

SENATE BILL No. 669

December 17, 1991, Introduced by Senator DILLINGHAM and referred to the Committee on Agriculture, Forestry, and Wildlife.

A bill to amend the title and sections 73, 75, 128, 151, 195, 431, 470, 494, 522, 544, and 564 of Act No. 40 of the Public Acts of 1956, entitled as amended

"The drain code of 1956,"

being sections 280.73, 280.75, 280.128, 280.151, 280.195, 280.431, 280.470, 280.494, 280.522, 280.544, and 280.564 of the Michigan Compiled Laws; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 73, 75, 128, 151, 195,
2 431, 470, 494, 522, 544, and 564 of Act No. 40 of the Public Acts
3 of 1956, being sections 280.73, 280.75, 280.128, 280.151,
4 280.195, 280.431, 280.470, 280.494, 280.522, 280.544, and 280.564
5 of the Michigan Compiled Laws, are amended to read as follows:

1

TITLE

2 An act to codify the laws relating to ~~the laying out of~~
3 ~~drainage districts, the consolidation of~~ drainage districts, the
4 construction and maintenance of drains, sewers, pumping equip-
5 ment, bridges, culverts, fords, and the structures and mechanical
6 devices to ~~properly~~ purify the flow of drains; TO PROVIDE FOR
7 THE ACQUISITION OF PROPERTY BY CONDEMNATION AND OTHER MEANS; to
8 provide for flood control projects; to provide for water manage-
9 ment, water management districts ~~—~~ and subdistricts, and ~~for~~
10 flood control and drainage projects within drainage districts; to
11 provide for the assessment and collection of taxes; to provide
12 for the investment of funds; to provide for the deposit of funds
13 for future maintenance of drains; to authorize public corpora-
14 tions to impose taxes for the payment of assessments in anticipa-
15 tion of which bonds are issued; to provide for the issuance of
16 bonds by drainage districts and for the pledge of the full faith
17 and credit of counties for payment of the bonds; to authorize
18 counties to impose taxes when necessary to pay principal and
19 interest on bonds for which full faith and credit is pledged; to
20 validate certain acts and bonds; and to prescribe penalties.

21 Sec. 73. The commissioner shall secure from a professional
22 engineer ~~—~~ plans, specifications, and an estimate of cost of
23 the proposed drain and descriptions of the ~~lands or rights of~~
24 ~~way~~ PROPERTY needed for the proposed drain. In approving the
25 route of the drain as furnished by the engineers, the commis-
26 sioner ~~shall~~ IS not ~~be~~ limited to ~~that~~ THE ROUTE described
27 in the petition or in the first order of determination, if the

1 new route is more efficient and serviceable. ~~The commissioner~~
2 ~~shall endeavor to secure from the owners of each parcel or tract~~
3 ~~of land to be traversed or damaged by the proposed drain or~~
4 ~~drains an easement or release of right of way and all damages on~~
5 ~~account thereof.~~

6 Sec. 75. ~~If all persons whose lands would be traversed or~~
7 ~~damaged by the proposed drain or drains shall not have executed a~~
8 ~~release of the right of way, and all damages on account thereof,~~
9 ~~within 60 days after the entry of the first order of determina-~~
10 ~~tion, the commissioner shall, as soon as practicable, make appli-~~
11 ~~cation to the probate court of the county in which such lands are~~
12 ~~situated, for the appointment of 3 special commissioners, who~~
13 ~~shall be disinterested resident freeholders of the county, but~~
14 ~~not of the township or townships affected by such drain, to~~
15 ~~determine the necessity for the taking of private property for~~
16 ~~the use and benefit of the public, and the just compensation to~~
17 ~~be made therefor. Such application shall be in writing, and~~
18 ~~shall set forth:~~

19 First, ~~The fact that a petition for a drain was made and~~
20 ~~when, filing with said court a certified copy of such petition,~~
21 ~~also giving the route, survey and specifications of said drain as~~
22 ~~set forth in the first order of determination;~~

23 Second, ~~That an order determining the necessity for such~~
24 ~~drain was made by the commissioner or drainage board, giving the~~
25 ~~time when such order was made, in accordance with such route,~~
26 ~~survey and specification, as above set forth;~~

1 ~~Third, (1) The several descriptions or tracts of land with~~
2 ~~the names of the owner or owners of every such tract who have~~
3 ~~refused or neglected to execute a release of right of way and~~
4 ~~damages in any way arising or incident to the opening or main-~~
5 ~~taining the said proposed drain (2) the several descriptions or~~
6 ~~tracts of land owned by any minor, incompetent person, unknown~~
7 ~~persons or nonresidents of the township or townships, the execu-~~
8 ~~tion of a release of right of way and damages for which have been~~
9 ~~neglected or refused; (3) it shall not be necessary to set forth~~
10 ~~in said application to the probate court the names of the several~~
11 ~~owners nor the description of the several tracts or parcels of~~
12 ~~land liable to an assessment for benefits, in case the drain~~
13 ~~applied for should be located and established, except those who~~
14 ~~have not released the right of way and through whose lands the~~
15 ~~drain passes; nor shall the same be included in the citation~~
16 ~~issued from the probate court.~~ A DRAIN COMMISSIONER MAY ACQUIRE
17 PROPERTY FOR A COUNTY DRAINAGE DISTRICT FOR DRAINAGE PURPOSES BY
18 EXERCISE OF THE POWER OF EMINENT DOMAIN PURSUANT TO THE UNIFORM
19 CONDEMNATION PROCEDURES ACT, ACT NO. 87 OF THE PUBLIC ACTS OF
20 1980, BEING SECTIONS 213.51 TO 213.77 OF THE MICHIGAN COMPILED
21 LAWS.

22 Sec. 128. ~~In case all the persons whose lands are to be~~
23 ~~traversed or damaged by such drain or drains, as proposed in this~~
24 ~~chapter, shall not within 60 days after the issue of the first~~
25 ~~order of determination have voluntarily released the right of way~~
26 ~~therefor, and all damages on account thereof, the drainage board~~
27 ~~shall apply to the judge of probate of the county in which such~~

~~1 lands are situated for the appointment of 3 special~~
~~2 commissioners. When such application shall be made and when all~~
~~3 papers shall have been found to be in conformity with the provi-~~
~~4 sions of this act, the court to whom such application has been~~
~~5 made shall, within 60 days from the filing of said application,~~
~~6 appoint such special commissioners and shall deliver to each~~
~~7 drain commissioner a certified copy of the order of the appoint-~~
~~8 ment of such special commissioners. Such special commissioners~~
~~9 shall be resident freeholders of the county and not residents of~~
~~10 the township or townships to be affected by the proposed drain in~~
~~11 which they are appointed. All proceedings had in the appointment~~
~~12 of special commissioners, the issuance of service of citations,~~
~~13 hearings by the probate court and by the special commissioners~~
~~14 and the return of special commissioners under the provisions of~~
~~15 this chapter shall be similar to those provided in chapter 4,~~
~~16 being sections 71 to 84.~~ AFTER ENTRY OF THE FIRST ORDER OF
17 DETERMINATION, THE DRAINAGE BOARD MAY ACQUIRE PROPERTY FOR THE
18 INTERCOUNTY DRAINAGE DISTRICT FOR DRAINAGE PURPOSES BY EXERCISE
19 OF THE POWER OF EMINENT DOMAIN PURSUANT TO THE UNIFORM CONDEMNA-
20 TION PROCEDURES ACT, ACT NO. 87 OF THE PUBLIC ACTS OF 1980, BEING
21 SECTIONS 213.51 TO 213.77 OF THE MICHIGAN COMPILED LAWS.

22 Sec. 151. Upon the ~~release of the right of way and dam-~~
23 ~~ages, or upon the determination and return of the special~~
24 ~~commissioners~~ VESTING IN THE DRAINAGE DISTRICT OF PROPERTY NEC-
25 ESSARY FOR THE DRAIN, the DRAIN commissioner shall make ~~his~~ THE
26 final order of determination establishing the drain. ~~—, which—~~
27 THE drain shall be divided into convenient sections for the

1 letting of contracts. ~~:- Provided, That~~ HOWEVER, the DRAIN
 2 commissioner may let the drain in sections or as a whole. ~~Said~~
 3 THE order of determination shall be filed with the ~~county~~ drain
 4 commissioner ~~within~~ NOT MORE THAN 5 days after ~~such~~ THE order
 5 is made. ~~He shall, before~~ BEFORE the day of ~~letting and~~
 6 review, THE DRAIN COMMISSIONER SHALL fix the number of install-
 7 ments for the collection of drainage taxes and apportion the ~~per~~
 8 ~~cent~~ PERCENT of the cost of construction of ~~such~~ THE drain
 9 ~~which any~~ THAT EACH township, city, or village traversed or
 10 benefited ~~thereby shall be~~ BY THE DRAIN IS liable to pay by
 11 reason of the benefit to the public health, convenience, or wel-
 12 fare, or as the means of improving ~~any~~ A highway under the con-
 13 trol of ~~such~~ THE township, city, or village. ~~He~~ THE DRAIN
 14 COMMISSIONER shall apportion the ~~per cent~~ PERCENT of the cost
 15 of construction of ~~such~~ THE drain ~~which any~~ THAT A highway
 16 then under the control of the BOARD OF county ~~or district~~ road
 17 commissioners ~~, shall be~~ IS liable to pay by reason of benefits
 18 ~~therefor~~ FOR THE HIGHWAY, and as the means of improving ~~such~~
 19 THE highway. ~~He~~ THE DRAIN COMMISSIONER shall ~~also~~ apportion
 20 the ~~per cent~~ PERCENT of the cost of construction of ~~such~~ THE
 21 drain ~~which~~ THAT any state trunk line highway ~~, under the~~
 22 control of the state ~~highway commissioner, shall be~~
 23 TRANSPORTATION COMMISSION IS liable to pay by reason of benefits
 24 ~~therefor~~ FOR THE HIGHWAY and as the means of improving ~~said~~
 25 THE highway. ~~He~~ THE DRAIN COMMISSIONER shall also apportion
 26 the ~~per cent~~ PERCENT of benefits to accrue to ~~any piece or~~ A
 27 parcel of land by reason of the construction of ~~such~~ THE drain

1 over and above the ~~per cent~~ PERCENT apportioned to ~~any~~ A
2 township, city, or village at large or to ~~any~~ A highway. ~~as~~
3 ~~above provided. Such per cent~~ THE PERCENT so apportioned when
4 finally approved shall be assessed against ~~such~~ THE townships,
5 cities, and villages and against the county at large by reason of
6 the improvement of the highways within the drainage district
7 UNDER THE CONTROL OF THE BOARD OF COUNTY ROAD COMMISSIONERS, and
8 against the state by reason of the improvement of the state trunk
9 line highways within ~~such~~ THE drainage district UNDER THE CON-
10 TROL OF THE STATE TRANSPORTATION COMMISSION, and against ~~all~~
11 parcels of land ~~therein~~ IN THE DRAINAGE DISTRICT according to
12 ~~such~~ THE apportionment of benefits. ~~as herein provided.~~ The
13 apportionment of benefits ~~so made shall be~~ IS subject to review
14 and correction and may be appealed from as PROVIDED in this act.
15 ~~provided.~~ The COUNTY board of ~~supervisors~~ COMMISSIONERS at
16 its ~~October~~ ANNUAL meeting each year shall make provision by
17 proper assessment of the amounts apportioned against any highway
18 under the control of the BOARD OF county ROAD COMMISSIONERS. ~~and~~
19 ~~district highway commissioners.~~

20 Sec. 195. ~~In case it shall be necessary to secure further~~
21 ~~right of way and allow damages therefor, for any~~ IF IT IS NECES-
22 SARY TO ACQUIRE ADDITIONAL PROPERTY FOR work contemplated by this
23 chapter, the commissioner ~~shall take all the necessary steps to~~
24 ~~obtain such right of way as are prescribed by chapter 4, being~~
25 ~~sections 71 to 84, inclusive, of this act~~ MAY ACQUIRE THE PROP-
26 ERTY FOR THE DRAINAGE DISTRICT BY EXERCISE OF THE POWER OF
27 EMINENT DOMAIN PURSUANT TO THE UNIFORM CONDEMNATION PROCEDURES

1 ACT, ACT NO. 87 OF THE PUBLIC ACTS OF 1980, BEING SECTIONS 213.51
2 TO 213.77 OF THE MICHIGAN COMPILED LAWS.

3 Sec. 431. (1) The drain commissioner or drainage board may
4 ~~contract or make agreements~~ MAKE AN AGREEMENT with the federal
5 government ~~, including any agency thereof, whereby~~ UNDER WHICH
6 the federal government will pay ~~the whole~~ ALL or ~~any~~ part of
7 the cost of the project or will perform ~~the whole~~ ALL or ~~any~~
8 part of the work connected ~~therewith, which contract or~~ WITH
9 THE PROJECT. THE agreement may include any specific terms
10 required by ~~act of congress or federal regulation~~ LAW, not in
11 conflict with state law, as a condition for participation on the
12 part of the federal government. The drain commissioner or drain-
13 age board may ~~contract or make agreements with any~~ MAKE AN
14 AGREEMENT WITH A private corporation or with ~~any~~ A public cor-
15 poration, ~~including any agency thereof,~~ in respect to ~~any~~ A
16 matter connected with the construction, operation, or maintenance
17 of ~~any~~ A flood control ~~or~~ PROJECT, drainage project, or
18 ~~combination thereof~~ FLOOD CONTROL AND DRAINAGE PROJECT. The
19 ~~contract or~~ agreement may provide that any payments made or
20 work done by the public corporation shall relieve it in whole or
21 ~~in~~ part from assessment for the cost of the project. ~~No~~
22 EXCEPT FOR construction work TO BE PERFORMED SOLELY BY THE FED-
23 ERAL GOVERNMENT OR A PUBLIC CORPORATION AT ITS EXPENSE, CONSTRUC-
24 TION WORK shall NOT be undertaken by the drain commissioner or
25 drainage board until bids have been advertised for and received
26 for the performance of ~~such~~ THE work. ~~, but this provision~~

1 ~~shall not apply to work to be performed solely by the federal~~
2 ~~government or a public corporation at its expense.~~

3 (2) The drain commissioner or drainage board may ~~contract~~
4 ~~or~~ make agreements with private and public corporations and with
5 the federal government ~~including any agency thereof~~ for the
6 purpose of expanding any flood control ~~or~~ PROJECT, drainage
7 project, or ~~combination thereof~~ FLOOD CONTROL AND DRAINAGE
8 PROJECT to include the conservation and utilization of soil and
9 water for recreation and other beneficial purposes. The con-
10 tracts or agreements shall provide for an equitable sharing of
11 the costs of the expanded ~~flood control or drainage~~ project.
12 ~~or combination thereof and the~~ THE cost borne by a drainage
13 district shall not ~~be in excess of~~ EXCEED the amount ~~which~~
14 THAT can be attributed solely to drainage and flood control.

15 (3) The drain commissioner or drainage board ~~—~~ may acquire
16 by gift or purchase the PROPERTY necessary ~~lands, and rights of~~
17 ~~way for the purposes of~~ FOR any expanded flood control ~~or~~
18 PROJECT, drainage project, or FLOOD CONTROL AND DRAINAGE PROJECT.
19 ~~combination thereof.~~ The drain commissioner or drainage board
20 may acquire ~~by condemnation proceedings similar to those pro-~~
21 ~~vided in chapter 4 and chapter 6 of this act, the necessary lands~~
22 ~~and rights of way for any expanded flood control or drainage~~
23 ~~project or combination thereof which shall~~ PROPERTY FOR A
24 PROJECT TO be undertaken jointly with a public corporation or the
25 federal government BY EXERCISE OF THE POWER OF EMINENT DOMAIN
26 PURSUANT TO THE UNIFORM CONDEMNATION PROCEDURES ACT, ACT NO. 87
27 OF THE PUBLIC ACTS OF 1980, BEING SECTIONS 213.51 TO 213.77 OF

1 THE MICHIGAN COMPILED LAWS. The drain commissioner or drainage
2 board may pay for the costs of ~~lands taken by condemnation for~~
3 ~~an expanded flood control or drainage project or combination~~
4 ~~thereof, undertaken jointly with a public corporation or the fed-~~
5 ~~eral government~~ THE PROPERTY, but the public corporation or fed-
6 eral government shall promptly reimburse the drainage district
7 for all costs of acquisition in excess of those costs directly
8 attributable to drainage and flood control.

9 (4) ~~The term~~ AS USED IN THIS SECTION, "public corporation"
10 includes ~~the~~ THIS state, counties, cities, villages, townships,
11 metropolitan districts, and authorities created by or pursuant to
12 state statutes.

13 Sec. 470. ~~The~~ AFTER ISSUING THE FINAL ORDER OF APPORTION-
14 MENT, THE drainage board shall ~~then proceed to secure~~ ACQUIRE
15 the PROPERTY necessary ~~lands or rights of way~~ for the proposed
16 drain. ~~If the same cannot be secured by negotiation, then the~~
17 ~~drainage board may proceed under the provisions of Act No. 149~~
18 ~~of the Public Acts of 1911, as amended, being sections 213.21 to~~
19 ~~213.41 of the Compiled Laws of 1948, or under the applicable pro-~~
20 ~~visions of sections 75 to 84 of this act, and shall be deemed to~~
21 ~~be a "state agency" as that term is used in said act, or if the~~
22 ~~project is one in which~~ THE DRAINAGE BOARD MAY ACQUIRE THE PROP-
23 ERTY BY EXERCISE OF THE POWER OF EMINENT DOMAIN PURSUANT TO THE
24 UNIFORM CONDEMNATION PROCEDURES ACT, ACT NO. 87 OF THE PUBLIC
25 ACTS OF 1980, BEING SECTIONS 213.51 TO 213.77 OF THE MICHIGAN
26 COMPILED LAWS. IF the federal government is participating IN THE
27 PROJECT in any manner, ~~then such lands or rights of way~~ THE

1 PROPERTY may INSTEAD be acquired through proceedings brought by
 2 the federal government under ~~any appropriate~~ A federal act.
 3 ~~In the event lands or rights of way shall be acquired through~~
 4 ~~proceedings under a federal act, then the~~ THE amount of the
 5 awards in ~~such~~ A CONDEMNATION proceeding BY THE FEDERAL
 6 GOVERNMENT shall be ~~deemed~~ CONSIDERED to be a part of the cost
 7 of the drain to the same extent as if the condemnation
 8 ~~proceedings~~ PROCEEDING had been taken under ~~the laws of this~~
 9 ~~state~~ ACT NO. 87 OF THE PUBLIC ACTS OF 1980.

10 Sec. 494. The recording of the description UNDER
 11 SECTION 493 does not appropriate, terminate, or lessen ~~any~~ pri-
 12 vate PROPERTY rights ~~in property, real or personal, except such~~
 13 ~~as shall be~~ UNLESS THE PROPERTY RIGHTS ARE voluntarily released
 14 by written agreement or conveyance or ~~as shall be~~ condemned as
 15 provided in this chapter. ~~, or pursuant to applicable law.~~ The
 16 recording of the description constitutes a regulation and limita-
 17 tion, for ~~reasons of~~ THE public health, of the use of the
 18 public and private property ~~therein~~ described IN THE PETITION
 19 to remove or lessen the danger of flooding, pollution,
 20 ~~deseccration~~ DEGRADATION, or obstruction of the river, creek, or
 21 watercourse, or part thereof, involved.

22 Sec. 522. ~~The~~ AFTER ISSUING THE FINAL ORDER OF APPORTION-
 23 MENT, THE drainage board shall ~~then proceed to secure~~ ACQUIRE
 24 the PROPERTY necessary ~~lands or rights of way~~ for the proposed
 25 drain. ~~If the same cannot be secured by negotiation, then the~~
 26 ~~drainage board may proceed under the provisions of Act No. 149~~
 27 ~~of the Public Acts of 1911, as amended, being sections 213.21 to~~

~~1 213.41 of the Compiled Laws of 1948, or under the applicable~~
~~2 provisions of sections 75 to 84 of this act, and shall be deemed~~
~~3 to be a "state agency" as that term is used in said act, or if~~
~~4 the project is one in which~~ THE DRAINAGE BOARD MAY ACQUIRE THE
 5 PROPERTY BY EXERCISE OF THE POWER OF EMINENT DOMAIN PURSUANT TO
 6 THE UNIFORM CONDEMNATION PROCEDURES ACT, ACT NO. 87 OF THE PUBLIC
 7 ACTS OF 1980, BEING SECTIONS 213.51 TO 213.77 OF THE MICHIGAN
 8 COMPILED LAWS. IF the federal government is participating IN THE
 9 PROJECT in any manner, ~~then such lands or rights of way~~ THE
 10 PROPERTY may INSTEAD be acquired through proceedings brought by
 11 the federal government under ~~any appropriate~~ A federal act.
 12 ~~No such condemnation proceedings involving highways shall be~~
 13 ~~effective to take title thereto~~ PROPERTY PERTAINING TO A HIGHWAY
 14 SHALL NOT BE TAKEN without a prior agreement with the highway
 15 agency involved. ~~In the event that lands or rights of way shall~~
 16 ~~be acquired through proceedings under a federal act, then the~~
 17 THE amount of the awards in ~~such proceedings~~ A CONDEMNATION
 18 PROCEEDING BY THE FEDERAL GOVERNMENT shall be ~~deemed~~ CONSIDERED
 19 to be a part of the cost of the drain to the same extent as if
 20 the condemnation ~~proceedings~~ PROCEEDING had been taken under
 21 ~~the laws of this state~~ ACT NO. 87 OF THE PUBLIC ACTS OF 1980.

22 Sec. 544. The recording of the description does not appro-
 23 priate, terminate, or lessen ~~any~~ private PROPERTY rights ~~in~~
 24 ~~property, real or personal, except such as shall be~~ UNLESS THE
 25 PROPERTY RIGHTS ARE voluntarily released by written agreement or
 26 conveyance or ~~as shall be~~ condemned as provided in this
 27 chapter. ~~, or pursuant to applicable law.~~ The recording of the

1 description constitutes a regulation and limitation, for ~~reasons~~
2 ~~of~~ THE public health, of the use of the public and private prop-
3 erty ~~therein~~ described IN THE PETITION to remove or lessen the
4 danger of flooding, pollution, ~~deseeration~~ DEGRADATION, or
5 obstruction of the river, creek, or watercourse, or parts there-
6 of, involved.

7 Sec. 564. ~~The~~ AFTER THE WATER MANAGEMENT COMMISSION
8 ISSUES THE FINAL ORDER OF APPORTIONMENT, THE WATER MANAGEMENT
9 board shall ~~then proceed to secure~~ ACQUIRE the PROPERTY neces-
10 sary ~~lands and/or rights of way~~ for the proposed project. ~~If~~
11 ~~the same cannot be secured by negotiation, then the board may~~
12 ~~proceed under the provisions of Act No. 149 of the Public Acts~~
13 ~~of 1911, as amended, being sections 213.21 to 213.41, inclusive,~~
14 ~~of the Compiled Laws of 1948, and shall be deemed to be a "state~~
15 ~~agency" as that term is used in said act, or if the project is~~
16 ~~one in which~~ THE BOARD MAY ACQUIRE THE PROPERTY BY EXERCISE OF
17 THE POWER OF EMINENT DOMAIN PURSUANT TO THE UNIFORM CONDEMNATION
18 PROCEDURES ACT, ACT NO. 87 OF THE PUBLIC ACTS OF 1980, BEING SEC-
19 TIONS 213.51 TO 213.77 OF THE MICHIGAN COMPILED LAWS. IF the
20 federal government is participating IN THE PROJECT in any manner,
21 ~~then such lands and/or rights of way~~ THE PROPERTY may INSTEAD
22 be acquired through proceedings brought by the federal government
23 under ~~any appropriate~~ A federal act. ~~:- Provided, That no~~
24 ~~condemnation~~ A proceeding under this act TO CONDEMN PROPERTY
25 AFFECTING A HIGHWAY, ROAD, OR STREET shall NOT be instituted
26 ~~until~~ BEFORE the board ~~has first given~~ GIVES written notice
27 by registered mail to the highway agencies having jurisdiction

1 over ~~any~~ THE highway, road, or street. ~~affected by the lands~~
2 ~~or rights of way to be acquired by such condemnation proceeding.~~
3 ~~In event that lands and/or rights of way shall be acquired~~
4 ~~through proceedings under a federal act, then the~~ THE amount of
5 the awards in ~~such~~ A CONDEMNATION proceeding BY THE FEDERAL
6 GOVERNMENT shall be ~~deemed~~ CONSIDERED to be a part of the cost
7 of the project to the same extent as if the condemnation proceed-
8 ings had been taken under ~~the laws of this state~~ ACT NO. 87 OF
9 THE PUBLIC ACTS OF 1980.

10 Section 2. Sections 76, 77, 78, 79, 80, 81, 82, 83, 84, 86,
11 87, 88, 127, and 129 of Act No. 40 of the Public Acts of 1956,
12 being sections 280.76, 280.77, 280.78, 280.79, 280.80, 280.81,
13 280.82, 280.83, 280.84, 280.86, 280.87, 280.88, 280.127, and
14 280.129 of the Michigan Compiled Laws, are repealed.