

EXECUTIVE REORGANIZATION ORDER (EXCERPT)
E.R.O. No. 2014-4

400.1081 Creation of new commission on community action and economic opportunity within department of human services; transfer of powers and duties of commission on community action and economic opportunity to new commission on community action and economic opportunity; abolishment of former commission on community action and economic opportunity.

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and

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

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize the functions of state government for efficient administration.

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. COMMISSION ON COMMUNITY ACTION AND ECONOMIC OPPORTUNITY

A. A new Commission on Community Action and Economic Opportunity is created within the Department of Human Services.

B. The Commission shall consist of the following twelve members:

1. Three elected public officials, who shall be appointed by the Governor with the advice and consent of the Senate;
2. Three members of the private sector, who shall be appointed by the Governor with the advice and consent of the Senate;
3. Three low income persons, as defined by § 4(2) of the Michigan Economic and Social Opportunity Act of 1981, 1981 PA 230, as amended by 2003 PA 123, who shall be appointed by the Governor with the advice and consent of the Senate; and
4. Three representatives of Michigan community action agencies, either as staff or board members, who shall be appointed by the Governor with the advice and consent of the Senate.

C. Four Commission members, including one appointed under each of subsections B.1, B.2, B.3, and B.4, shall serve one-year terms from the effective date of this order.

D. Four Commission members, including one appointed under each of subsections B.1, B.2, B.3, and B.4, shall serve two-year terms from the effective date of this order.

E. Four Commission members, including one appointed under each of subsections B.1, B.2, B.3, and B.4, shall serve three-year terms from the effective date of this order.

F. All subsequent appointments shall be for a term of three years. A vacancy on the board shall be filled in the same manner as the original appointment. Commission members may be reappointed to serve multiple terms.

G. The Governor shall designate the chairperson of the Commission, who shall serve as chairperson at the pleasure of the Governor.

H. The Commission on Community Action and Economic Opportunity shall be governed by the provisions of Section 6(4)-(5) of the Michigan Economic and Social Opportunity Act of 1981, 1981 PA 230, as amended by 2003 PA 123.

I. All of the statutory authority, powers, duties, functions, and responsibilities of the Commission on Community Action and Economic Opportunity created in Subsection 6 of the Michigan Economic and Social Opportunity Act of 1981, 1981 PA 230, as amended by 2003 PA 123, are transferred to the new Commission on Community Action and Economic Opportunity. The former Commission on Community Action and Economic Opportunity is abolished.

II. IMPLEMENTATION

A. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended, or rescinded.

B. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system as necessary for the implementation of this Order.

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

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

History: 2014, E.R.O. No. 2014-4, Eff. Aug. 11, 2014

Compiler's Notes: Executive Reorganization Order No. 2014-4 was promulgated June 11, 2014 as Executive Order No. 2014-9, Eff. Aug. 11, 2014.