EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 2016-5

38.1175 Transfer of powers and duties of office of state employer related to administration of state employee service program from office of state employer to Michigan civil service commission by type II transfer.

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, the Office of State Employer currently administers the state's longterm disability plan and employee service program; and

WHEREAS, the Michigan Civil Service Commission currently administers all other benefit programs for employees in the state classified service; and

WHEREAS, there is a continued need to reorganize functions among state agencies to ensure the efficient administration of state government; and

WHEREAS, the long-term disability plan and employee service program may be more effectively and efficiently administered and coordinated within the Michigan Civil Service Commission;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Michigan Civil Service Commission" means the commission created under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Office of the State Employer" means the autonomous office created within the Department of Management and Budget under Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3, 1988-6, 2002-18, 2004-31, 2007-30, 2008-22, and 2009-55.

C. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of the Management and Budget Act, 1984 PA 431, MCL 18.1321.

II. TRANSFER

All the authority, powers, duties, functions, and responsibilities of the Office of the State Employer related to administration of the state employee long-term disability plan and the employee service program are hereby transferred from the Office of the State Employer to the Michigan Civil Service Commission by Type II transfer, as defined by Section 3 of the Executive Organization Act, 1965 PA 380, MCL 16.103. The Office of the State Employer shall continue to exercise all other authority, powers, duties, functions, and responsibilities of the Office of the State Employer not transferred by this Order.

III. IMPLEMENTATION

A. The State Personnel Director, in cooperation with the Director of the Office of the State Employer, shall provide executive direction and supervision for implementing the transfer.

B. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system.

C. All records, personnel, property, and funds of the long-term disability plan and employee service program used, held, employed, available to, or to be made available to the Office of the State Employer for the powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Michigan Civil Service Commission.

D. All rules, orders, contracts, agreements, or other obligations relating to the long-term disability plan and employee service program lawfully adopted before the effective date of this Order shall continue to be effective until revised, amended, or repealed.

E. 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 taken effect of this Order.

F. Nothing contained in this Order shall diminish or limit the authority of the Michigan Civil Service Commission to exercise any authority granted to it under Article XI, Section 5 of the Constitution of the state of Michigan of 1963.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 calendar days after the beginning of the next regular legislative session after the filing of this Order.

History: 2016, E.R.O. No. 2016-5, Eff. Jan. 3, 2017

Compiler's Notes: Executive Reorganization Order No. 2016-5 was promulgated November 3, 2016, as Executive Order No. 2016-22, Eff. Jan. 3, 2017.