

EXECUTIVE REORGANIZATION ORDER (EXCERPT)
E.R.O. No. 1992-6

338.900 Transfer of powers and duties of the fire alarm industry advisory committee and the electric sign industry advisory committee to the electrical administrative board by type III transfer.

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 Fire Alarm Industry Advisory Committee and the Electric Sign Industry Advisory Committee were created by Act No. 130 of the Public Acts of 1992, but said Act did not specify who shall appoint these committees, the term of such appointments, the qualifications for serving, the compensation for members and otherwise failed to delineate the nature and scope of the duties and responsibilities of the committees; and

WHEREAS, the Electrical Administrative Board was created by Act No. 217 of the Public Acts of 1956, as amended, being Section 338.881 et seq. of the Michigan Compiled Laws; and

WHEREAS, the functions, duties and responsibilities assigned to the Fire Alarm Industry Advisory Committee and the Electric Sign Industry Advisory Committee can be more effectively organized and carried out by the Electrical Administrative Board; 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 Fire Alarm Industry Advisory Committee and the Electric Sign Industry Advisory Committee are hereby transferred to the Electrical Administrative Board by a Type III transfer, as defined by Section 3 of Act 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, and the Fire Alarm Industry Advisory Committee and the Electric Sign Industry Advisory Committee are hereby abolished.

(2) The Director of the Department of Labor shall provide executive direction and supervision for the implementation of the transfers.

(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 Fire Alarm Industry Advisory Committee and the Electric Sign Industry Advisory Committee for the functions transferred to the Electrical Administrative Board by this Order are hereby transferred to the Electrical Administrative Board.

(4) The Director of the Department of Labor shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order. The Electrical Administrative Board may establish advisory committees to carry out the functions transferred by this Order.

(5) 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 Fire Alarm Industry Advisory Committee and the Electric Sign Industry Advisory Committee.

(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.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Order shall become effective 60 days after the filing of this Order.

History: 1992 E.R.O. No. 1992-6, Eff. Oct. 5, 1992