

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 2016-1

445.1993 Transfer of Asian Pacific American affairs commission and office of Asian Pacific American affairs from department of civil rights to department of licensing and regulatory affairs; transfer of Hispanic/Latino commission of Michigan and office of Hispanic/Latino affairs from department of civil rights to department of licensing and regulatory affairs; transfer of Middle Eastern American affairs commission from department of civil rights to department of licensing and regulatory affairs and renaming as commission on Middle Eastern American affairs.

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 which 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 functions among state departments to ensure efficient administration; and

WHEREAS, programs, agencies, and commissions should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of taxpayer dollars and to allow the state to offer more streamlined services;

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. TRANSFERS FROM THE DEPARTMENT OF CIVIL RIGHTS TO THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

A. Asian Pacific American Affairs Commission

The Asian Pacific American Affairs Commission created by Executive Order 2009-21; MCL 445.1992, and the Office of Asian Pacific American Affairs, authorized by MCL 37.133, together with any authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Asian Pacific American Affairs Commission and the Office of Asian Pacific American Affairs are transferred from the Department of Civil Rights to the Department of Licensing and Regulatory Affairs.

B. Hispanic/Latino Commission of Michigan and the Office of Hispanic/Latino Affairs

The Hispanic/Latino Commission of Michigan and the Office of Hispanic/Latino Affairs created by 1975 PA 164, as amended, MCL 18.301 through 18.308, together with any authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Hispanic/Latino Commission of Michigan and the Office of Hispanic/Latino Affairs are transferred from the Department of Civil Rights to the Department of Licensing and Regulatory Affairs.

C. Middle Eastern American Affairs Commission

1. The Middle Eastern American Affairs Commission created under Executive Order 2015-6, together with any authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Middle Eastern American Affairs Commission are transferred from the Department of Civil Rights to the Department of Licensing and Regulatory Affairs.

2. The Middle Eastern American Affairs Commission is renamed the Commission on Middle Eastern American Affairs.

II. IMPLEMENTATION OF TRANSFERS

A. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds used, held, employed, available, or to be made available to the Department of Civil Rights for the activities, powers, duties, functions, and responsibilities transferred by Section I of this Order are transferred to the Department of Licensing and Regulatory Affairs.

B. The Director of the Department Licensing and Regulatory Affairs, after consultation with the Director of the

Department of Civil Rights, shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Department of Licensing and Regulatory Affairs.

C. The directors of the departments shall immediately initiate coordination to facilitate the transfers and shall 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 Department of Licensing and Regulatory Affairs.

D. The Director of the Department of Licensing and Regulatory Affairs shall administer any assigned functions 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.

III. RESCISSION OF EXECUTIVE ORDER 2008-1

A. Executive Order 2008-1, which established the Interagency Task Force on Employee Misclassification ("Task Force"), is rescinded, with the Task Force having issued its final annual report in 2010.

IV. MISCELLANEOUS

A. Any suit, action, or other proceeding lawfully commenced by or against any of the Commissions identified in Section I of this order prior to the effective date of 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.

B. The State Budget Director shall determine and authorize the most efficient manner possible for the handling of financial transactions and records in the state's financial management system for the remainder of the current state fiscal year for transfers made under this Order.

C. 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: 2016, E.R.O. No. 2016-1, Eff. Mar. 27, 2016

Compiler's Notes: Executive Reorganization Order No. 2016-1 was promulgated January 26, 2016, as Executive Order No. 2016-3, Eff. Mar. 27, 2016. For the transfer of the commission on Middle Eastern American affairs from the department of licensing and regulatory affairs to the department of labor and economic opportunity, see E.R.O. No. 2019-3, compiled at MCL 125.1998.