

SENATE FISCAL AGENCY MEMORANDUM

DATE: March 3, 2015

TO: Members of the Michigan Senate

FROM: Joe Carrasco, Fiscal Analyst

RE: Executive Order 2015-6

The Governor issued Executive Order (EO) 2015-6 to establish the Middle-Eastern American Affairs Commission in the Department of Civil Rights. The Commission would act in an advisory capacity to the Governor and the Director of the Department. The Commission would replace the Michigan Council on Arab and Chaldean American Affairs, which was established by EO 2013-9. Executive Order 2015-6 was issued on February 18, 2015. The order will be effective 60 days after issuance, which will be April 19, 2015, unless it is disapproved by a vote of both houses of the Legislature before that date.

The contents of the EO are summarized below.

Proposed Middle-Eastern American Affairs Commission

The proposed Middle-Eastern American Affairs Commission would advise the Governor and the Department Director on the State's policies concerning the Middle-Eastern American community; review and advise the Governor and the Director on the nature, magnitude, and priorities of the issues facing the Middle-Eastern American community; advance economic development; provide advice regarding changes in State programs and policies; and recommend policy and action plans to serve the needs of Middle-Eastern Americans in Michigan. The Commission also would work to recognize the history, accomplishments, and contributions of Michigan's Middle-Eastern American community; recommend methods of overcoming discrimination against Middle-Eastern Americans; promote public awareness of Middle-Eastern American cultures and promote equal access to State services.

The Council would consist of 15 members appointed by and serving at the pleasure of the Governor and one ex officio member. Initial members would consist of five members serving two-year terms, five members serving three-year terms, and five members serving four-year terms. Subsequent appointees would serve four-year staggered terms. Members would serve without compensation, except for reimbursement of necessary travel and expenses, based on the availability of appropriations. As with the current council, members would be directed to refer legal, legislative, and media contacts to the Department of Civil Rights. The memberships of the current council and the proposed Middle-Eastern American Affairs Commission are summarized in Table 1.

The EO also would direct the Department of Civil Rights to provide budgeting, procurement, and related managements functions.

Table 1

Comparison of Membership of the Current Council and Proposed Middle-Eastern American Affairs Commission		
	Michigan Council on Arab and Chaldean American Affairs ^{a)}	Proposed Middle-Eastern American Affairs Commission
	EO 2013-9	EO 2015-6
Number of Appointed Members	10 members	15 members
Ex Officio Members	--Director of the Department of Civil Rights or designee --President and Chief Executive Officer of the Michigan Economic Development Corporation or designee	Director of the Office of New Americans
Council Leadership	Governor designates a council member as chair, or not more than 2 council members as co-chairs.	Governor designates a member of the Commission as chair. The Commission designates the vice-chair and may elect other officers from its members as the Commission considers appropriate.
^{a)} This Council would be abolished by EO 2015-6.		

The text of Executive Order 2015-6 does not specify which type of transfer (listed below) is being employed; however, the abolishment of the Michigan Council on Arab and Chaldean American Affairs would make this a Type III transfer.

Background

Article V, Section 2 of the State Constitution authorizes the Governor to organize the Executive branch of government by EO. Three types of reorganization or transfers are outlined in the Executive Reorganization Act. The three types include:

Type I Transfer. Under a Type I transfer, an existing department, board, commission, or agency is transferred intact to another principal department. The entity is administered under the supervision of the new principal department director; however, the prescribed statutory powers, duties, and functions are exercised by the entity as a relatively autonomous entity.

Type II Transfer. Under a Type II transfer, all of the statutory authority, powers, duties and functions, as well as records, personnel, property, unspent balances of the appropriations and other funds associated with an entity, and the entity itself are transferred to and placed under the authority of the principal department.

Type III Transfer. A Type III transfer means the abolishment of an existing entity. The statutory authority, powers, duties, functions, records, personnel, and funding are not abolished, but instead are transferred to the principal department.

Please contact me at 3-2768 if you have any questions.

c: Ellen Jeffries, Director
Bill Bowerman, Associate Director

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