GIFTS OR GRANTS FOR CIVILIAN DEFENSE; TRANSFER OF POWERS AND DUTIES
Act 236 of 1962

AN ACT to make appropriations for the Michigan state police, various state departments and certain state purposes related to public safety and defense for the fiscal year ending June 30, 1963; to provide for the expenditures of such appropriations; and to provide for the disposition of fees and other income received by said agencies.

History: 1962, Act 236, Imd. Eff. July 17, 1962.

The People of the State of Michigan enact:

30.309 Gift or grant for civil defense; control of fund, appropriation.

Sec. 9. The governor of the state of Michigan is hereby authorized to accept on behalf of the state any gift or grant offered to it by a county, city, village or from any local civilian defense council and to take appropriate action to the end that such funds shall be used in accordance with the terms and conditions of the gift or grant.

A gift or grant which may be made for the purpose of providing a fund with which to match contributions of federal funds available for the acquisition of civilian defense organizational equipment and protective facilities shall constitute a fund which is hereby declared to be the source which the state of Michigan may lawfully devote to the purpose of matching said federal contributions. All gifts or grants so received shall be promptly forwarded to the state treasurer and credited to the general fund and shall be deposited by him in the state treasury, to be disbursed in accordance with the provisions of this act upon approval of release of the appropriation by the state director of civil defense, subject to the approval of the state administrative board.

The state director of civil defense is designated as the official responsible for the general supervisory control of the fund herein established and is authorized to take such steps, subject to the approval of the administrative board, as may be necessary to make federal funds available for the acquisition of civilian defense organizational equipment and for shelters and other protective facilities.

The fund hereby created is hereby appropriated, subject to the approval of the state administrative board for the purposes stipulated in the several gifts or grants whereby the same was accumulated and such federal contributions as may be received are hereby appropriated for the purposes for which granted.

History: 1962, Act 236, Imd. Eff. July 17, 1962.

30.310 Office of civil defense; abolition and transfer of powers, duties, and functions to state police; records, files, and other property; hearings, orders, rules, and regulations; funds.

Sec. 10. All of the powers, duties and functions now vested by law in the Michigan office of civil defense are hereby transferred to and vested in the Michigan state police as of July 1, 1962. The Michigan office of civil defense as a separate department of the executive branch of state government is abolished as of June 30, 1962. The Michigan state police commissioner shall occupy the position of director of civil defense and shall be vested with and have the responsibilities of administering and directing state civil defense operations. He shall cooperate with all regional, county and local offices of civil defense as well as with all police and sheriff departments of the state having duties and functions of civil defense operations. The provisions of Act No. 154 of the Public Acts of 1953, as amended, not inconsistent with the provisions of this section shall remain in full force and effect.

All the records, files and other property, including property entrusted to the state by the federal government, belonging to the Michigan office of civil defense shall be transferred to the Michigan state police and shall be continued as part of the records, files and property of the Michigan state police.

All hearings and proceedings of whatever nature now pending before the Michigan office of civil defense shall not be abated, but shall be transferred to the Michigan state police, without notice to interested parties and shall be conducted in the same manner and determined in accordance with the provisions of laws concerning such hearings and proceedings. All orders, rules and regulations of the Michigan office of civil defense shall continue in effect as though the transfer were not made, and to the extent applicable they shall be binding upon the Michigan state police. The Michigan state police commissioner shall in his discretion have full power and authority to issue orders and promulgate rules and regulations for the purpose of administration and preparation of a plan of civil defense for this state, and shall have full power and authority to amend, alter, vacate or rescind any such orders, rules or regulations now in effect.

All funds, including funds received by the Michigan office of civil defense from the federal government, heretofore allocated and necessary to carry out all the powers, duties and responsibilities of the Michigan office of civil defense are transferred to the Michigan state police. The commissioner of Michigan state police

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shall charge civil defense funds with all expenses of the Michigan state police which are incurred in the performance of civil defense functions whether incurred by the civil defense division or not. It is the intent of the legislature that civil defense funds be used for all properly chargeable expenses of the Michigan state police, including without limitation, the proportionate share of the costs of operations and communications, traffic and safety, training and personnel and other divisions of the Michigan state police.

History: 1962, Act 236, Imd. Eff. July 17, 1962.

Compiler's note: Act 154 of 1953, referred to in this section, was repealed by Act 390 of 1976.

Administrative rules: R 30.1 et seq. of the Michigan Administrative Code.

30.310a Civil defense appropriation; allotment prior to executive reorganization.

Sec. 10a. Notwithstanding the provisions of Act No. 125 of the Public Acts of 1958, executive reorganization plan No. 1 of 1962 may be effective by executive order not later than August 1, 1962 and until that date the controller of the department of administration is authorized to allot from the appropriations made in section 1 of this act to the Michigan state police for civil defense purposes such amount as is necessary to operate the Michigan office of civil defense.

History: 1962, Act 236, Imd. Eff. July 17, 1962.

Compiler's note: Act 125 of 1958, referred to in this section, was repealed by Act 237 of 1968.

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