

## EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1991-8

### **400.221 Office of children and youth services; transfer of statutory authority, powers, duties, functions, and responsibilities to the department of social services by type II 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 Office of Children and Youth Services was created by Act 87 of the Public Acts of 1978, as a single purpose entity within the Department of Social Services; and

WHEREAS, the duty of the Office of Children and Youth Services is to be responsible for the planning, development, implementation, and evaluation of children and youth services conducted, administered, or purchased by the Department of Social Services; and

WHEREAS, the functions, duties, and responsibilities assigned to the Office of Children and Youth Services can be more effectively organized and carried out under the supervision and direction of the head of the Department of Social Services; 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, created under Act 87 of the Public Acts of 1978, are hereby transferred from the Office of Children and Youth Services to the Department of Social Services by Type II transfer, as defined by Section 3 of Act 380 of the Public Acts of 1965, being Section 16.103 of the Michigan Compiled Laws.

(2) The Director of the Department of Social Services may appoint the Executive Director of the Office of Children and Youth Services or may administer the assigned functions in other ways to promote efficient administration.

(3) The Director of the Department of Social Services shall provide executive direction and supervision for the implementation of the transfer. The assigned functions shall be administered under the direction and supervision of the Director, 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 Social Services.

(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 Office of Children and Youth Services for the activities transferred to the Department of Social Services by this Order are hereby transferred to the Department of Social Services.

(5) 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.

(6) The Executive Director of the Office of Children and Youth Services and the Director of the Department of Social Services 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 Office of Children and Youth Services.

(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 or against 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 or against 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 March 31, 1991, at 12:01 a.m.

**History:** 1991, E.R.O. No. 1991-8, Eff. Mar. 31, 1991