

FORENSIC POLYGRAPH EXAMINERS ACT (EXCERPT)
Act 295 of 1972

338.1720 Investigating actions of applicant or licensee; motion or complaint; notice or charges; service of notice; hearing; evidence; continuance; location of hearing; closed hearing; request for public hearing.

Sec. 20.

The board upon its own motion and, upon the verified complaint in writing of a person setting forth facts which, if proved, would constitute grounds for denial, suspension, or revocation of a license under this act, shall investigate the actions of an applicant or a person holding or claiming to hold a license. Before denial, suspension, or revocation of a license, and not less than 20 days before the date set for the hearing, the board shall notify the applicant or the holder of a license, in writing, of the nature of the charges and that a hearing will be held on the date designated. The hearing shall determine whether the applicant or holder, called the respondent in this section, may hold the license, and shall afford the respondent an opportunity to be heard in person or by counsel. A written notice may be served by personal delivery to the respondent or by mailing by registered mail with return receipt requested at the address of respondent's last notification to the board. At the time and place fixed in the notice, the board shall hear the charges and both the respondent and complainant shall be accorded ample opportunity to present in person or by counsel statements, testimony, evidence, and arguments as may be pertinent to the charges or to the defense to the charges. The board may continue the hearing from time to time. If the board is not sitting at the time and place fixed in the notice or at the time and place to which the hearing is continued, the board shall continue the hearing for a period not to exceed 30 days. The board for good cause may continue the hearing for longer periods upon stipulation of both parties. All hearings shall be held at locations designated by the board and approved by the director of the department of state police. All hearings shall be closed hearings as authorized by section 8 of Act No. 267 of the Public Acts of 1976, being section 15.268 of the Michigan Compiled Laws, unless the respondent personally, or through counsel, submits a written request for a public hearing.

History: 1972, Act 295, Eff. Mar. 30, 1973 ;-- Am. 1977, Act 206, Imd. Eff. Nov. 17, 1977

Compiler's Notes: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws. For abolishment of the state board of forensic polygraph examiners and transfer of its powers and duties to the department of labor and economic growth, see E.R.O. No. 2007-18, compiled at MCL 445.2024.