

EXECUTIVE ORGANIZATION ACT OF 1965 (EXCERPT)

Act 380 of 1965

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prior to the effective date of any provision of this act shall continue to be effective until revised, amended or repealed.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