

PUBLIC AND LOCAL ACTS

OF

THE LEGISLATURE

OF THE

State of Michigan

PASSED AT THE

REGULAR SESSION OF 1959

CONTAINING JOINT RESOLUTIONS, AMENDMENTS TO
CONSTITUTION AND ABSTRACTS OF PROCEEDINGS
RELATIVE TO CHANGE OF BOUNDARIES OF TOWN-
SHIPS AND INCORPORATION, ETC., OF CITIES AND
VILLAGES.



COMPILED BY

JAMES M. HARE

SECRETARY OF STATE

AND THE

LEGISLATIVE SERVICE BUREAU

SPEAKER-HINES AND THOMAS, INC., LANSING, MICH.—1960



JOINT RESOLUTIONS

[Proposal No. 1.]

A JOINT RESOLUTION proposing an amendment to section 5 of article 16 of the state constitution to authorize the legislature to provide for continuity of state and local government in periods of emergency.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to section 5 of article 16 of the state constitution to authorize the legislature to provide for continuity of state and local government in periods of emergency, is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE XVI.

Vacancies in office; continuity of government in emergencies.

Sec. 5. The legislature may provide by law the cases in which any office shall be deemed vacant and the manner of filling vacancies, where no provision is made in this constitution.

The legislature, in addition to and not in derogation of the power heretofore conferred in section 5 of this article XVI, in order to insure continuity of state and local governmental operations in periods of emergency only resulting from disasters occurring in this state caused by enemy attack on the United States shall have the power to such extent as the legislature deems advisable (1) to provide by legislative enactment for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt by legislative enactment such other legislation as may be necessary and proper for insuring the continuity of governmental operations. Notwithstanding the power conferred by this amendment elections shall always be called as soon as possible to fill any elective vacancies in any office temporarily occupied by operation of any legislation enacted pursuant to the provisions of this paragraph.

Resolved further, That the foregoing amendment shall be submitted to the people of this state at the next regular election in the manner provided by law.

[Proposal No. 2.]

A JOINT RESOLUTION proposing amendments to sections 7 and 8 of article 11 of the state constitution to change the name of the state board of agriculture to the board of trustees of Michigan state university.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendments to sections 7 and 8 of article 11 of the state constitution to change the name of the state board of agriculture to the board of trustees of Michigan state university is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE XI.

Michigan state university board of trustees; election, term.

Sec. 7. There shall be elected on the first Monday in April, 1909, a board of trustees to consist of 6 members, 2 of whom shall hold the office for 2 years, 2 for 4 years and 2 for 6 years. At every regular biennial spring election thereafter, there shall be elected 2 members whose term of office shall be 6 years. The members thus elected and their successors in office shall be a body corporate to be known as "The board of trustees of Michigan state university of agriculture and applied science." The board of trustees shall be the successor in interest to all the rights, powers, assets and liabilities of the state board of agriculture.

AMENDMENTS TO THE CONSTITUTION

Proposal No. 1

AMENDMENT to the constitution relative to the continuity of state and local government in periods of emergency, proposed by joint resolution of the 1959 regular session and ratified by the people at the biennial spring election, April 6, 1959.

ARTICLE XVI

Sec. 5. The legislature may provide by law the cases in which any office shall be deemed vacant and the manner of filling vacancies, where no provision is made in this constitution.

The legislature, in addition to and not in derogation of the power heretofore conferred in section 5 of this article XVI, in order to insure continuity of state and local governmental operations in periods of emergency only resulting from disasters occurring in this state caused by enemy attack on the United States shall have the power to such extent as the legislature deems advisable (1) to provide by legislative enactment for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt by legislative enactment such other legislation as may be necessary and proper for insuring the continuity of governmental operations. Notwithstanding the power conferred by this amendment elections shall always be called as soon as possible to fill any elective vacancies in any office temporarily occupied by operation of any legislation enacted pursuant to the provisions of this paragraph.

Proposal No. 2

AMENDMENT to the constitution relative to the change in name of the governing body of Michigan State University, proposed by joint resolution of the 1959 regular session and ratified by the people at the biennial spring election, April 6, 1959.

ARTICLE XI.

Sec. 7. There shall be elected on the first Monday in April, 1909, a board of trustees to consist of 6 members, 2 of whom shall hold the office for 2 years, 2 for 4 years and 2 for 6 years. At every regular biennial spring election thereafter, there shall be elected 2 members whose term of office shall be 6 years. The members thus elected and their successors in office shall be a body corporate to be known as "The board of trustees of Michigan state university of agriculture and applied science." The board of trustees shall be the successor in interest to all the rights, powers, assets and liabilities of the state board of agriculture.

Sec. 8. The board of trustees shall, as often as necessary, elect a president of Michigan state university, who shall be ex-officio a member of the board with the privilege of speaking but not of voting. He shall preside at the meetings of the board and be the principal executive officer of Michigan state university. The board shall have the general supervision of Michigan state university, and the direction and control of all Michigan state university funds; and shall perform such other duties as may be prescribed by law.