

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1995-17

400.1601 Transfer of powers and duties of commission on agricultural labor to director of department of social services by type III transfer; abolishment of commission on agricultural labor.

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 Commission on Agricultural Labor was created within the Michigan Department of Labor by Section 1 of Act No. 353 of the Public Acts of 1968, as amended, being Section 16.490 to Section 16.494 of the Michigan Compiled Laws; and

WHEREAS, there currently exists within the Department of Social Services an Interagency Migrant Services Committee, which, among other things, provides cooperation between public agencies and private groups to resolve issues related to migrant agricultural labor; and

WHEREAS, the functions, duties and responsibilities assigned to the Commission on Agricultural Labor can be more effectively organized and carried out under the supervision and direction of the Director of the Department of Social Services; 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 Commission on Agricultural Labor, as set forth in Sections 16.490 to 16.494 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Social Services 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 Director of the Department of Social Services shall provide executive direction and supervision for the implementation of the transfer. The assigned functions shall be administered by the Director of the Department of Social Services, and all prescribed functions of rule making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, shall be transferred to the Director of the Department of Social Services.

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 Commission on Agricultural Labor for the activities transferred by this Order are hereby transferred to the Director of the Department of Social Services.

4. The Director of the Department of Social Services shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

5. The Director of the Department of Social Services and the Director of the Department of Labor 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 Commission on Agricultural Labor.

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 Commission on Agricultural Labor 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. 1995-17, Eff. Oct. 16, 1995

