

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1991-20

37.111 Transfer of powers and duties of the Michigan women's commission, Indian affairs commission, commission on Spanish-Speaking affairs, and office of Spanish-Speaking affairs to the director of the department of civil rights.

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 Michigan Women's Commission was created by Act No. 1 of the Public Acts of 1968, being Sections 10.71 et seq. of the Michigan Compiled Laws, and is currently located within the Department of Management and Budget; and

WHEREAS, the Indian Affairs Commission was created by Act No. 195 of the Public Acts of 1972, as amended, being Sections 16.711 et seq. of the Michigan Compiled Laws, and is currently located within the Department of Management and Budget; and

WHEREAS, the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs were created by Act No. 164 of the Public Acts of 1975, being Sections 18.301 et seq. of the Michigan Compiled Laws and are currently located within the Department of Management and Budget; and

WHEREAS, the functions, duties, and responsibilities assigned to the Michigan Women's Commission, the Indian Affairs Commission, the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs can be more effectively organized and carried out under the supervision and direction of the head of the Department of Civil Rights; 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 Michigan Women's Commission, the Indian Affairs Commission, the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs are hereby transferred to the Director of the Department of Civil Rights, as head of the Department of Civil Rights, by a Type I 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 Civil Rights shall administer the assigned functions so as to promote efficient administration.

(3) The Director of the Department of Management and Budget 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 Civil Rights, 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 Civil Rights.

(4) All records, personnel, property, and unexpended balances of appropriations, allocations and other funds used, held, employed, available, or to be made available to the Michigan Women's Commission, the Indian Affairs Commission, the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs for the activities transferred to the Department of Civil Rights by this Order are hereby transferred to the department of Civil Rights.

(5) The Director of the Department of Civil Rights shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

(6) The Director of the Department of Management and Budget and the Director of the Department of Civil Rights 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 Michigan Women's Commission, the Indian Affairs Commission, the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs.

(7) 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.

(8) 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 Executive Order shall become effective 60 days after the filing of this Executive Order.

History: 1991, E.R.O. No. 1991-20, Eff. Dec. 17, 1991

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For restoration of the interagency council on Spanish-speaking affairs, see E.R.O. No. 2003-1, compiled at MCL 445.2011.