

STATE CONSTITUTION (EXCERPT)
CONSTITUTION OF MICHIGAN OF 1963
SCHEDULE AND TEMPORARY PROVISIONS

To insure the orderly transition from the constitution of 1908 to this constitution the following schedule and temporary provisions are set forth to be effective for such period as are thereby required.

§ 1 Recommendations by attorney general for changes in laws.

Sec. 1.

The attorney general shall recommend to the legislature as soon as practicable such changes as may be necessary to adapt existing laws to this constitution.

History: Const. 1963, Schedule, § 1, Eff. Jan. 1, 1964

Former Constitution: See Const. 1908, Schedule, § 8.

§ 2 Existing public and private rights, continuance.

Sec. 2.

All writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, titles and rights existing on the effective date of this constitution shall continue unaffected except as modified in accordance with the provisions of this constitution.

History: Const. 1963, Schedule, § 2, Eff. Jan. 1, 1964

Former Constitution: See Const. 1908, Schedule, § 2.

§ 3 Officers, continuance in office.

Sec. 3.

Except as otherwise provided in this constitution, all officers filling any office by election or appointment shall continue to exercise their powers and duties until their offices shall have been abolished or their successors selected and qualified in accordance with this constitution or the laws enacted pursuant thereto.

No provision of this constitution, or of law or of executive order authorized by this constitution shall shorten the term of any person elected to state office at a statewide election on or prior to the date on which this constitution is submitted to a vote. In the event the duties of any such officers shall not have been abolished or incorporated into one or more of the principal departments at the expiration of his term, such officer shall continue to serve until his duties are so incorporated or abolished.

History: Const. 1963, Schedule, § 3, Eff. Jan. 1, 1964

Former Constitution: See Const. 1908, Schedule, § 5.

§ 4 Officers elected in spring of 1963, term.

Sec. 4.

All officers elected at the same election that this constitution is submitted to the people for adoption shall take office and complete the term to which they were elected under the 1908 constitution and existing laws and continue to serve until their successors are elected and qualified pursuant to this constitution or law.

History: Const. 1963, Schedule, § 4, Eff. Jan. 1, 1964
Former Constitution: See Const. 1908, Schedule, § 6.

§ 5 State elective executive officers and senators, 2 and 4 year terms.

Sec. 5.

Notwithstanding any other provision in this constitution, the governor, the lieutenant governor, the secretary of state, the attorney general and state senators shall be elected at the general election in 1964 to serve for two-year terms beginning on the first day of January next succeeding their election. The first election of such officers for four-year terms under this constitution shall be held at the general election in 1966.

History: Const. 1963, Schedule, § 5, Eff. Jan. 1, 1964

§ 6 Supreme court, reduction to 7 justices.

Sec. 6.

Notwithstanding the provisions of this constitution that the supreme court shall consist of seven justices it shall consist of eight justices until the time that a vacancy occurs as a result of death, retirement or resignation of a justice. The first such vacancy shall not be filled.

History: Const. 1963, Schedule, § 6, Eff. Jan. 1, 1964

§ 7 Judges of probate, eligibility for re-election.

Sec. 7.

Any judge of probate serving on the effective date of this constitution may serve the remainder of the term and be eligible to succeed himself for election regardless of other provisions in this constitution requiring him to be licensed to practice law in this state.

History: Const. 1963, Schedule, § 7, Eff. Jan. 1, 1964

§ 8 Judicial officers, staggered terms.

Sec. 8.

The provisions of Article VI providing that terms of judicial offices shall not all expire at the same time, shall be implemented by law providing that at the next election for such offices judges shall be elected for terms of varying length, none of which shall be shorter than the regular term provided for the office.

History: Const. 1963, Schedule, § 8, Eff. Jan. 1, 1964

§ 9 State board of education; first election, terms.

Sec. 9.

The members of the state board of education provided for in Section 3 of Article VIII of this constitution shall first be elected at the first general election after the effective date of this constitution for the following terms: two shall be elected for two years, two for four years, two for six years, and two for eight years as prescribed by law.

The state board of education provided for in the constitution of 1908 is abolished at twelve o'clock noon January 1 of the year following the first general election under this constitution and the terms of members thereof shall then expire.

History: Const. 1963, Schedule, § 9, Eff. Jan. 1, 1964

§ 10 Boards controlling higher education institutions and state board of public community and junior colleges, terms.

Sec. 10.

The provisions of this constitution providing for members of boards of control of institutions of higher education and the state board of public community and junior colleges shall be implemented by law. The law may provide that the term of each member in office on the date of the vote on this constitution may be extended, and may further provide that the initial terms of office of members may be less than eight years.

History: Const. 1963, Schedule, § 10, Eff. Jan. 1, 1964

§ 11 Michigan State University trustees and Wayne State University governors, terms.

Sec. 11.

The provisions of this constitution increasing the number of members of the Board of Trustees of Michigan State University and the Board of Governors of Wayne State University to eight, and of their term of office to eight years, shall be implemented by law. The law may provide that the term of each member in office on the date of the vote on this constitution may be extended one year, and may further provide that the initial terms of office of the additional members may be less than eight years.

History: Const. 1963, Schedule, § 11, Eff. Jan. 1, 1964

§ 12 Initial allocation of departments by law or executive order.

Sec. 12.

The initial allocation of departments by law pursuant to Section 2 of Article V of this constitution, shall be completed within two years after the effective date of this constitution. If such allocation shall not have been completed within such period, the governor, within one year thereafter, by executive order, shall make the initial allocation.

History: Const. 1963, Schedule, § 12, Eff. Jan. 1, 1964

§ 13 State contracts, continuance.

Sec. 13.

Contractual obligations of the state incurred pursuant to the constitution of 1908 shall continue to be obligations of the state.

For the retirement of notes and bonds issued under Section 26 of Article X of the 1908 constitution, there is hereby appropriated from the general fund each year during their life a sum equal to the amount of principal and interest payments due and payable in each year.

History: Const. 1963, Schedule, § 13, Eff. Jan. 1, 1964

§ 14 Mackinac Bridge Authority; refunding of bonds, transfer of functions to highway department.

Sec. 14.

The legislature by a vote of two-thirds of the members elected to and serving in each house may provide that the state may borrow money and may pledge its full faith and credit for refunding any bonds issued by the Mackinac Bridge Authority and at the time of refunding the Mackinac Bridge Authority shall be abolished and the operation of the bridge shall be assumed by the state highway department. The legislature may implement this section by law.

History: Const. 1963, Schedule, § 14, Eff. Jan. 1, 1964

§ 15 Submission of constitution; time, notice.

Sec. 15.

This constitution shall be submitted to the people for their adoption or rejection at the general election to be held on the first Monday in April, 1963. It shall be the duty of the secretary of state forthwith to give notice of such submission to all other officers required to give or publish any notice in regard to a general election. He shall give notice that this constitution will be duly submitted to the electors at such election. The notice shall be given in the manner required for the election of governor.

History: Const. 1963, Schedule, § 15, Eff. Jan. 1, 1964

Former Constitution: See Const. 1908, Schedule, § 10.

§ 16 Voters, ballots, effective date.

Sec. 16.

Every registered elector may vote on the adoption of the constitution. The board of election commissioners in each county shall cause to be printed on a ballot separate from the ballot containing the names of the nominees for office, the words: Shall the revised constitution be adopted? () Yes. () No. All votes cast at the election shall be taken, counted, canvassed and returned as provided by law for the election of state officers. If the revised constitution so submitted receives more votes in its favor than were cast against it, it shall be the supreme law of the state on and after the first day of January of the year following its adoption.

History: Const. 1963, Schedule, § 16, Eff. Jan. 1, 1964
Former Constitution: See Const. 1908, Schedule, § 11.

§ 0 Vote Record.

Sec. 0.

Adopted by the Constitutional Convention of nineteen hundred sixty-one at Constitution Hall in Lansing on the first day of August, nineteen hundred sixty-two.

Stephen S. Nisbet, President

Fred I. Chase, Secretary

The vote on the constitution of 1963, as certified by the Board of State Canvassers on June 20, 1963, was 810,860 to 803,436 in favor of adoption.