

EXECUTIVE ORDER

No. 2017 – 1

MICHIGAN HOMELAND PROTECTION BOARD

DEPARTMENT OF STATE POLICE

RESCISSION OF EXECUTIVE ORDER 2009-52

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

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963 each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, it is necessary and proper to undertake all prudent measures to prevent, protect, mitigate, respond to, and recover from all hazards, including terrorist attacks or threats, and to maintain peace and good order; and

WHEREAS, there is a continuing need to assess and evaluate the security of the state of Michigan and to assure that all departments and agencies are communicating and coordinating efforts to address threats to our homeland security; and

WHEREAS, it is critical that the Governor be continuously apprised of homeland security issues and be provided the most accurate and prompt information available to ensure that all relevant factors are appropriately weighed in the development and implementation of effective and coordinated homeland security measures; and

WHEREAS, the replacement of Executive Order 2009-52 with this Order is necessary to reflect organizational changes in state government;

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

I. DEFINITIONS

A. “Adjutant General” means the commanding officer of the military establishment of this state under Section 300 of the Michigan Military Act, 1967 PA 150,

32.700, appointed by the Governor under Section 302 of the Michigan Military Act, 1967 PA 150, MCL 32.702.

B. "Board" means the Michigan Homeland Protection Board established by this Order.

C. "Department of Agriculture and Rural Development" means the principal department of state government created as the Department of Agriculture under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275 and renamed the Department of Agriculture and Rural Development by Executive Order 2011-2, MCL 285.11.

D. "Department of Civil Rights" means the principal department of state government created by Section 475 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.575.

E. "Department of Environmental Quality" means the principal department of state government created by Executive Order 2011-1, MCL 324.99921.

F. "Department of Health and Human Services" means the principal department of state government created by Executive Order 2015-4, MCL 400.227.

G. "Department of Natural Resources" means the principal department of state government created by Executive Order 2011-1, MCL 324.99921.

H. "Department of State Police" means the principal department of state government created by Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

I. "Department of Technology, Management and Budget" means the principal department of state government created as the Department of Management and Budget under Section 121 of the Management and Budget Act, 1984 PA 431, MCL 18.1121, as amended by Executive Order 2001-3, MCL 18.41 and renamed the Department of Technology, Management and Budget by Executive Order 2009-55, MCL 18.441.

J. "Department of Transportation" means the principal department of state government created by Section 350 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.450.

II. RESCISSION OF EXECUTIVE ORDER 2009-52

A. Executive Order 2009-52 is rescinded in its entirety.

B. This Order shall not have the effect of reestablishing any portion of previously rescinded Executive Orders.

III. MICHIGAN HOMELAND SECURITY ADVISOR

A. The position of Homeland Security Advisor is created within the Michigan Department of State Police and shall be the Director of the Department of State Police, or his or her designee, and shall serve at the pleasure of the Governor.

B. The Homeland Security Advisor shall be the chief advisor to the Governor and other department directors and agency heads regarding the development of policies, programs, and procedures to protect, enhance, and manage Michigan's homeland security.

C. The Homeland Security Advisor shall serve as the Michigan representative on national level homeland security boards and committees, as appropriate, or shall appoint a qualified representative from within the Executive Branch of state government.

IV. CHARGE TO THE HOMELAND SECURITY ADVISOR

A. The mission of the Homeland Security Advisor is to act as the Governor's liaison with all state, local, tribal, federal, and international agencies, as well as private entities, to develop and coordinate the implementation of a comprehensive state strategy to secure the state of Michigan from terrorist threats or attacks.

B. The Homeland Security Advisor shall perform the functions necessary to carry out this mission, including coordination of the assessment, development, and evaluation of the Executive Branch's plans for the prevention, protection, mitigation, response, and recovery from terrorist threats or attacks.

C. In performing the assigned functions, the Homeland Security Advisor shall work with governmental agencies and private entities, as appropriate, to do all of the following:

1. Coordinate efforts to prevent, protect against, and mitigate the consequences of emergencies and disasters, including terrorist threats or attacks.

2. Coordinate efforts to protect this state and its vital resources and critical infrastructure from terrorist threats or attacks, using an all-hazards approach.

3. Coordinate the development of policies to respond to and promote recovery from emergencies and disasters, including terrorist threats or attacks.

D. The Homeland Security Advisor shall coordinate a periodic review and assessment of the legal authorities available to the Governor, departments, and

agencies to permit them to perform necessary functions related to homeland security efforts.

V. MICHIGAN HOMELAND PROTECTION BOARD

A. The Michigan Homeland Protection Board is created as an advisory body to the Homeland Security Advisor.

B. The Board shall develop, implement, and revise as needed, an effective and coordinated homeland security strategy. The Board shall refine and update this state's domestic preparedness and homeland security strategies and shall continue to strengthen this state's capabilities to prevent, protect against, mitigate, respond to, and recover from, all threats and hazards.

C. The Homeland Security Advisor shall be a member of the Board and shall serve as its Chairperson.

D. The other members of the Board shall be the Adjutant General, the Director of the Michigan Department of Agriculture and Rural Development, the Director of the Michigan Department of Civil Rights, the Director of the Michigan Department of Environmental Quality, the Director of the Michigan Department of Health and Human Services, the Director of the Michigan Department of Natural Resources, the Director of the Michigan Department of Technology, Management and Budget, and the Director of the Michigan Department of Transportation, or their designees.

E. The Board may adopt procedures consistent with Michigan law and this Order governing its organization and operations.

F. The Chairperson may appoint additional state agency directors to participate on the Board, or make other organizational changes to the Board as may be administratively necessary to accommodate organizational or structural changes within state government, or to address specific needs of the Board, or as requested by the Governor to accomplish the objectives assigned to the Board.

G. The Board may establish such committees, subcommittees, and workgroups as it deems necessary.

H. The Board shall meet at the call of the Chairperson, or at the request of the Governor, and as outlined in any procedures adopted by the Board.

I. The Board may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. Subject to available funding, the Board may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

VI. DEPARTMENT OF STATE POLICE

A. As required by the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421:

1. The Director of the Department of State Police, or his or her designee, shall serve as the State Director of Emergency Management and Homeland Security.

2. The Emergency Management and Homeland Security Division within the Department of State Police shall coordinate this state's emergency management activities for all emergencies and disasters.

3. The commanding officer of the Emergency Management and Homeland Security Division shall serve as the Deputy State Director of Emergency Management and Homeland Security.

4. All state departments and agencies shall cooperate with activities and requests from the Emergency Management and Homeland Security Division of the Department of State Police.

B. The State Director of Emergency Management and Homeland Security shall direct homeland security response activities under the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421.

C. The Emergency Management and Homeland Security Division of the Department of State Police shall serve as the central point for emergency and disaster response activities to ensure that all actions are carried out in a coordinated manner.

VII. MISCELLANEOUS

A. The Director of the Michigan Department of State Police shall make internal organizational changes within the Michigan Department of State Police as may be administratively necessary to implement this Order and to assure that the Governor is provided timely and accurate information and advice regarding homeland security matters and policy.

B. Departments and agencies shall, to the extent permitted by law, make available to the Director of the Michigan Department of State Police all information related to any potential threats, hazards, or terrorist activities. The Director of the Department of State Police shall encourage and invite the participation of local governments and private entities as appropriate.

C. Departments and autonomous agencies shall actively support the Michigan Homeland Protection Board by:

1. Assigning key personnel at the request of the Director of the Michigan Department of State Police or the Deputy State Director of Emergency Management and Homeland Security to actively participate in the state's homeland security efforts and to assist in the development and implementation of homeland security goals and objectives.

2. Ensuring implementation of Board goals and objectives identified as requiring action by a particular department or agency.

D. The active collaboration and frequent participation in emergency management and homeland security efforts by all department directors and autonomous agency heads will ensure that the state's emergency management and homeland security system is effectively prepared to address all threats and hazards.

E. 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.

This Executive Order shall become effective upon filing.

Given under my hand and the Great Seal of the state of Michigan this _____ day of March, in the Year of our Lord Two Thousand Seventeen.

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE