

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1995-10

395.351 Transfer of powers and duties of commission on handicapper concerns to commission on disability concerns by type II transfer; abolish commission on handicapper concerns.

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 Commission on Handicapper Concerns was created by Act No. 11 of the Public Acts of 1968, as amended by Act No. 58 of the Public Acts of 1978, being Sections 395.301 et seq. of the Michigan Compiled Laws, in the Michigan Department of Labor; and

WHEREAS, the functions, duties and responsibilities assigned to the Commission on Handicapper Concerns can be more effectively organized and carried out by the Commission on Disability Concerns within the Michigan Department of Labor; 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. The Commission on Disability Concerns is hereby created within the Michigan Department of Labor.
2. All the statutory authority, powers, duties, functions and responsibilities created under Sections one (1) through seven (7) of Act No. 11 of the Public Acts of 1968, as amended by Act No. 58 of the Public Acts of 1978, being Sections 395.301 et seq. of the Michigan Compiled Laws, are hereby transferred to the Commission on Disability Concerns within the Michigan Department of Labor by a Type II 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.
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 Commission on Handicapper Concerns within the Department of Labor, are hereby transferred to the Commission on Disability Concerns within the Department of Labor.
4. 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.
5. 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.
6. The Commission on Handicapper Concerns is hereby abolished.

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 from the filing of this Order.

History: 1995, E.R.O. No. 1995-10, Eff. July 23, 1995

Compiler's Notes: For transfer of commission on disability concerns from family independence agency to department of labor and economic growth by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.