

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1993-7

400.130 Amendment of Executive Reorganization Order No. 1993-7; establishment of committee on juvenile justice within family independence agency; rescission of Executive Orders 1976-6 and 1990-4.

WHEREAS, on July 27, 1993, the Committee on Juvenile Justice was established by Executive Order 1993-14; and amended by Executive Order 1994-8; and

WHEREAS, it is necessary to further amend Executive Order 1993-14, so that, while the composition of the Committee conforms to the requirements of federal law, it prescribes a size and diversity that makes possible the most effective fulfillment of its mission.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, do hereby order that Executive Order 1993-14 be amended to read as follows:

WHEREAS, on May 7, 1976, the Advisory Committee on Juvenile Justice was established by Executive Order 1976-6; and

WHEREAS, on February 6, 1990, the Committee on Juvenile Justice was reestablished within the Department of Management and Budget by Executive Order 1990-4; and

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, Congress enacted the Juvenile Justice and Delinquency Prevention Act of 1974 (the "Act"), being 42 USC 5601 et seq., to provide a comprehensive, coordinated approach to the problems of juvenile delinquency and a funding mechanism for projects and programs intended to reduce and prevent delinquency; and

WHEREAS, the Act makes funds available to participating states to assist in planning, establishing, operating, coordinating and evaluating, either directly or through grants and/or contracts with public or private agencies, projects to improve education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile justice; and

WHEREAS, Sec. 223(a)(3) of the Act requires that any state receiving money create an advisory group, appointed by the chief executive of the state, in order to advise the state planning agency on juvenile justice and delinquency prevention matters and to advise the state planning agency on the award grants to state and local government and private non-profit agencies and colleges and universities; and

WHEREAS, it is in the interest of the State of Michigan to have the advice of a committee constituted to review and recommend policy in the area of reducing juvenile delinquency and improving the state's system of juvenile justice.

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, and Public Law 93-415, do hereby establish the Committee on Juvenile Justice (the "Committee") within the Family Independence Agency (the "Department"), which I hereby designate as the "state agency" responsible to supervise, prepare and administer the comprehensive Juvenile Justice and Delinquency Prevention Plan (the "Plan") required by the Act; and direct that appropriate staff support be provided by the Director thereof.

FURTHERMORE, I do hereby rescind Executive Orders 1976-6 and 1990-4, which rescissions shall be deemed effective as of the date of this Order. All records, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Department of Management and Budget Grant Management Division, "The State Planning Agency," are hereby transferred to the Family Independence Agency. Appropriate staff and equipment are hereby transferred from the Department of Management and Budget to the Family Independence Agency.

The Committee on Juvenile Justice shall submit to the Governor and the legislature annual recommendations related to its functions which shall include a report of state compliance with the federal program requirements.

The Committee shall participate in the annual review of the federally required Juvenile Justice and Delinquency Prevention Plan; may review and comment upon all juvenile justice and delinquency prevention grant applications submitted to the state agency; and shall contact and regularly seek comments from juveniles currently under the jurisdiction of the juvenile court system.

The Committee may be delegated a role in monitoring state compliance with federal program requirements.

IT IS FURTHER ORDERED THAT, the Governor shall appoint, with the advice and consent of the Senate, a Committee on Juvenile Justice consisting of twenty-three (23) members. The members of the Committee shall be appointed for terms of three (3) years. The Governor shall designate a chairperson of the Committee. Not more than fifteen (15) members shall be of the same gender. Not more than twelve (12) members shall be from the same political party. A vacancy on the Committee shall be filled in the same manner as the original appointment. A quorum shall consist of a majority of the members serving.

Members of the Committee on Juvenile Justice appointed shall include representatives of all of the following:

- (a) Local units of government;
- (b) Law Enforcement;
- (c) Probate judges involved in juvenile justice matters;
- (d) Public agencies concerned with the prevention and treatment of juvenile delinquency; and
- (e) Private organizations concerned with the prevention and treatment of juvenile delinquency.

Members of the Committee shall be selected in accordance with the requirements of Sec. 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, being 42 U.S.C. 5633(a)(3). A majority of the Committee members shall not be full-time employees of the federal, state or local government, nor shall the chairperson of the Committee be a full-time employee of the federal, state or local government. One-fifth of the members of the Committee shall be under the age of 24 years of age at the time of appointment. Three (3) members of the Committee shall have been or shall be at the time of appointment under the jurisdiction of the juvenile justice system. Members shall receive no compensation for their services as members and may be reimbursed only for those actual expenses incurred which are reimbursable under the laws, rules and practices of the state.

The Committee shall advise the Department, the Governor and the Legislature annually on matters related to the juvenile justice system in this state.

The provisions of this Executive Order shall become effective upon filing.

History: 1993 E.R.O. No. 1993-7, Eff. Oct. 1, 1993 ;-- Am. 1994, E.R.O. No. 1994-5, Eff. May 15, 1994 ;-- Am. 1997, E.R.O. No. 1997-10, Eff. Sept. 7, 1997