STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

EXECUTIVE ORDER
No. 2014 - 6

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
DEPARTMENT OF COMMUNITY HEALTH
MICHIGAN COMPENSATION APPELLATE COMMISSION
MICHIGAN CITIZEN COMMUNITY EMERGENCY RESPONSE COORDINATING COUNCIL
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT
GRAPE AND WINE INDUSTRY COUNCIL
P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL

AMENDMENT OF EXECUTIVE ORDER No. 2011-6
AMENDMENT OF EXECUTIVE ORDER No. 2007-18
AMENDMENT OF EXECUTIVE ORDER No. 2010-15

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power 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, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize the functions among state departments for efficient administration, and

WHEREAS, programs, agencies, and services should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of public dollars and more streamlined services.

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

I. TRANSFER OF RESPONSIBILITIES UNDER PART 209 OF THE MICHIGAN PUBLIC HEALTH CODE TO THE DEPARTMENT OF COMMUNITY HEALTH

A. Any authority, powers, responsibilities duties, functions, records, contracts, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Department of Licensing and Regulatory Affairs relative to the registration, licensing, or regulation of professional occupations arising from Part 209 of the Michigan Public Health Code, 1978 PA 368, MCL 333.20901 to 333.20979, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under Part 209 of Article 17 of the Public Health Code, are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

B. Any authority, powers, duties, functions, and responsibilities of management support within the Department of Licensing and Regulatory Affairs for programs or functions relative to the registration, licensing, or enforcement of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

C. Any authority, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs related to the promulgation of rules related to the registration, licensing, or regulation of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

II. MICHIGAN COMPENSATION APPELLATE COMMISSION

Sections I. D. and E. of Executive Order 2011-6 are amended to read as follows:

"D. The Commission shall consist of up to nine members appointed by the Governor with the advice and consent of the Senate. Of the members initially appointed, up to three members shall be appointed for a term expiring on July 31, 2013, up to three members shall be appointed for a term expiring July 31, 2014, and up to three members shall be appointed for a term expiring on July 31, 2015."

"E. Except as provided in Section I. D., Appellate Commissioners shall be appointed for terms of four years. If, in the case of a vacancy, the Governor determines that the vacancy should be filled, he may appoint a Commissioner and shall fill the position in the same manner as the original appointment. An Appellate Commissioner appointed to fill a vacancy created other than by expiration of a term shall be appointed for the balance of the unexpired term."

III. MICHIGAN CITIZEN COMMUNITY EMERGENCY RESPONSE COORDINATING COUNCIL

Section II. B. 7. of Executive Order 2007-18 is amended to read as follows:

"7. The State Fire Marshal, or his or her designated representative from within the Department of Licensing and Regulatory Affairs."

IV. GRAPE AND WINE INDUSTRY COUNCIL

A. A new Grape and Wine Industry Council is created within the Department of Agriculture and Rural Development.

B. The Council shall consist of the following twelve members:

1. Three wine makers, who shall be appointed by the Governor.
2. A wine grape grower, who shall be appointed by the Governor.
3. The Chief Executive Officer of the Michigan Economic Development Corporation, or his or her designee.
4. The Director of the Department of Agriculture and Rural Development, or his or her designee, who shall serve as chairperson of the council.
5. A staff member of Michigan State University appointed by, and serving at the pleasure of, the Dean of the College of Agriculture and Natural Resources of Michigan State University.
6. The Chairperson of the Liquor Control Commission, or his or her designee, as an ex officio member.
7. A person who operates a retail food establishment that holds a specially designated merchant license and sells Michigan wines, or a person who operates a restaurant that holds a Class C license and serves Michigan wines, who shall be appointed by the Governor.
8. A beer and wine wholesaler who markets Michigan wine, who shall be appointed by the Governor.
9. Two members of the public, who shall be appointed by the Governor.

C. The Council members appointed under subsections B. 2., B. 7., one of the council members appointed under subsection B. 1., and one council member appointed under subsection B. 9. shall serve from the effective date of this order until February 1, 2016.

D. Two of the Council members appointed under subsection B. 1., the Council member appointed under subsection B. 8., and one Council member appointed under B. 9. shall serve from the effective date of this order until February 1, 2017.

E. All appointments for terms beginning after January 1, 2016, shall be for three years.

F. A member shall not serve more than 2 consecutive terms. A member shall continue to serve until a qualified successor has been appointed. A vacancy on the board shall be filled in the same manner as the original appointment.

G. The Grape and Wine Council shall be governed by the provisions of Section 303(4)-(9) of the Michigan Liquor Control Code of 1998, PA 58.

H. All of the statutory authority, powers, duties, functions, and responsibilities of the Grape and Wine Industry Council created in Section 303 of the Michigan Liquor Control Code, 1998 PA 58, are transferred to the new Grape and Wine Industry Council. The former Grape and Wine Industry Council is abolished.

V. P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL

Sections II. and III. of Executive Order No. 2010-15 are amended to read as follows:

"II. CREATION OF THE P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL

A. The P-20 Longitudinal Data System Advisory Council is created as an advisory body within the State Budget Office.

B. The Council shall consist of the following members:

1. Three representatives nominated by the Superintendent of Public Instruction from within the Department of Education and appointed by the State Budget Director representing K12 academic affairs, K12 assessment and accountability, and early childhood.
2. One representative nominated by the Chief Information Officer within the Department of Technology, Management, and Budget and appointed by the State Budget Director.
3. One representative nominated by the Director of the Workforce Development Agency within the Michigan Strategic Fund and appointed by the State Budget Director.
4. One representative nominated by the State Treasurer from within the Department of Treasury and appointed by the State Budget Director representing student financial aid programs.
5. One representative from within the State Budget Office appointed by the State Budget Director to serve as his or her designee.
6. Twelve individuals appointed by the State Budget Director, including all of the following:
    a. Six individuals representing public schools in this state.

b. Three individuals representing institutions of higher education in this state but not including community colleges.
c. Two individuals representing community colleges in this state.
d. One other resident of this state.

C. All Members of the Council shall serve at the pleasure of the State Budget Director.

D. The representative of the State Budget Director shall serve as the Chairperson of the Council.

III. CHARGE TO THE COUNCIL

The Council shall act in an advisory capacity to the State Budget Director and the Director of the Center for Educational Performance and Information and shall do all of the following:

1. Review, develop, and recommend policies, procedures, and timelines to be adopted by the Center for Educational Performance and Information for the development and implementation and maintenance of a comprehensive longitudinal data reporting system in compliance with state and federal laws.

2. Develop and recommend state and educational entity model policies related to data collection, maintenance, and reporting for the P-20 longitudinal data reporting system, including, but not limited to, all of the following:
a. Storing unique student identifiers and matching student-level data in elementary, secondary and postsecondary data systems;
b. Reporting student-level remedial coursework for institutions of higher education;
c. Connecting individual teacher data to teacher preparation colleges;
d. Ensuring the privacy of individual student data, including that a student's social security number is not released to the public for any purpose.

3. Ensure the data in the P-20 longitudinal data reporting system is made available to state and local policymakers and residents of this state in the most useful format possible.

4. Report to the State Budget Director on recommended changes in Michigan law.

5. Other duties as requested by the State Budget Director."

VI. MISCELLANEOUS

A. The directors of the departments and agencies impacted by this Order shall administer the functions transferred in such ways as to promote efficient

administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

B. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended, or rescinded.

C. 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 as necessary for the implementation of this Order.

D. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

Given under my hand and the Great Seal of the state of Michigan this 10th day of March, in the Year of our Lord Two Thousand Fourteen

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE

FILED WITH SECRETARY OF STATE
ON 3/10/14 AT 4:15 pm