

**EXECUTIVE ORDER  
No. 2017 - 2**

**CREATION OF THE  
CHILD LEAD EXPOSURE ELIMINATION COMMISSION**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**ABOLISHMENT OF THE CHILD LEAD POISONING ELIMINATION BOARD**

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, 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, the Child Lead Poisoning Elimination Board was created as a temporary commission under Section 4 of Article V of the Michigan Constitution by Executive Order 2016-9 to make recommendations concerning the elimination of child lead poisoning; and

WHEREAS, apart from assisting in the transition to the permanent commission created by this Order, the Child Lead Poisoning Elimination Board successfully completed its duties by issuing a final report on November 4, 2016 ("the Report"); and

WHEREAS, in the Report, the Child Lead Poisoning Elimination Board recommended that a permanent commission be created to coordinate all efforts to eliminate child lead exposure throughout the state; and

WHEREAS, it is necessary to create a permanent commission to ensure the successful implementation of the recommendations set forth in the Report and to monitor progress toward reaching the ultimate goal of eliminating child lead exposure in Michigan; and

WHEREAS, eliminating the risk of child lead exposure requires the coordination of all elimination efforts throughout the state and collaboration with stakeholders;

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. CREATION OF THE CHILD LEAD EXPOSURE ELIMINATION COMMISSION**

A. The Child Lead Exposure Elimination Commission (“the Commission”) is established in the Department of Health and Human Services (“the Department”).

B. All of the authority, powers, duties, functions, responsibilities, and records of the Child Lead Poisoning Elimination Board created by Executive Order 2016-9 are transferred to the Commission created by this Order.

C. The Commission shall be composed of fifteen (15) voting members, including ten (10) members appointed and serving at the pleasure of the Governor. Of the initial appointments to the Commission, four (4) shall serve one-year terms, three (3) shall serve two-year terms, and three (3) shall serve three-year terms. After the expiration of the initial appointments, members of the Commission appointed by the Governor shall serve terms of four years.

D. The members of the Commission appointed by the Governor should include a representative of local government, a member of academia representing the research and technology community, a member of a local health department, a member with a background in early childhood education and development, a member with a background in child and family support, a physician, two members representing organizations that focus on lead exposure advocacy, and two members of the general public.

E. In addition to the members appointed by the Governor, the Commission shall also include:

- The Chief Medical Executive, established by Executive Order 2016-19.
- The Director of the Department of Health and Human Services, or his or her designee;
- The Director of the Department of Environmental Quality, or his or her designee;
- The Director of the Department of Licensing and Regulatory Affairs, or his or her designee; and
- The Executive Director of the Michigan State Housing Development Authority, or his or her designee.

F. The Chief Medical Executive shall serve as the chairperson of the Commission. The Commission may elect other officers from its members as the Commission considers appropriate.

G. A vacancy on the Commission occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term. A member may continue to serve beyond his or her term until a successor is appointed. A member may serve successive terms if reappointed.

H. The Commission shall be administered under the supervision of the Department. The Commission shall exercise its prescribed powers, duties, and functions independently of the Director of the Department. All budgeting, procurement, and related management functions of the Commission shall be performed under the direction and supervision of the Department.

## **II. CHARGE TO THE COMMISSION**

A. The Commission shall act in an advisory capacity to the Governor and to the Director of the Department and shall do all of the following:

1. Coordinate and collaborate with all levels of government and stakeholders regarding programs and policies related to the elimination of child lead exposure.
2. Provide guidance to the Governor and the Director of the Department regarding the state's coordination of all efforts to eliminate child lead exposure throughout the state.
3. Work with the Child Lead Poisoning Elimination Board and stakeholders to prioritize the recommendations made in the Report.
4. Develop an action plan to implement the recommendations in the Report and other initiatives developed by the Commission.
5. Provide guidance to the Governor and the Director of the Department regarding the implementation of the Commission's action plan for the elimination of child lead exposure.
6. Monitor progress toward reaching the ultimate goal of eliminating child lead exposure in Michigan and advise the Governor and the Department as to the progress of implementing the Commission's action plan.
7. Continue to maintain and expand the master inventory of resources and programs related to the prevention of child lead exposure created by the Child Lead Poisoning Elimination Board.

B. The Commission shall issue an annual report to the Governor outlining the progress of the issues addressed in Section II and providing recommendations for any further action.

## **III. OPERATIONS OF THE COMMISSION**

A. The Commission shall be assisted by personnel from the Department.

B. The Commission may hold public hearings as necessary and appropriate to gather information from the general public.

C. In addition to seeking information from the general public, the Commission shall seek input from individuals or groups that have an interest in the elimination of child lead exposure including, but not limited to:

- The medical community;
- The lead safety community;
- All levels of government;
- Families;
- Property owners and contractors;
- Realtors;
- The business community;
- Civic organizations;
- Advocacy organizations; and
- Any other interested individuals or groups concerned with the elimination of child lead exposure that the Department or the Commission determines necessary.

D. Members of the Commission shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes, rules, and procedures of the Department, subject to available appropriations.

E. Members of the Commission shall refer all legal, legislative, and media contacts to the Department.

#### **IV. MISCELLANEOUS**

A. The Child Lead Poisoning Elimination Board created by Executive Order 2016-9 is abolished effective October 1, 2017. Until then, the Child Lead Poisoning Elimination Board shall assist the Commission in prioritizing the recommendations set forth in the Report. A person may simultaneously serve on the Commission and the Child Lead Poisoning Elimination Board.

B. Any suit, action, or other proceeding lawfully commenced 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.

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.

This 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 and Seventeen.

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RICHARD D. SNYDER  
GOVERNOR

BY THE GOVERNOR:

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SECRETARY OF STATE