EXECUTIVE REORGANIZATION ORDER (EXCERPT)
E.R.O. No. 1995-7

421.93 Transfer of powers and duties of Michigan employment security commission and the Michigan employment security advisory council from the director of employment security to the Michigan employment security agency in the department of jobs commission.

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the Michigan Employment Security Commission was created by Act No. 1 of the Public Acts of 1936 (Ex. Sess.), being Section 421.1 et seq. of the Michigan Compiled Laws; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

1. All the statutory authority, powers, duties, functions, and responsibilities, of the Michigan Employment Security Commission, created under Section 3 of Act No. 1 of the Public Acts of 1936 (Ex. Sess.), being Section 421.3 of the Michigan Compiled Laws, as well as all the statutory authority, powers, duties, functions and responsibilities of the Michigan Employment Security Advisory Council, created under Section 3a of Act No. 1 of the Public Acts of 1936 (Ex. Sess.), as amended, being Section 421.3a of the Michigan Compiled Laws, which were transferred to the Director of Employment Security by a Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, by Executive Order 1994-2 are hereby transferred to and shall be an autonomous entity in the Department of Jobs Commission.

2. The entity transferred hereby shall be known hereafter as the Michigan Employment Security Agency.

3. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

4. Provisions of Executive Order 1994-2 not altered or amended by this Executive Order shall remain in full force and effect.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days after the filing of this Order or after final appellate resolution of Morris, et al. v Engler, et al., Wayne County Circuit No. 91-133511-CZ currently pending in Court of Appeals, No. 182239, whichever is later.

History: 1995, E.R.O. No. 1995-7, Eff. July 15, 1995