

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1993-14

285.190 Transfer of powers and duties of state exposition and fairgrounds office and of the director of the department of natural resources and the department of natural resources under the Michigan exposition and fairgrounds act from the office of director, department of natural resources, to the director of the department of commerce; transfer of the state exposition and fairgrounds council to the department of commerce by a type II transfer.

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 Exposition and Fairgrounds Act, Act No. 361 of the Public Acts of 1978, being Section 285.161 et seq. of the Michigan Compiled Laws (the "Michigan Exposition and Fairgrounds Act"), among other things, established the State Exposition and Fairgrounds Office in the Office of the Director of the Department of Natural Resources; vested certain functions, duties and responsibilities in the Director of the Department of Natural Resources and in the Department of Natural Resources; created the position of Manager of the State Exposition and Fairgrounds and created a State Exposition and Fairgrounds Council in the Department of Natural Resources; 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, including the functions of budgeting, procurement and management-related functions, of the State Exposition and Fairgrounds Office created under the Michigan Exposition and Fairgrounds Act, are hereby transferred from the Office of the Director of the Department of Natural Resources to the Director of the Department of Commerce, as head of the Department of Commerce.

2. All the statutory authority, powers, duties, functions and responsibilities, including the functions of budgeting, procurement and management-related functions, of the Director of the Department of Natural Resources and the Department of Natural Resources, created under the Michigan Exposition and Fairgrounds Act, are hereby transferred to the Director of the Department of Commerce.

3. The State Exposition and Fairgrounds Council is hereby transferred to the Department of Commerce by a Type II 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.

4. It is the intent of this Executive Order that the administrative functions are allocated to the State Fair Manager, under the supervision of the Director of the Department of Commerce. Policy-making and advisory functions are allocated to the State Exposition and Fairgrounds Council as specified in Section 11 of Act No. 361 of the Public Acts of 1978.

5. The Manager of the State Exposition and Fairgrounds shall be directly responsible to the Director of the Department of Commerce and shall perform the functions assigned to the Manager under Section 8 of the Michigan Exposition and Fairgrounds Act under the direction and supervision of the Director of the Department of Commerce.

6. The Director of the Department of Commerce shall administer the functions assigned to the Director in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

7. The Director of the Department of Commerce shall provide executive direction and supervision for the implementation of the transfers.

8. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the director of the Department of Natural Resources, the Department of Natural Resources, the State Exposition and Fairgrounds Office and the State Exposition and Fairgrounds Council for the functions transferred to the Department of Commerce by this Order are hereby transferred to the Department of Commerce.

9. The Director of the Department of Natural Resources, the Director of the Department of Commerce and the Manager of the State Exposition and Fairgrounds shall immediately initiate coordination to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Director of the Department of Natural Resources, the Department of Natural Resources, the State Exposition and Fairgrounds Council and the Manager of the State Exposition and Fairgrounds.

10. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

11. 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.

12. 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 filing.

History: 1993 E.R.O. No. 1993-14, Eff. Feb. 13, 1994