

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1995-8

324.99902 Transfer of powers and duties of the ORV trails advisory committee in sections 16b and 16c of Act 26 of 1995 to the commission of natural resources by a type III transfer; abolish ORV trails advisory committee.

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 ORV Trails Advisory Committee was created by Section 16B of Act No. 26 of the Public Acts of 1995, in the Michigan Department of Natural Resources; and

WHEREAS, the functions, duties and responsibilities assigned to the ORV Trails Advisory Committee can be more effectively organized and carried out under the supervision and direction of the Commission of Natural Resources, as the head of 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 of the ORV Trails Advisory Committee, as set forth in Sections 16B and 16C of Act No. 26 of the Public Acts of 1995, are hereby transferred to the Commission of Natural Resources, as head of the Department of Natural Resources, 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.

2. The Chairman of the Commission of Natural Resources shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered by the Commission of Natural Resources, and all prescribed functions of rule making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, shall be transferred to the Commission of Natural Resources.

3. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the ORV Trails Advisory Committee for the activities transferred by this Order are hereby transferred to the Commission of Natural Resources.

4. The Commission of Natural Resources shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

5. The Commission of Natural Resources 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 ORV Trails Advisory Committee.

6. 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.

7. 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.

8. The ORV Trails Advisory Committee is hereby abolished.

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: 1995, E.R.O. No. 1995-8, Eff. July 15, 1995