

EXECUTIVE ORGANIZATION ACT OF 1965
Act 380 of 1965

AN ACT to organize the executive and administrative agencies of state government; to establish principal departments and department heads; to define the powers and duties of the principal departments and their governing agents; to allocate executive and administrative powers, duties, functions, and services among the principal departments; to provide for a method for the gradual implementation of the provisions of this act and for the transfer of existing funds and appropriations of the principal departments herein created and established.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

The People of the State of Michigan enact:

CHAPTER 1
GENERAL PROVISIONS

16.101 Short title.

Sec. 1. This act shall be known and may be cited as the “Executive organization act of 1965.”

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.102 Head of department defined.

Sec. 2. Whenever the term “head of the department” is used it shall mean the head of one of the principal departments created by this act.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.103 Types of transfers; continuation of agencies not enumerated.

Sec. 3. (a) Under this act, a type I transfer means the transferring intact of an existing department, board, commission or agency to a principal department established by this act. When any board, commission, or other agency is transferred to a principal department under a type I transfer, that board, commission or agency shall be administered under the supervision of that principal department. Any board, commission or other agency granted a type I transfer shall exercise its prescribed statutory powers, duties and functions of rule-making, licensing and registration including the prescription of rules, rates, regulations and standards, and adjudication independently of the head of the department. Under a type I transfer all budgeting, procurement and related management functions of any transferred board, agency or commission shall be performed under the direction and supervision of the head of the principal department.

(b) Under this act, a type II transfer means transferring of an existing department, board, commission or agency to a principal department established by this act. Any department, board, commission or agency assigned to a type II transfer under this act shall have all its statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, transferred to that principal department.

(c) Under this act, a type III transfer means the abolishing of an existing department, board, commission, or agency and all its statutory authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, are transferred to that principal department as specified under this act.

(d) Any department, board, commission, or agency not enumerated within this act, but established by law within a department, board, commission or agency shall continue within the department, board, commission or agency within which it had previously been established, and shall continue to exercise all its powers, duties and functions within the principal department established by this act.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Transfer of powers: See MCL 16.732.

Popular name: Act 380

16.104 Principal departments.

Sec. 4. Except as otherwise provided by this act, or the state constitution, all executive and administrative powers, duties, and functions, excepting those of the legislature and the judiciary, previously vested by law in

the several state departments, commissions, boards, officers, bureaus, divisions, or other agencies are vested in the following principal departments:

- (1) Department of State
- (2) Department of Attorney General
- (3) Department of Treasury
- (4) Department of Management and Budget
- (5) Department of State Police
- (6) Department of Military Affairs
- (7) Department of Agriculture
- (8) Department of Civil Service
- (9) Department of Commerce
- (10) Department of Natural Resources
- (11) Department of Corrections
- (12) Department of Education
- (13) Department of Licensing and Regulation

(14) If section 28 of article 5 of the state constitution of 1963 is amended to provide for changing the name of the state highway department to the department of transportation. However, until section 28 of article 5 is amended in the manner described in this section, the name of the department shall be the Department of State Highways and Transportation.

- (15) Department of Labor
- (16) Department of Mental Health
- (17) Department of Public Health
- (18) Department of Social Services
- (19) Department of Civil Rights

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968;—Am. 1973, Act 127, Imd. Eff. Aug. 22, 1973;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

16.105 Principal department with commission head; delegation of powers and duties.

Sec. 5. When a principal department is headed by a commission, it may delegate such duties, powers and authority to the director of the department as it deems necessary to fulfill the duties and obligations of the commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.106 Deputy department heads; powers and duties.

Sec. 6. Deputy department heads shall perform such duties and exercise such powers as the head of the principal department may prescribe. Except when the head of a department is a commission, deputy department heads shall act for, and exercise the powers of, the head of the principal department during his absence or disability.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.107 Internal organization of principal departments; executive allocation and reallocation of duties and functions; limitations; transfer of type II or type III agencies; administration; rules.

Sec. 7. (a) Except as provided by law or within this act, the head of each principal department with the approval of the governor is authorized to establish the internal organization of his department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the department. No substantive function vested by law in any officer or agency within the principal department shall be removed from the jurisdiction of such officer or agency under the provisions of this section.

(b) Except as provided by law or within this act, when any department, commission or board or other agency is transferred by a type II or type III transfer to a principal department under the provisions of this act, the functions of the department, commission or board or other agency shall be administered under the direction and supervision of the head of the principal department. When a department, commission, board or other agency is transferred by a type II or type III transfer to a principal department all prescribed statutory functions of rule making, licensing and registration including the prescription of rules, regulations, standards and adjudications shall be transferred to the head of the principal department into which the department,

commission, board or agency has been incorporated.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.108 Compensation; heads of principal departments; directors; commissions; boards; exclusive employment.

Sec. 8. (a) Heads of principal departments, commissions or boards, principal executive officers of departments, commissions and boards shall receive compensation prescribed by law.

(b) Directors of departments, commissions, boards and directors of departments, boards and commissions transferred to a principal department shall not engage in any business, vocation or employment other than their office. Members of boards and commissions may so engage unless specifically prohibited by law.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

16.109 Rules and regulations; promulgation.

Sec. 9. The head of each principal department, and those commissions, boards and agencies granted a type I transfer may promulgate such rules and regulations as may be necessary to carry out the functions now or hereafter vested in them in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.80 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

Administrative rules: R 400.5106 of the Michigan Administrative Code.

16.110 Powers and duties of governor continued.

Sec. 10. All powers, duties and functions vested in the office of governor are continued, except as otherwise provided by this act.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.111 Special commissions.

Sec. 11. Special commissions created under Act No. 195 of the Public Acts of 1931, being sections 10.51 to 10.57 of the Compiled Laws of 1948, are units of the executive office of governor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.112 Repealed. 1984, Act 431, Eff. Mar. 29, 1985.

Compiler's note: The repealed section pertained to the executive budget.

Popular name: Act 380

16.113 Department of economic expansion; transfer to executive office of governor; personnel.

Sec. 13. The powers, duties and functions of the department of economic expansion, created by Act No. 116 of the Public Acts of 1963, enumerated in section 125.1204 (h), (i) and (j) of the Compiled Laws of 1948, as amended, are transferred to the executive office of the governor. The personnel of the department of commerce necessary to implement this section are transferred to the executive office of the governor.

History: Add. 1967, Ex. Sess., Act 11, Eff. Mar. 22, 1968.

Popular name: Act 380

CHAPTER 2 DEPARTMENT OF STATE

16.125 Department of state; creation.

Sec. 25. There is hereby created a department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.126 Head of department of state.

Sec. 26. The head of the department of state is the secretary of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.127 Secretary of state; transfer of powers and duties.

Sec. 27. Except as otherwise provided in the constitution or in this act, all powers, duties and functions vested by law in the secretary of state are transferred by a type I transfer to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.128 Board of state canvassers; transfer.

Sec. 28. The board of state canvassers created under article 2, section 7 of the state constitution, is transferred by a type I transfer to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.129 License appeals board; transfer.

Sec. 29. The license appeals board created under sections 322 and 423 of Act No. 300 of the Public Acts of 1949, as amended, being sections 257.322 and 257.323 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.130 Michigan historical commission; transfer.

Sec. 30. The Michigan historical commission created under Act No. 271 of the Public Acts of 1913, as amended, being sections 399.1 to 399.9 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.131 Highway reciprocity board; transfer.

Sec. 31. The highway reciprocity board created under Act No. 124 of the Public Acts of 1960, being sections 3.161 to 3.177 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Compiler's note: For abolishment of the highway reciprocity board and transfer of its powers and duties to the department of state, see E.R.O. No. 2007-11, compiled at MCL 17.722.

Popular name: Act 380

16.132 Commission on legislative apportionment; transfer.

Sec. 32. The commission on legislative apportionment created under article 4, section 6 of the state constitution, is transferred by a type I transfer to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.133 Notaries public; powers; duties and functions of governor; delegation to department.

Sec. 33. All or any portion of the powers, duties and functions of governor under section 107 of chapter 14 of the Revised Statutes of 1846, as amended, being section 55.107 of the Compiled Laws of 1948, relating to notaries public, may be delegated by executive order to the department of state.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.134 Executive orders; filing; submission to legislature; publication; modification and repeal.

Sec. 34. (1) Whenever the governor issues an executive order pertaining to organization of the executive branch, it shall be filed with the department of state in the same manner as required by law for the filing of public acts of this state. Copies of each such executive order shall be filed with and retained on record by the legislative council and a copy transmitted to each member of the legislature.

(2) Whenever the governor makes changes in the organization of the executive branch or in the assignment

of functions among its units which require the force of law, such changes shall be set forth in executive orders and copies of the orders shall be submitted to the legislature as provided in section 2 of article 5 of the state constitution. Unless disapproved in both houses by a resolution concurred in by a majority of the members elected to and serving in each house within the constitutional time period, such executive orders shall become effective at the date designated by the governor.

(3) Executive orders as described in subsection (2) shall be dated, shall be given an identification number and published in the same manner as required by law for the publication of the public acts of the state.

(4) An executive order as described in subsection (2) may be modified or repealed by the legislature at any time by law.

History: Add. 1968, Act 237, Imd. Eff. June 26, 1968.

Popular name: Act 380

CHAPTER 3 DEPARTMENT OF THE ATTORNEY GENERAL

16.150 Department of attorney general; creation.

Sec. 50. There is hereby created a department of the attorney general.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.151 Head of department of attorney general.

Sec. 51. The head of the department of the attorney general is the attorney general.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.152 Attorney general; transfer of powers and duties to department.

Sec. 52. Except as otherwise provided in the constitution or by this act, all powers, duties and functions of the attorney general are transferred by a type I transfer to the department of the attorney general.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.153 Board of commissioners for promotion of uniformity of legislation; transfer.

Sec. 53. The board of commissioners for the promotion of uniformity of legislation in the United States created under Act No. 196 of the Public Acts of 1909, being sections 8.51 to 8.55 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of the attorney general.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.154 Public solicitation for charitable purposes; transfer of powers, duties, and functions to department of attorney general.

Sec. 54. All powers, duties and functions of the state social welfare commission and the state department of social welfare under the provisions of Act No. 68 of the Public Acts of 1915, as amended, being sections 400.301 to 400.304 of the Compiled Laws of 1948, relating to solicitation of the public for charitable purposes, are transferred by a type II transfer to the department of attorney general.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CHAPTER 4 DEPARTMENT OF TREASURY

16.175 Department of treasury; creation.

Sec. 75. There is hereby created a department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.176 Head of department of treasury.

Sec. 76. The head of the department of treasury is the state treasurer.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.177 State treasurer; transfer of powers and duties to department.

Sec. 77. Except as otherwise provided in this act, all powers, duties and functions vested by law in the state treasurer are transferred by a type I transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.178 Repealed. 1995, Act 44, Eff. Jan. 1, 1996.

Compiler's note: The repealed section pertained to transfer of board of escheats to department of treasury by type III transfer.

Popular name: Act 380

16.179 Elected auditor general; transfer of powers, duties, and functions relating to property taxation.

Sec. 79. All powers, duties and functions of the elected auditor general relating to property taxation created under Act No. 206 of the Public Acts of 1893, as amended, being sections 211.1 to 211.157 of the Compiled Laws of 1948, are transferred by a type II transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.180 Elected auditor general; transfer of powers, duties, and functions relating to uniform system of accounts.

Sec. 80. All powers, duties and functions of the elected auditor general relating to uniform system of accounts for county offices and examination thereof, created under Act No. 71 of the Public Acts of 1919, as amended, being sections 21.41 to 21.53 of the Compiled Laws of 1948, are transferred by a type II transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.181 Elected auditor general; transfer of powers, duties, and functions relating to plats.

Sec. 81. All powers, duties and functions of the elected auditor general created under the provisions of Act No. 172 of the Public Acts of 1929, as amended, being sections 560.1 to 560.80 of the Compiled Laws of 1948, relating to plats, are transferred by a type II transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.182 Elected auditor general; transfer of other powers, duties, and functions; abolition of office.

Sec. 82. All powers, duties and functions of the auditor general elected under the Constitution of 1908, excepting those reassigned by sections 79, 80 and 81 of this act and those granted to the auditor general appointed under article 4, section 53 of the Constitution of 1963, are transferred by a type III transfer to the department of treasury, and the office of the elected auditor general is abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.183 Department of revenue; transfer to department; department head.

Sec. 83. The department of revenue of the state of Michigan created under Act No. 122 of the Public Acts of 1941, as amended, being sections 205.1 to 205.17 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of treasury, and the head of the department of revenue shall be a member of the classified civil service.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.184 State tax commission; transfer.

Sec. 84. The state tax commission created under Act No. 360 of the Public Acts of 1927, as amended, being sections 209.101 to 209.107 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.185 State board of assessors; transfer.

Sec. 85. The state board of assessors created under section 1 of Act No. 282 of the Public Acts of 1905, as amended, being section 207.1 of the Compiled Laws of 1948, is transferred by a type II transfer to the state tax commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.186 State board of equalization; abolition; transfer of powers, duties, and functions.

Sec. 86. The state board of equalization created under section 1 of Act No. 44 of the Public Acts of 1911, as amended, being section 209.1 of the Compiled Laws of 1948, is transferred by a type III transfer to the state tax commission, and the state board of equalization is abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.187 State board of tax appeals; transfer.

Sec. 87. The state board of tax appeals created under section 8 of Act No. 122 of the Public Acts of 1941, being section 205.8 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.188 Repealed. 2002, Act 187, Imd. Eff. Apr. 24, 2002.

Compiler's note: The repealed section pertained to transfer of municipal finance commission to department of treasury by type I transfer.

Popular name: Act 380

16.189 Corporation franchise fee appeal board; transfer.

Sec. 89. The corporation franchise fee appeal board created under sections 9 and 10 of Act No. 85 of the Public Acts of 1921, as amended, being sections 450.309 and 450.310 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.190 Michigan corporation and securities commission; transfer of powers, duties, and functions.

Sec. 90. Except as otherwise provided in sections 235, 236, 237, 328 and 330 of this act, all powers, duties and functions formerly vested in the Michigan corporation and securities commission are transferred to the department of treasury.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1966, Act 324, Imd. Eff. July 19, 1966.

Popular name: Act 380

16.191 Investment functions transferred; powers and duties of state treasurer; reports; creation and composition of investment advisory committee; appointment, terms, and compensation of members; meetings; powers and duties of committee; investment consultants.

Sec. 91. The investment functions of the boards named in section 106(a), (c), (d), (e), and (f) are transferred to the department of treasury. Notwithstanding the provisions of any other act, the state treasurer shall invest, reinvest, assign, reassign, sell, transfer, and manage the investment funds and portfolios of the respective retirement systems, may solicit proxies in connection with contests for corporate control of corporations in which the treasurer has made an investment, and may use nominees to facilitate transfers. The state treasurer or his or her designee may execute all necessary instruments to effectuate those purposes. The state treasurer shall promptly report all investment transactions to the department of management and budget and to the respective retirement boards, and to the attorney general, not less than once every 3 months. There is created an investment advisory committee composed of the director of commerce, the director of the department of management and budget, or their duly authorized representatives, and 3 public members appointed by the governor with the advice and consent of the senate. The term of office for all public members shall be 3 years or until the member's successor has been appointed and has qualified. The public

members shall serve without pay, but shall be paid actual and necessary travel and other expenses in accordance with the provisions of the standard travel regulations issued by the department of management and budget. The investment advisory committee shall meet at least once each quarter. The investment advisory committee shall review investments, goals, and objectives of each of the retirement funds, and may submit recommendations. The investment advisory committee may also, by a majority vote, direct the state treasurer to dispose of any holding which in the committee's judgment is not suitable for the fund involved, and may by unanimous vote direct the state treasurer to make specific investments. Investment consultants may be engaged by the state treasurer to advise with respect to investments to the extent that funds for those expenditures are made available by the legislature. A report shall be made annually to the appropriating committees of the senate and house of representatives listing the consultants engaged and the compensation paid to each.

History: Add. 1968, Act 45, Imd. Eff. May 23, 1968;—Am. 1969, Act 232, Imd. Eff. Aug. 11, 1969;—Am. 1983, Act 225, Imd. Eff. Nov. 28, 1983;—Am. 1988, Act 42, Eff. Mar. 30, 1989.

Popular name: Act 380

CHAPTER 5 DEPARTMENT OF MANAGEMENT AND BUDGET

16.200-16.203 Repealed. 1984, Act 431, Eff. Mar. 29, 1985.

Compiler's note: The repealed sections pertained to creation of department of management and budget.

Popular name: Act 380

16.204 Repealed. 1980, Act 374, Imd. Eff. Dec. 30, 1980.

Compiler's note: The repealed section pertained to transfer of state building commission to department of management and budget.

Popular name: Act 380

16.205-16.209 Repealed. 1984, Act 431, Eff. Mar. 29, 1985.

Compiler's note: The repealed sections pertained to transfers to the department of management and budget.

Popular name: Act 380

CHAPTER 6 DEPARTMENT OF MILITARY AFFAIRS

16.225 Department of military affairs; creation.

Sec. 125. There is hereby created a department of military affairs.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.226 Head of department of military affairs.

Sec. 126. The head of the department of military affairs shall be appointed by the governor and serve at the pleasure of the governor. Any other provision of the law to the contrary notwithstanding, the adjutant general of the state of Michigan may be appointed to and serve as the head of the department of military affairs.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

16.227 Military establishment and state military board; transfer.

Sec. 127. The military establishment and the state military board created under Act No. 84 of the Public Acts of 1909, as amended, being sections 32.1 to 32.85 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of military affairs.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.228 Naval militia and state naval board; transfer.

Sec. 128. The naval militia and the state naval board created under Act No. 184 of the Public Acts of 1893, as amended, being sections 33.1 to 33.38 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of military affairs.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.229 Grand Rapids home for veterans; D.J. Jacobetti home for veterans.

Sec. 129. Beginning on the effective date of the amendatory act that added this section, the Michigan veterans' facility at Grand Rapids, created by Act No. 152 of the Public Acts of 1885, being sections 36.1 to 36.12 of the Michigan Compiled Laws, shall be known as the Grand Rapids home for veterans, and the D.J. Jacobetti veterans' facility at Marquette, created by Act No. 152 of the Public Acts of 1885, shall be known as the D.J. Jacobetti home for veterans.

History: Add. 1992, Act 18, Imd. Eff. Mar. 19, 1992.

Popular name: Act 380

CHAPTER 7

DEPARTMENT OF STATE POLICE

16.250 Department of state police; creation.

Sec. 150. There is hereby created a department of state police.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.251 Head of department of state police.

Sec. 151. The head of the department of state police is the director of the department of state police.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.252 Director of department of state police; appointment.

Sec. 152. The director of the department of state police shall be appointed by the governor and serve at the pleasure of the governor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.253 State police and commissioner of state police; transfer of powers, duties, and functions.

Sec. 153. All powers, duties and functions vested by law in the Michigan state police and the commissioner of the Michigan state police are transferred by a type III transfer to the department of state police.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.254 Civil defense advisory council; transfer.

Sec. 154. The civil defense advisory council created under section 3 of Act No. 154 of the Public Acts of 1953, as amended, being section 30.233 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of state police.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.255 State safety commission; transfer.

Sec. 155. The Michigan state safety commission created under Act No. 188 of the Public Acts of 1941, being sections 256.561 to 256.563 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of state police.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.256 Private detectives and detective agencies; transfer of licensing and regulatory functions.

Sec. 156. All powers, duties and functions of the secretary of state under the provisions of Act No. 383 of the Public Acts of 1927, as amended, being sections 338.801 to 338.813 of the Compiled Laws of 1948, relating to private detectives and private detective agencies are transferred by a type II transfer to the department of state police.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.257 Law enforcement officers training council; transfer.

Sec. 157. The Michigan law enforcement officers training council created under Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of state police.

History: Add. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

16.258 State fire safety board; transfer.

Sec. 158. The state fire safety board created under Act No. 200 of the Public Acts of 1965, being sections 29.3a to 29.3c of the Compiled Laws of 1948, is transferred by a type I transfer to the department of state police.

History: Add. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

CHAPTER 8
DEPARTMENT OF AGRICULTURE

16.275 Department of agriculture; creation.

Sec. 175. There is hereby created a department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.276 Head of department of agriculture.

Sec. 176. The head of the department of agriculture is the commission of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.277 Department of agriculture; transfer.

Sec. 177. The department of agriculture, created under section 1 of Act No. 13 of the Public Acts of 1921, as amended, being section 285.1 of the Public Acts of 1948, is transferred by a type I transfer to the department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.278 Director of agriculture; transfer of powers, duties, and functions to head of department.

Sec. 178. All powers, duties and functions now vested by law in the director of agriculture are transferred by a type I transfer to the head of the department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.279 Commission of agriculture; appointment, qualifications, and terms of members; vacancy; election of officers; quorum; conducting business at public meeting; notice.

Sec. 179. The commission of agriculture shall consist of 5 members, not more than 3 of whom shall be members of the same political party, appointed by the governor by and with the advice and consent of the senate. The term of office of each member shall be 4 years, except that of members first appointed 2 shall be appointed for 1 year, 1 shall be appointed for 2 years, 1 shall be appointed for 3 years, and 1 shall be appointed for 4 years. A member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term. The commission shall elect from its members officers as it considers advisable. A majority of the commission members shall be required to constitute a quorum. The business which the commission of agriculture may perform shall be conducted at a meeting of the commission held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1978, Act 179, Imd. Eff. June 4, 1978.

Popular name: Act 380

16.280 Director of department of agriculture; appointment by commission.

Rendered Friday, February 17, 2017

Page 10

Michigan Compiled Laws Complete Through PA 471 of 2016

Sec. 180. The principal executive officer of the department is the director of the department of agriculture. The director shall be appointed by the commission and serve at its pleasure.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.281 Repealed. 1980, Act 314, Imd. Eff. Dec. 5, 1980.

Compiler's note: The repealed section pertained to transfer of Michigan weather service to department of agriculture.

Popular name: Act 380

16.282 State soil conservation committee; transfer.

Sec. 182. The state soil conservation committee created under Act No. 297 of the Public Acts of 1937, as amended, being sections 282.1 to 282.16 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.283 Commodity commissions and councils; transfer.

Sec. 183. The following commissions and councils are transferred by a type I transfer to the department of agriculture.

(a) The Michigan state apple commission created by Act No. 87 of the Public Acts of 1939, as amended, being sections 290.51 to 290.66 of the Compiled Laws of 1948.

(b) The Michigan cherry commission created by Act No. 228 of the Public Acts of 1947, as amended, being sections 290.501 to 290.514 of the Compiled Laws of 1948.

(c) The Michigan potato industry council created by Act No. 208 of the Public Acts of 1961, being sections 290.181 to 290.191 of the Compiled Laws of 1948.

(d) The Michigan bean commission created under Act No. 114 of the Public Acts of 1965, being sections 290.551 to 290.568 of the Compiled Laws of 1948.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

16.284 Office of racing commissioner; transfer.

Sec. 184. The office of racing commissioner under the provisions of Act No. 27 of the Public Acts of 1959, as amended, being sections 431.31 to 431.56 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.285 State fair authority; transfer.

Sec. 185. The Michigan state fair authority created by Act No. 224 of the Public Acts of 1962, being sections 291.21 to 291.37 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.286 Upper Peninsula state fair board of managers; transfer.

Sec. 186. The board of managers of the Upper Peninsula state fair created by Act No. 89 of the Public Acts of 1927, as amended, being sections 285.141 and 285.142 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of agriculture.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.287 State agricultural society transferred to department of agriculture.

Sec. 187. The Michigan state agricultural society created by Act No. 180 of the Public Acts of 1849, being sections 453.51 to 453.53 of the Michigan Compiled Laws, is transferred by a type III transfer to the department of agriculture.

History: Add. 1973, Act 63, Imd. Eff. July 23, 1973.

Popular name: Act 380

CHAPTER 9
DEPARTMENT OF CIVIL SERVICE

16.300 Department of civil service; creation.

Sec. 200. There is hereby created a department of civil service.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.301 Head of department of civil service.

Sec. 201. The head of the department of civil service is the civil service commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.302 Civil service commission; transfer of powers, duties, and functions.

Sec. 202. All powers, duties and functions vested by the constitution or by law in the civil service commission are transferred by a type I transfer to the civil service commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.303 Civil service commission; membership; terms; vacancies; officers; quorum.

Sec. 203. The civil service commission shall consist of 4 members appointed by the governor, not more than 2 of whom shall be members of the same political party. The term of office of each member shall be 8 years, except that of members first appointed 1 each shall be appointed for terms of 2, 4, 6 and 8 years. A member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term. The commission shall elect from its members such officers as it deems advisable. A majority of the commission members shall be required to constitute a quorum.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.304 Executive officer of civil service commission.

Sec. 204. The principal executive officer of the commission is the state personnel director.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CHAPTER 10
DEPARTMENT OF COMMERCE

16.325 Department of commerce; creation.

Sec. 225. There is hereby created a department of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Compiler's note: For renaming the department of consumer and industry services to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Popular name: Act 380

16.326 Head of department of commerce.

Sec. 226. The head of the department of commerce is the director of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.327 Repealed. 1966, Act 324, Imd. Eff. July 19, 1966.

Compiler's note: The repealed section pertained to transfer of duties and functions of Michigan corporation and securities division to department of commerce.

Popular name: Act 380

16.328 State banking department and office of commissioner; transfer.

Sec. 228. The state banking department and the office of commissioner of the state banking department created under section 3 of Act No. 341 of the Public Acts of 1937, being section 487.3 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.329 Department of insurance and office of commissioner; transfer.

Sec. 229. The department of insurance and the office of the commissioner of insurance created under sections 200 and 202 of Act No. 218 of the Public Acts of 1956, being sections 500.200 and 500.202 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Transfer of powers: See MCL 16.732.

Popular name: Act 380

16.330 State liquor control commission; transfer.

Sec. 230. The state liquor control commission created by section 5 of Act No. 8 of the Extra Session of 1933, as amended, being section 436.5 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.331 Public service commission; transfer.

Sec. 231. The Michigan public service commission created under section 1 of Act No. 3 of the Public Acts of 1939, as amended, being section 460.1 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.332 Department of economic expansion; transfer; exceptions.

Sec. 232. The department of economic expansion created under Act No. 116 of the Public Acts of 1963, being sections 125.1201 to 125.1208 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of commerce, except for those powers, duties and functions transferred to the executive office of the governor by section 13.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1967, Ex. Sess., Act 11, Eff. Mar. 22, 1968.

Compiler's note: For transfer of authority, powers, duties, functions, and management-related functions of the Department of Economic Expansion and the Economic Expansion Council, to the Chief Executive Officer of Michigan Jobs Commission, see E.R.O. No. 1993-3, compiled at MCL 408.46 of the Michigan Compiled Laws.

Popular name: Act 380

16.333 Department of aeronautics and Michigan aeronautics commission; transfer.

Sec. 233. The department of aeronautics created under section 26 of Act No. 327 of the Public Acts of 1945, being section 259.26 of the Compiled Laws of 1948, and the Michigan aeronautics commission established thereunder are transferred by a type I transfer to the department of commerce.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.334 Powers and duties of secretary of state relating to savings and loan associations; type II transfer.

Sec. 234. All powers, duties and functions of the secretary of state under the provisions of Act No. 156 of the Public Acts of 1964, as amended, being sections 489.501 to 489.899 of the Compiled Laws of 1948, relating to savings and loan associations and savings associations, are transferred by a type II transfer to the financial institutions bureau of the department of commerce. The commissioner of the financial institutions bureau is designated as the supervisory authority pursuant to section 172 of Act No. 156 of the Public Acts of 1964, as amended.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1971, Act 71, Imd. Eff. July 28, 1971.

Popular name: Act 380

16.335 Corporation and securities commission; transfer of powers, duties, and functions assigned under securities act.

Sec. 235. All powers, duties and functions of the Michigan corporation and securities commission under the provisions of Act No. 265 of the Public Acts of 1964, as amended, being sections 451.501 to 451.818 of the Compiled Laws of 1948, are transferred to the department of commerce.

History: Add. 1966, Act 324, Imd. Eff. July 19, 1966.

Popular name: Act 380

16.336 Corporation and securities commission; transfer of powers, duties, and functions assigned under condominiums act.

Sec. 236. All powers, duties and functions of the Michigan corporation and securities commission under the provisions of Act No. 229 of the Public Acts of 1963, as amended, being sections 559.1 to 559.30 of the Compiled Laws of 1948, are transferred to the department of commerce.

History: Add. 1966, Act 324, Imd. Eff. July 19, 1966.

Popular name: Act 380

16.337 Corporation and securities commission; transfer of powers, duties, and functions assigned under debt management act.

Sec. 237. All powers, duties and functions of the Michigan corporation and securities commission under the provisions of Act No. 135 of the Public Acts of 1961, as amended, being sections 451.451 to 451.468 of the Compiled Laws of 1948, are transferred to the department of commerce.

History: Add. 1966, Act 324, Imd. Eff. July 19, 1966.

Popular name: Act 380

16.338 Department of state highways; transfer of powers, duties, and functions of weighmaster to public service commission of department.

Sec. 238. The powers, duties and functions of the department of state highways administered by the weighmaster section, relating to the administration and enforcement of the size, weight and load of vehicles provisions of Act No. 300 of the Public Acts of 1949, as amended, being sections 257.1 to 257.923 of the Compiled Laws of 1948, with the exception of sections 719a, 722f, 725 and 725a, are transferred to the public service commission of the department of commerce.

History: Add. 1968, Act 77, Imd. Eff. June 4, 1968.

Compiler's note: For transfer of Public Service Commission highway enforcement functions relating to motor carriers to Department of State Police, see E.R.O. No. 1982-1, compiled at MCL 28.21 of the Michigan Compiled Laws.

Transfer of powers: See MCL 28.21.

Popular name: Act 380

16.339 Department and secretary of state; transfer of commercial vehicle regulatory powers, duties, and functions to department.

Sec. 239. The powers, duties and functions of the secretary of state and the department of state relating to the regulation of commercial vehicles, other than titling and registration, under the provisions of Act No. 300 of the Public Acts of 1949, as amended, are transferred to the public service commission of the department of commerce.

History: Add. 1968, Act 77, Imd. Eff. June 4, 1968.

Compiler's note: For transfer of Public Service Commission highway enforcement functions relating to motor carriers to Department of State Police, see E.R.O. No. 1982-1, compiled at MCL 28.21 of the Michigan Compiled Laws.

Popular name: Act 380

16.340 Effective date of sections 16.338 and 16.339; transfer of records, property, and personnel.

Sec. 240. The powers, duties and functions transferred to the department of commerce in sections 238 and 239 of this act shall be transferred effective July 1, 1968. All records, property, personnel and appropriations used, held, employed, available or to be made available in connection with such powers, duties and functions shall be transferred to the department of commerce.

History: Add. 1968, Act 77, Imd. Eff. June 4, 1968.

Popular name: Act 380

16.341 Department of commerce; annual report.

Sec. 241. Annually, the department of commerce shall make a report to the governor and to the legislature covering the operation of the department for the fiscal year ending June 30. The report shall contain a summary of the department's activities during the fiscal year, a statement of all revenues and expenditures made by or in behalf of the department, such other information as it may deem necessary or useful and any additional information which may be requested by the governor. The report of the department of commerce shall include reports required by law of all bureaus, agencies and commissions within the department.

History: Add. 1968, Act 176, Eff. Nov. 15, 1968.

Popular name: Act 380

16.342 Michigan tourist council; transfer.

Sec. 242. The Michigan tourist council created by Act No. 106 of the Public Acts of 1945, as amended, being sections 2.101 to 2.108 of the Michigan Compiled Laws, is transferred by a type I transfer to the department of commerce.

History: Add. 1973, Act 175, Imd. Eff. Dec. 21, 1973.

Popular name: Act 380

CHAPTER 11

DEPARTMENT OF NATURAL RESOURCES

16.350 Department of natural resources; creation.

Sec. 250. There is created a department of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Compiler's note: For transfer of powers and duties of department of natural resources to department of natural resources and environment, and abolishment of department of natural resources, see E.R.O. No. 2009-31, compiled at MCL 324.99919.

Popular name: Act 380

16.351 Head of department of natural resources.

Sec. 251. The head of the department of natural resources is the commission of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.352 Department of conservation; transfer.

Sec. 252. The department of conservation, created under section 1 of Act No. 17 of the Public Acts of 1921, as amended, being section 299.1 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.353 Director of conservation; transfer of powers, functions, and duties.

Sec. 253. All powers, duties and functions now vested by law in the director of conservation are transferred by a type I transfer to the department of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.354 Commission of natural resources; creation.

Sec. 254. The commission of natural resources is created as provided in the natural resources and environmental protection act.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968;—Am. 1973, Act 35, Imd. Eff. June 21, 1973;—Am. 1994, Act 446, Eff. Jan. 18, 1995.

Popular name: Act 380

16.355 Director of department; appointment.

Sec. 255. The principal executive officer of the department is the director of the department of natural resources. The director shall be appointed by the commission and serve at its pleasure.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.356 Mackinac island state park commission; transfer.

Sec. 256. The Mackinac island state park commission created under section 2 of Act No. 355 of the Public Acts of 1927, as amended, being section 318.62 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Compiler's note: For transfer of Mackinac Island state park commission to department of natural resources, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of Mackinac Island state park commission from department of natural resources and environment to department of
Rendered Friday, February 17, 2017

natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.

Popular name: Act 380

16.357 Water resources commission; transfer.

Sec. 257. The water resources commission created under section 1 of Act No. 245 of the Public Acts of 1929, as amended, being section 323.1 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.358 State waterways commission; transfer.

Sec. 258. The Michigan state waterways commission created under section 2 of Act No. 320 of the Public Acts of 1947, as amended, being section 281.502 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of natural resources.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1965, Act 407, Imd. Eff. Oct. 29, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.359 Repealed. 1968, Act 353, Eff. Nov. 15, 1968.

Compiler's note: The repealed section pertained to transfer of boating control committee to department of conservation.

Popular name: Act 380

16.360 Repealed. 1973, Act 175, Imd. Eff. Dec. 21, 1973.

Compiler's note: The repealed section pertained to transfer of Michigan tourist council.

Popular name: Act 380

CHAPTER 12 DEPARTMENT OF CORRECTIONS

16.375 Department of corrections; creation.

Sec. 275. There is hereby created a department of corrections.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.376 Head of department of corrections.

Sec. 276. The head of the department of corrections is the commission of corrections.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.377 Department of corrections; transfer.

Sec. 277. The department of corrections created under section 1 of Act No. 232 of the Public Acts of 1953, being section 791.201 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of corrections.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.378 Commission of corrections; membership, terms, vacancies, officers, quorum.

Sec. 278. The commission of corrections shall consist of 5 members, not more than 3 of whom shall be members of the same political party, appointed by the governor by and with the advice and consent of the senate. The term of office of each member shall be 4 years, except that of members first appointed 2 shall be appointed for 1 year, 1 shall be appointed for 2 years, 1 shall be appointed for 3 years and 1 shall be appointed for 4 years. A member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term. The commission shall elect from its members such officers as it deems advisable. A majority of the commission members shall be required to constitute a quorum.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.379 Director of department; appointment.

Sec. 279. The principal executive officer of the department is the director of the department of corrections.

The director shall be appointed by the commission and serve at its pleasure.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CHAPTER 13 DEPARTMENT OF EDUCATION

16.400 Department of education; creation.

Sec. 300. There is hereby created a department of education.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.401 Head of department of education.

Sec. 301. The head of the department of education is the state board of education established by the state Constitution of 1963.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.402 Board of education; transfer of powers, duties, and functions to department.

Sec. 302. All powers, duties and functions vested by law in the board of education are transferred by a type I transfer to the department of education.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.403 Superintendent of public instruction; transfer of powers, duties, and functions to department.

Sec. 303. All powers, duties and functions now vested by law in the superintendent of public instruction are transferred by a type III transfer to the department of education.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.404 Board of education; membership; nomination and election; terms.

Sec. 304. The board of education shall consist of 8 members nominated by party convention and elected at large for 8-year terms.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.405 Superintendent of public instruction; appointment; term.

Sec. 305. The principal executive officer of the department of education is the superintendent of public instruction. The state board of education shall appoint the superintendent of public instruction whose term of office shall be determined by the board.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.406 State tenure commission; transfer.

Sec. 306. The state tenure commission created under Act No. 4 of the Public Acts of the Extra Session of 1937, as amended, being sections 38.81 to 38.191 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of education.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.407 State higher education facilities commission; transfer.

Sec. 307. The state higher education facilities commission created under Act No. 233 of the Public Acts of 1964, being sections 390.941 to 390.948 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of education.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.408 Repealed. 1989, Act 128, Imd. Eff. June 28, 1989.

Compiler's note: The repealed section transferred the Michigan education assistance authority to the board of education.

Popular name: Act 380

16.409 Repealed. 1982, Act 540, Eff. Mar. 30, 1983.

Compiler's note: The repealed section transferred the state board of libraries to the board of education.

Popular name: Act 380

16.410 State board for public community and junior colleges; transfer.

Sec. 310. The state board for public community and junior colleges created under Act No. 193 of the Public Acts of 1964, being sections 390.911 to 390.916 of the Compiled Laws of 1948, is transferred by a type I transfer to the board of education.

History: Add. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

CHAPTER 14

DEPARTMENT OF LICENSING AND REGULATION

16.425 Department of licensing and regulation; creation.

Sec. 325. There is hereby created a department of licensing and regulation.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.426 Head of department of licensing and regulation.

Sec. 326. The head of the department of licensing and regulation is the director of licensing and regulation.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.427 Boards and agencies transferred to department of licensing and regulation.

Sec. 327. The following boards and agencies are transferred by a type I transfer to the department of licensing and regulation:

(a) The board of registration in medicine created under section 1 of Act No. 237 of the Public Acts of 1899, as amended, being section 338.51 of the Compiled Laws of 1948.

(b) The state board of osteopathic registration and examination created under section 1 of Act No. 162 of the Public Acts of 1903, as amended, being section 338.101 of the Compiled Laws of 1948.

(c) The board of chiropractic examiners created under section 1 of Act No. 145 of the Public Acts of 1933, as amended, being section 338.151 of the Compiled Laws of 1948.

(d) The Michigan state board of dentistry created under section 1 of Act No. 122 of the Public Acts of 1939, as amended, being section 338.201 of the Compiled Laws of 1948.

(e) The board of examiners in optometry created under section 1 of Act No. 71 of the Public Acts of 1909, as amended, being section 338.251 of the Compiled Laws of 1948.

(f) The board of registration in chiropody created under section 2a of Act No. 115 of the Public Acts of 1915, as amended, being section 338.302a of the Compiled Laws of 1948.

(g) The state board of pharmacy created under section 2 of Act No. 151 of the Public Acts of 1962, being section 338.1102 of the Compiled Laws of 1948.

(h) The Michigan state board of accountancy created under section 1 of Act No. 353 of the Public Acts of 1925, being section 338.501 of the Compiled Laws of 1948.

(i) The state board of registration for architects, professional engineers and land surveyors created under section 3 of Act No. 240 of the Public Acts of 1937, being section 338.553 of the Compiled Laws of 1948.

(j) The board of examiners of barbers created under section 2 of Act No. 382 of the Public Acts of 1927, as amended, being section 338.602 of the Compiled Laws of 1948.

(k) The state board of cosmetology created under section 5 of Act No. 176 of the Public Acts of 1931, being section 338.755 of the Compiled Laws of 1948.

(l) The state board of examiners in mortuary science created under section 1 of Act No. 268 of the Public Acts of 1949, being section 338.861 of the Compiled Laws of 1948.

(m) The plumbing board created under section 7 of Act No. 266 of the Public Acts of 1929, as amended, being section 338.907 of the Compiled Laws of 1948.

(n) The electrical administrative board created under section 2 of Act No. 217 of the Public Acts of 1956, as amended, being section 338.882 of the Compiled Laws of 1948.

(o) The state board of registration for foresters created under section 3 of Act No. 78 of the Public Acts of

1955, being section 338.723 of the Compiled Laws of 1948.

(p) The Michigan state athletic board of control created by section 1 of Act No. 205 of the Public Acts of 1939, as amended, being section 431.101 of the Compiled Laws of 1948.

(q) The board of landscape architects created under section 4 of Act No. 126 of the Public Acts of 1963, being section 338.1204 of the Compiled Laws of 1948.

(r) The Michigan board of nursing created under section 1 of Act No. 319 of the Public Acts of 1909, as amended, being section 338.351 of the Compiled Laws of 1948.

(s) The advisory council to the board of nursing created under section 1 of Act No. 319 of the Public Acts of 1909, as amended, being section 338.351 of the Compiled Laws of 1948.

(t) The office of the state superintendent of private employment bureaus under Act No. 321 of the Public Acts of 1929, as amended, being sections 408.601 to 408.624 of the Compiled Laws of 1948.

(u) The board of examiners in basic sciences created under section 2 of Act No. 59 of the Public Acts of 1937, as amended, being section 338.2 of the Compiled Laws of 1948.

(v) The state board of veterinary examiners created by Act No. 152 of the Public Acts of 1956, as amended, being sections 287.451 to 287.474 of the Compiled Laws of 1948.

(w) The state board of physical therapy registration created under Act No. 164 of the Public Acts of 1965, being sections 338.321 to 338.337 of the Compiled Laws of 1948.

(x) The state board of horology created under Act No. 201 of the Public Acts of 1965, being sections 338.1401 to 338.1414 of the Compiled Laws of 1948.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

16.428 Michigan corporation and securities commission; transfer of powers, duties, and functions relating to real estate brokers and salesmen.

Sec. 328. The powers, duties and functions of the Michigan corporation and securities commission under the provisions of Act No. 306 of the Public Acts of 1919, as amended, being sections 451.201 to 451.219 of the Compiled Laws of 1948, relating to real estate brokers and salesmen, are transferred by a type II transfer to the department of licensing and regulation.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.429 Superintendent of public instruction; transfer of powers, duties, and functions relating to certification of psychologist.

Sec. 329. All powers, duties and functions of the superintendent of public instruction under the provisions of Act No. 257 of the Public Acts of 1959, as amended, being sections 338.1001 to 338.1019 of the Compiled Laws of 1948, relating to certification of psychologists, are transferred by a type II transfer to the department of licensing and regulation.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.430 Michigan corporation and securities commission; transfer of powers, duties, and functions relating to residential building contractors.

Sec. 330. All powers, duties and functions of the Michigan corporation and securities commission under the provisions of Act No. 208 of the Public Acts of 1953, as amended, being sections 338.971 to 338.991 of the Compiled Laws of 1948, and Act No. 383 of the Public Acts of 1965, as amended, being sections 338.1501 to 338.1519 of the Compiled Laws of 1948, relating to residential building contractors, are transferred by a type I transfer to the department of licensing and regulation.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1966, Act 324, Imd. Eff. July 19, 1966.

Popular name: Act 380

16.431 State health commissioner; transfer of duties relating to sanitarians.

Sec. 331. All powers, duties and functions of the state health commissioner under Act No. 147 of the Public Acts of 1963, being sections 338.1301 to 338.1315 of the Compiled Laws of 1948, relating to sanitarians, are transferred by a type I transfer to the department of licensing and regulation.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.432 Carnival-amusement safety board; type II transfer to department of licensing and

regulation.

Sec. 332. The carnival-amusement safety board created under Act No. 225 of the Public Acts of 1966, as amended, being sections 408.651 to 408.667 of the Michigan Compiled Laws, is transferred by a type II transfer to the department of licensing and regulation.

History: Add. 1982, Act 34, Imd. Eff. Mar. 12, 1982.

Popular name: Act 380

CHAPTER 15
DEPARTMENT OF TRANSPORTATION

16.450 Department of transportation; creation.

Sec. 350. There is created a department of transportation.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

16.451 State transportation commission as policy making body.

Sec. 351. The policy making body of the department of transportation is the state transportation commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

16.452 Transfer of powers, duties, and functions.

Sec. 352. All powers, duties, and functions vested by law in the state highway department are transferred by a type I transfer to the department of transportation.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

16.453 Commissioner of state highways; transfer of powers, duties, and functions.

Sec. 353. All powers, duties, and functions now vested by law in the commissioner of state highways are transferred by a type I transfer to the state highway commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975.

Popular name: Act 380

16.454 State highway commission; appointment, qualifications, and terms of members; vacancy; quorum; compensation; expenses.

Sec. 354. The state highway commission shall consist of 4 members, not more than 2 of whom shall be members of the same political party, appointed by the governor by and with the advice and consent of the senate. The term of office of each member shall be 4 years, except that the members first appointed shall be appointed for specific terms of 1, 2, 3, and 4 years. A member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed to the unexpired term. A majority of the commission members shall be required to constitute a quorum. The compensation of the commission and the schedule for reimbursement of expenses shall be established annually by the legislature.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1967, Act 182, Eff. Nov. 2, 1967;—Am. 1975, Act 70, Imd. Eff. May 20, 1975.

Popular name: Act 380

16.455 Director of department; appointment.

Sec. 355. The head of the department of transportation is the director of the department of transportation. The director shall be appointed as provided in section 5 of Act No. 286 of the Public Acts of 1964, as amended, being section 247.805 of the Michigan Compiled Laws.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

16.456 State bridge commission; transfer and abolition.

Sec. 356. The state bridge commission created under Act No. 147 of the Public Acts of 1935, as amended,

being sections 254.151 to 254.167 of the Michigan Compiled Laws, is transferred by a type III transfer to the department of transportation, and the state bridge commission is abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

16.457 Mackinac bridge authority; transfer to department of transportation; powers and duties of authority; employees; "authority" defined.

Sec. 357. (1) The Mackinac bridge authority created under 1950 (Ex Sess) PA 21, MCL 254.301 to 254.305, is transferred to the department of transportation.

(2) The authority shall exercise its prescribed statutory powers, duties, and functions independently of the director of the department of transportation. The budgeting, procurement, and related management functions of the authority shall be performed by the authority consistent with the requirements of generally applicable state law in consultation with the director of the department of transportation.

(3) Individuals employed by the department of transportation to provide services to the authority shall be employees of the department of transportation, members of the state classified service, but shall report to the executive secretary of the authority.

(4) As used in this section, "authority" means the Mackinac bridge authority created under 1950 (Ex Sess) PA 21, MCL 254.301 to 254.304.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978;—Am. 2005, Act 330, Imd. Eff. Dec. 28, 2005.

Popular name: Act 380

16.458 International bridge authority; transfer.

Sec. 358. The international bridge authority created under section 2 of Act No. 237 of the Public Acts of 1935, being section 254.202 of the Michigan Compiled Laws, is transferred by a type I transfer to the department of transportation.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1975, Act 70, Imd. Eff. May 20, 1975;—Am. 1978, Act 483, Imd. Eff. Dec. 1, 1978.

Popular name: Act 380

CHAPTER 16 DEPARTMENT OF LABOR

16.475 Department of labor; creation.

Sec. 375. There is hereby created a department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Compiler's note: For transfer of certain powers and duties of the department of labor to the department of consumer and industry services, see E.R.O. No. 1996-2, compiled at MCL 445.2001 of the Michigan Compiled Laws.

For renaming the department of consumer and industry services to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Popular name: Act 380

16.476 Head of department of labor.

Sec. 376. The head of the department of labor is the director of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.477 Commissioner of labor; transfer; abolition of office.

Sec. 377. The commissioner of labor and all his powers, duties and functions, created under section 21 of Act No. 357 of the Public Acts of 1947, being section 408.21 of the Compiled Laws of 1948, is transferred by a type III transfer to the department of labor, and the office of commissioner of labor is abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.478 Workmen's compensation appeal board; transfer.

Sec. 378. The workmen's compensation appeal board created under section 9 of chapter 1a of Act No. 357 of the Public Acts of 1947, being section 408.9 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of labor, and notwithstanding any other provision of this act to the contrary, retains

its authority to employ such personnel as provided by law.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.479 Employment security commission; employment security advisory council; employment security appeal board.

Sec. 379. (a) The Michigan employment security commission created by section 3 of Act No. 1 of the Extra Session of 1936, as amended, being section 421.3 of the Compiled Laws of 1948, with all its statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement and management related functions are transferred to and shall be an autonomous entity in the department of labor.

(b) The Michigan employment security advisory council created by section 3a of Act No. 1 of the Extra Session of 1936, as amended, being section 421.3a of the Compiled Laws of 1948, with all its statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement and management related functions are transferred to and shall be an autonomous entity in the department of labor.

(c) The Michigan employment security appeal board created by section 35 of Act No. 1 of the Extra Session of 1936, as amended, being section 421.35 of the Compiled Laws of 1948, with all its statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement and management related functions are transferred to and shall be an autonomous entity in the department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.480 Wage deviation board; transfer.

Sec. 380. The wage deviation board created under Act No. 154 of the Public Acts of 1964, as amended, being sections 408.381 to 408.396 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.481 Labor mediation board; transfer.

Sec. 381. The labor mediation board created under section 3 of Act No. 176 of the Public Acts of 1939, being section 423.3 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.482 Workmen's compensation department and director; transfer.

Sec. 382. The workmen's compensation department and the director of the workmen's compensation department created under chapter 1a of Act No. 357 of the Public Acts of 1947, being sections 408.1 to 408.12 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.483 Construction safety commission; transfer.

Sec. 383. The state construction safety commission created under section 3 of Act No. 89 of the Public Acts of 1963, being section 408.713 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.484 Office of inspector of coal mines; transfer and abolition.

Sec. 384. The office of inspector of coal mines created under section 2 of Act No. 177 of the Public Acts of 1913, as amended, being section 425.2 of the Compiled Laws of 1948, is transferred by a type III transfer to the department of labor, and the office of inspector of coal mines is abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.485 Board of boiler rules; transfer.

Sec. 385. The board of boiler rules created under Act No. 290 of the Public Acts of 1965, as amended, being sections 408.751 to 408.776 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of labor.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.486 Repealed. 1982, Act 34, Imd. Eff. Mar. 12, 1982.

Compiler's note: The repealed section transferred the carnival-amusement safety board, by a type II transfer, to the department of labor.

Transfer of powers: See MCL 16.732.

Popular name: Act 380

16.487 Elevator safety board; transfer.

Sec. 387. The elevator safety board created under section 7 of Act No. 227 of the Public Acts of 1967, being section 408.807 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of labor.

History: Add. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.490 Commission on agricultural labor; powers; appointment, qualifications, and terms of members; vacancies; expenses.

Sec. 390. There is established within the department a commission to be known as the commission on agricultural labor with powers of a type II transfer. The commission shall consist of 11 members, 4 of whom shall be chosen from growers and producers of agricultural products; 4 of whom shall be chosen from agricultural workers, of the 4 agricultural workers chosen 2 shall be permanent or year round workers and 2 shall be resident seasonal workers; and 3 shall be chosen from the general public. The members of the commission shall be appointed by the governor by and with the advice and consent of the senate. Of the members first appointed, 2 chosen from growers and producers and 1 of the general public shall serve for a term of 3 years, 1 chosen from growers and producers and 1 of the general public shall serve for terms of 2 years each, 1 chosen from growers and producers and 1 of the general public shall serve for a term of 1 year, and their successors shall serve for terms of 3 years. Of those members first appointed to represent agricultural workers, 2 shall serve for 2 years and 2 shall serve for 3 years. Vacancies may be filled for the unexpired portion of the term in the same manner as appointments are made for a full term. The members shall serve without compensation other than for their necessary and proper expenses, which expenses are to be audited and paid from funds appropriated by the legislature for this purpose.

History: Add. 1968, Act 353, Eff. Nov. 15, 1968;—Am. 1976, Act 4, Imd. Eff. Feb. 8, 1976.

Popular name: Act 380

16.491 Commission; duties.

Sec. 391. The commission shall:

(a) Cooperate with all governmental agencies and committees concerned with agricultural labor including but not limited to migratory labor.

(b) Cooperate with private voluntary or community groups having as their prime concern problems involving agricultural labor.

(c) Conduct a continuing program for the people to acquaint them with the importance of agricultural labor and the sources from which it can be recruited to agriculture.

(d) Seek effective methods for the improvement of living, working and related problems affecting agricultural labor of all types.

(e) Formulate policies to effectuate the purposes of this act and make recommendations to agencies and officers of the state or local subdivisions of government on such policies and purposes.

History: Add. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.492 State agencies; cooperation with commission.

Sec. 392. State agencies and departments whose work is related to the problems which affect agricultural labor shall cooperate with the commission in the implementation of this act.

History: Add. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.493 Commission; chairman; duties; meetings; committees.

Sec. 393. A chairman shall be selected by the governor whose duty shall be that of calling meetings of the commission at least quarterly but not oftener than 12 times a year, and presiding over such meetings. The commission may authorize committees of such commission to meet during interims between meetings.

History: Add. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.494 Commission; annual reports; recommendations.

Sec. 394. The commission shall render an annual report and also from time to time render recommendations to the governor, to the legislature and to the director of the department pertaining to agricultural labor, including recommendations for legislation.

History: Add. 1968, Act 353, Eff. Nov. 15, 1968.

Popular name: Act 380

16.496 Commission on disability concerns; type II transfer.

Sec. 396. The commission on disability concerns established under executive order 1995-10, MCL 395.351, and to which powers and duties described in 1968 PA 11, MCL 395.301 to 395.307, were transferred by a type II transfer to the department of consumer and industry services.

History: Add. 1972, Act 281, Imd. Eff. Oct. 19, 1972;—Am. 1998, Act 70, Imd. Eff. May 4, 1998.

Popular name: Act 380

CHAPTER 17

DEPARTMENT OF MENTAL HEALTH

16.500 Department of mental health; creation.

Sec. 400. There is hereby created a department of mental health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Transfer of powers: See MCL 16.731.

Popular name: Act 380

16.501 Head of department.

Sec. 401. The head of the department of mental health is the director of mental health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.502 Department of mental health; transfer of powers, duties, and functions.

Sec. 402. All powers, duties and functions vested by law in the department of mental health are transferred by a type I transfer to the department of mental health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.503 Director of department of mental health; transfer of powers, duties, and functions.

Sec. 403. All powers, duties and functions now vested by law in the director of the department of mental health are transferred by a type I transfer to the department of mental health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.504 Repealed. 1974, Act 258, Eff. Aug. 6, 1975.

Compiler's note: The repealed section pertained to the advisory council on mental health services.

Popular name: Act 380

CHAPTER 18

DEPARTMENT OF PUBLIC HEALTH

16.525 Department of public health; creation.

Sec. 425. There is hereby created a department of public health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Transfer of powers: See MCL 16.731.

Popular name: Act 380

16.526 Head of department of public health.

Sec. 426. The head of the department of public health is the director of public health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.527 Department of health and state health commissioner; transfer of powers, duties, and functions.

Sec. 427. Except as otherwise provided in this act, all powers, duties and functions vested by law in the department of health and the state health commissioner are transferred by a type I transfer to the department of public health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.528 State veterans' facility and board of managers; transfer.

Sec. 428. The state veterans' facility of Michigan and the board of managers, created under Act No. 152 of the Public Acts of 1885, as amended, being sections 36.1 to 36.12 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of public health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.529 State council of health; transfer and abolition.

Sec. 429. The state council of health created under section 5 of Act No. 146 of the Public Acts of 1919, as amended, being section 325.5 of the Compiled Laws of 1948, is transferred by a type III transfer to the department of public health and the state council of health is abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.530 Advisory hospital council; advisory council on tuberculosis sanitariums; advisory committee on use of animals; anatomy committee; transfer and abolition.

Sec. 430. The advisory hospital council, the advisory council on tuberculosis sanitariums, the advisory committee on the use of animals, and the anatomy committee are transferred by a type III transfer to the department of public health, and the advisory councils named in this section are abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.531 State board of alcoholism; transfer.

Sec. 431. The state board of alcoholism created under section 47a of Act No. 8 of the Public Acts of the Extra Session of 1933, as amended, being section 436.47a of the Compiled Laws of 1948, is transferred by a type II transfer to the department of public health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.532 Michigan crippled children commission; transfer.

Sec. 432. The Michigan crippled children commission created under Act No. 158 of the Public Acts of 1937, as amended, being sections 722.201 to 722.244 of the Compiled Laws of 1948, is transferred by a type II transfer to the department of public health.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CHAPTER 19

DEPARTMENT OF SOCIAL SERVICES

16.550 Department of social services; creation.

Sec. 450. There is hereby created a department of social services.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Transfer of powers: See MCL 16.731.

Popular name: Act 380

16.551 Head of department of social services.

Sec. 451. The head of the department of social services is the director of social services.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.552 Department of social welfare; transfer of powers, duties, and functions.

Sec. 452. All powers, duties and functions of the state department of social welfare created under Act No. 280 of the Public Acts of 1939, as amended, being sections 400.1 to 400.90 of the Compiled Laws of 1948, are transferred by a type I transfer to the department of social services.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.553 Michigan social welfare commission and office of director of social welfare; transfer and abolition.

Sec. 453. The Michigan social welfare commission and the office of director of the state department of social welfare created under sections 2 and 3 of Act No. 280 of the Public Acts of 1939, as amended, being sections 400.2 and 400.3 of the Compiled Laws of 1948, are transferred by a type III transfer to the department of social services and the Michigan social welfare commission and the office of the director of the state department of social welfare are abolished.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.554 Michigan commission on aging; transfer.

Sec. 454. The Michigan commission on aging created under section 1 of Act No. 11 of the Public Acts of 1960, being section 400.501 of the Compiled Laws of 1948, is transferred by a type I transfer to the department of social services.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CHAPTER 20

DEPARTMENT OF CIVIL RIGHTS

16.575 Department of civil rights; creation.

Sec. 475. There is hereby created a department of civil rights.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.576 Head of department of civil rights.

Sec. 476. The head of the department of civil rights is the civil rights commission.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.577 Civil rights commission; continuation of constitutional powers, duties, and functions.

Sec. 477. All powers, duties and functions vested by law or the state constitution in the civil rights commission are continued.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CHAPTER 21

TRANSFER OF POWERS

16.600 Actions, suits, or proceedings not to abate by reason of reorganization; maintenance by or against successors.

Sec. 500. No suit, action or other proceeding lawfully commenced by or against any department, board, commission, agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate by the reason of the taking effect of any reorganization under the provisions of this

act. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any department, board, commission, agency or any officer affected by this act.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.601 Continuation of rules, regulations, and orders adopted prior to act.

Sec. 501. All rules, regulations and orders of departments, boards, commissions or other agencies lawfully adopted prior to the effective date of any provision of this act shall continue to be effective until revised, amended or repealed.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.602 Criminal action not to abate.

Sec. 502. No criminal action commenced by the state shall abate by the taking effect of this act.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.603 Appointment of principal department head; access of appointee to records; continuation of powers and duties.

Sec. 503. The governor may appoint the head of any principal department not otherwise elected or appointed. Prior to assuming his duties as head of a department, the appointee shall have full access to all departments and agencies and records thereof relevant to his prospective duties for the purpose of formulating the internal organization of the department. During the period before the transfer of any powers, duties and functions in accordance with this act, existing departments and agencies shall continue to exercise their powers, duties and functions.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1965, Act 407, Imd. Eff. Oct. 29, 1965.

Popular name: Act 380

16.604 Establishment of effective date of each section by executive order; limitations as to constitutional offices; final effective date.

Sec. 504. The governor shall establish, from time to time, by executive order the effective date of each section of this act which provides for the transfer of any organizational entity or the powers, duties and functions of any organizational entity or officer as provided in this act, but in no case shall such transfer change the powers, duties and functions of any state official elected in a general election prior to January 1, 1964, before the expiration of his term of office in contravention of the state constitution. All provisions of this act shall become effective not later than December 31, 1966.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.605 Repealed. 1980, Act 180, Imd. Eff. July 2, 1980.

Compiler's note: The repealed section pertained to transfer of records, property, personnel, and funds to principal department.

Popular name: Act 380

16.606 Advisory councils; members; terms; vacancies; meetings; compensation.

Sec. 506. The governor may establish in the departments of commerce, labor, state police, military affairs, public health, licensing and regulation, and social services, advisory councils consisting of 8 members appointed by the governor with the advice and consent of the senate. The term of office of each member of an advisory council shall be 4 years, except that of the members first appointed, 2 each shall be appointed for terms of 1, 2, 3 and 4 years. A member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term. The advisory councils shall meet upon the call of the head of their respective departments and shall advise and consult with the head of the department. Members of advisory councils shall receive no compensation, but may be reimbursed for the actual and necessary expenses incurred in carrying out their advisory functions.

History: 1965, Act 380, Imd. Eff. July 23, 1965;—Am. 1970, Act 138, Imd. Eff. Aug. 1, 1970.

Popular name: Act 380

16.607 Executive designation of successor to state officer not continued under act when member of governmental agency.

Sec. 507. If under any law a state officer or state department official is designated as a member of a governmental agency and if such state officer or state departmental official is not continued under the provisions of this act, the governor by executive order may designate a state officer or state departmental official to succeed to the membership.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

16.608 Executive appointment of single executive head of principal department.

Sec. 508. When a single executive is the head of a principal department, unless elected as provided in the constitution, he shall be appointed by the governor by and with the advice and consent of the senate and he shall serve at the pleasure of the governor.

History: 1965, Act 380, Imd. Eff. July 23, 1965.

Popular name: Act 380

CAUTION!
This document is from an archive and may
contain outdated information.