired section continued certain school districts, programs, boards, and board members.