

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1992-3

791.303 Abolition of bureau of field services and position of deputy director of bureau of field services; transfer of powers and duties to director of the Michigan department of corrections.

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 Bureau of Field Services and the position of deputy director in charge of field services was created by Section 31 of Act No. 232 of the Public Acts of 1953, as amended by Act No. 314 of the Public Acts of 1982, being Section 791.231 of the Michigan Compiled Laws, in the Michigan Department of Corrections; and

WHEREAS, the functions, duties and responsibilities assigned to the Bureau of Field Services, and the deputy director in charge of field services, can be more effectively organized and carried out under the supervision and direction of the head of the Michigan Department of Corrections; and

WHEREAS, it is necessary in the interest 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 Section 31 of Act No. 232 of the Public Acts of 1953, as amended by Act No. 314 of the Public Acts of 1982, being Section 791.231 of the Michigan Compiled Laws, are hereby transferred from the Bureau of Field Services and the deputy director in charge of field services to the Director of the Michigan Department of Corrections by a Type III 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. The Bureau of Field Services and the position of deputy director in charge of field services are hereby abolished.

(2) The Director of the Michigan Department of Corrections shall provide executive direction and supervision for the implementation of the transfer. The transferred functions shall be administered under the direction and supervision of the Director of the Michigan Department of Corrections who may administer the transferred functions himself or may administer the transferred functions in other ways to promote efficient administration. 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 Michigan Department of Corrections.

(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 Bureau of Field Services or the deputy director in charge of field services, for the activities transferred to the Director of the Michigan Department of Corrections by this Order, are hereby transferred to the Michigan Department of Corrections.

(4) The Director of the Michigan Department of Corrections 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 Michigan Department of Corrections 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 Bureau of Field Services or the deputy director in charge of field services.

(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.

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 from the filing of this Order.

History: 1992, E.R.O. No. 1992-3, Eff. June 1, 1992

