

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1992-5

722.620 Transfer of state child abuse and neglect prevention board from department of management and budget to the department of social services by type I 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 Children's Trust Fund was created as a separate fund in the Department of Treasury by Act No. 249 of the Public Acts of 1982, being Section 21.171 et seq. of the Michigan Compiled Laws; and

WHEREAS, the State Child Abuse and Neglect Prevention Board was created by Act No. 250 of the Public Acts of 1982, being Section 722.601 et seq. of the Michigan Compiled Laws, in the Department of Management and Budget with, inter alia, responsibilities for development of a state plan for the distribution of funds from the Children's Trust Fund; publicizing of criteria for receipt of Children's Trust Fund funds; review, approval and monitoring of expenditure of Children's Trust Fund money; and, authorizing disbursement of available money from the Children's Trust Fund; 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, including the functions of budgeting, procurement and management-related functions, of the State Child Abuse and Neglect Prevention Board created under Act No. 250 of the Public Acts of 1982, being Section 722.601 et seq. of the Michigan Compiled Laws, and the State Child Abuse and Neglect Prevention Board itself, are hereby transferred from the Department of Management and Budget to the Department of Social Services 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 Social Services shall provide executive direction and supervision for the implementation of the transfers. All budgeting, procurement and related management functions of the State Child Abuse and Neglect Prevention Board shall be performed under the direction and supervision of the Director of the Department of Social Services.

(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 State Child Abuse and Neglect Prevention Board for the functions transferred to the Department of Social Services by this Order are hereby transferred to the Department of Social Services.

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

(5) The Director of the Department of Social Services and the Director of the Department of Management and Budget 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 State Child Abuse and Neglect Prevention Board.

(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.

(8) The State Child Abuse and Neglect Prevention Board shall develop procedures to assure, among other things, that grants or other transfers made by it to the Department of Social Services shall be free of any conflict of interest and shall not result in any duplication of efforts or services.

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. 1992-5, Eff. Aug. 29, 1992

Compiler's Notes: For transfer of state child abuse and neglect prevention board, which was transferred from the department of management and budget to the department of human services by E.R.O. No. 1992-5, compiled at MCL 722.620, from the department of human services to the department of health and human services, see E.R.O. No. 2015-1, compiled at MCL 400.227.