

**SENATE FISCAL AGENCY
 MEMORANDUM**

DATE: December 15, 2017
TO: Members of the Michigan Senate
FROM: Josh Sefton, Fiscal Analyst
RE: Executive Order 2017-11

Executive Order 2017-11

On November 20, 2017, Governor Snyder issued Executive Order (E.O.) 2017-11, which rescinded a number of previous Executive Orders and abolished a number of executive bodies that were obsolete or had completed the tasks they were created to accomplish. The E.O. took effect upon filing, on November 20, 2017.

Executive Orders Rescinded

Executive Order 1993-16. The K.I. Sawyer Air Force Base Conversion Authority was created following the closure of the base. Its purpose was to work with the Air Force to ease the transition from military to civilian use of the physical base. The Conversion Authority chair commissioned three major feasibility studies from the Grier Corporation, including one that considered reuse of the airport as a commercial facility. The Conversion Authority operated for five years and relinquished its redevelopment duties to Marquette County in 1998.

Executive Orders 1993-18 and 1995-20. Governor Engler issued E.O. 1993-18 to create the Michigan Justice Statistics Center, Michigan State University's School of Criminal Justice to operate the State Statistical Analysis Center (MI-SAC). The original E.O. had an expiration date of October 1, 1995, and E.O. 1995-20 recreated the Center. The University's School of Criminal Justice has served as MI-SAC continuously since 1993. The Center works closely with the Michigan State Police and is dedicated to policy-oriented research and analysis.

Executive Order 1993-23. The Michigan Martin Luther King, Jr. Commission was created to satisfy a number of requirements, including the creation of the annual MLK Jr. Day celebration at the Lansing Center. Having completed its business, the Commission has remained idle since 1995.

Executive Order 2000-6. In April 2000, Governor Engler created the e-Michigan Office and the e-Michigan Advisory Council to fulfill a number of requirements, including the establishment of a statewide strategy for the installation and use of technology to allow the State to exchange information and conduct business electronically. The Council completed all requirements and its authority expired in 2002. No meetings or further action has taken place since then.

Executive Order 2004-1. On April 1, 2004, Governor Granholm issued E.O. 2004-1, which created the Medicaid Long-Term Care Task Force to comply with one of the stipulations of the settlement agreement of the *Eager, et al. v Engler, et al.* lawsuit. The purpose of this task force was to review and evaluate then-current funding mechanisms for long-term care services, examine and report on the quality of long-term care services, report on the relationship between State and Federal long-

term care funding and its sustainability, identify and recommend benchmarks for measuring success in the State's provision of long-term care, and identify barriers to the creation of and access to a continuum of long-term care services. In May 2005, The Task Force released its final report, identifying nine recommendations to improve the quality of Michigan's long-term care system.

Executive Order 2007-42. On November 14, 2007, Governor Granholm issued E.O. 2007-42, which established the Michigan Climate Action Council. The Council was charged with a number of tasks, including the production of a climate action plan with specific recommendations for reducing greenhouse gases. The final report was completed in December 2008.

Executive Order 2007-50. On December 27, 2007, Governor Granholm issued E.O. 2007-50, which established the Idlewild Centennial Commission. The Commission was charged with coordinating activities to commemorate the 100th anniversary of the founding of the Idlewild resort community in Lake County. The Commission completed its work in December of 2012, which was the centennial year for the Idlewild resort.

Executive Order 2007-51. On December 27, 2007, Governor Granholm issued E.O. 2007-51, which established the Michigan Commission on the Bicentennial of the War of 1812. The Commission was charged with encouraging, planning, and developing activities, events, programs, observances, and services appropriate to commemorate the Bicentennial of the War of 1812. The Commission completed its work in July 2015, and the terms of the 13 members who served on the Commission have all expired.

Executive Order 2007-52. On December 27, 2007, Governor Granholm signed E.O. 2007-52, which ordered the Michigan Historical Commission to serve as an advisory body within the former Department of History, Arts, and Libraries to advise the Department and the Governor on the appropriate observance of the sesquicentennial of the Civil War. This date has passed so the E.O. is no longer relevant.

Executive Order 2008-18. On July 17, 2008, Governor Granholm signed E.O. 2008-18, which created the Michigan Prisoner Reentry Advisory Council. The Council was made up of representatives from a number of State departments and agencies, and was tasked with identifying barriers to prisoner reentry in each member's respective department, along with a number of other responsibilities. The Council was ordered to report to the Governor on December 1 of each year. The Council has not met in recent years and few documents produced by the Council can be found at this time.

Executive Order 2009-1. On February 6, 2009, Governor Granholm signed E.O. 2009-1, which created the Great Lakes Wind Council. The Council was tasked with providing a report on the criteria that could be used for identifying and mapping areas that should be categorically excluded from offshore wind development as well as those areas most favorable for development. The report was completed in September 2009.

Executive Order 2009-35. On June 9, 2009, Governor Granholm signed Executive Order 2009-35, which created the Michigan Economic Recovery Office and the Executive Economic Oversight Board in the State Budget Office in the Department of Technology, Management, and Budget. The Office was established to communicate and ensure compliance with the 2009 American Recovery and Reinvestment Act (ARRA) and was required for the State to receive some ARRA funding. Funding from the Federal stimulus package ended in fiscal year 2011-12, making the Office obsolete.

Executive Order 2009-36. On July 13, 2009, Governor Granholm signed E.O. 2009-36, which, among a number of other things, created the Michigan Center for Innovation and Reinvention Board. The Board was tasked with providing a report to the Governor on how to use existing State library and historical resources to serve the public more effectively and more efficiently, promote knowledge and understanding of the State's history and heritage, educate children and adults in science, technology, engineering, and mathematics, and enhance the competitiveness of the residents of the State in the world economy. Executive Order 2017-11 abolished the Board, and rescinded E.O. 2010-5, which extended the original June 1, 2010, deadline for the report to July 1, 2010.

Executive Order 2011-10. On September 23, 2011, Governor Snyder signed E.O. 2011-10, which created the Michigan State Parks and Outdoor Recreation Blue Ribbon Panel. The Panel was charged with producing a report with recommendations for the future vision and strategy of State parks and outdoor recreation in Michigan. The Panel submitted this report in September 2012.

Executive Order 2011-12. On October 13, 2011, Governor Snyder signed E.O. 2011-12, which established the Indigent Defense Advisory Commission. The Advisory Commission was tasked with the production of a report with recommendations on improvements to the system of providing legal representation for indigent criminal defendants. The Advisory Commission completed its work in December 2012, and the new-existing Michigan Indigent Defense Commission was created by statute in 2013.

Executive Order 2016-5. On November 30, 2016, the 21st Century Infrastructure Commission completed its work by issuing a final report of its findings. Pursuant to the language of E.O. 2016-5, which created the Commission, the Commission ceased all operations 90 days after issuing the final report. The Commission is now obsolete.

Executive Order 2016-6. On March 28, 2016, Governor Snyder signed Executive Order 2016-6, which created the 21st Century Education Commission in the Executive Office. The purpose of the Commission was to identify shortfalls in the State education system to ensure that students are college- and career-ready. In February 2017, the Commission made 32 recommendations, thus fulfilling its requirements.

Executive Order 2016-14. On June 16, 2016, Governor Snyder signed Executive Order 2016-14, which created the 21st Century Economy Commission in the Executive Office. The purpose of the Commission was to develop a vision of Michigan's economic future and identify priorities over the next 20 years with short- and long-term action items to achieve that vision. On May 21, 2017, the Commission published its report, thus fulfilling its requirements.

Abolishment of Other Executive Bodies

Air Quality Division Workgroup. This workgroup, which was created within the Department of Environmental Quality, completed its recommendations for changes to air quality statutes and rules in January 2017. A final report is available on the Department's website.

Better Off Working Workgroup. As a result of the barrier to employment faced by some of the nearly 700,000 working-age individuals in Michigan with disabilities, the Michigan Department of Health and Human Services, disability groups, and the business community formed a workgroup to find employment solutions for the working-age disabled population. The workgroup was formed in September 2013 and, in August 2014, issued a completed report titled: "Better Off Working

Disability Reform Workgroup Strategic Plan". Issuance of the report was the sole task of the workgroup and, after its completion, the workgroup became inactive.

Department of Natural Resources - Managed Public Land Strategy Advisory Committee. This advisory committee was first mentioned in Governor Snyder's 2013 State of the State address. Seventeen members were later appointed to the Committee which produced a report with recommendations for how manage the State's land. The report was completed and submitted to the Governor in July 2013.

Independent Flint Water Advisory Task Force. In response to the Flint water crisis, on October 21, 2015, Governor Snyder's office established the Flint Water Advisory Task Force (FWATF) to report findings of and recommendations for a response to the Flint water crisis. The five member panel for the FWATF was appointed by the Governor. The members appointed were individuals with experience in environmental protection, health care, public health, public policy, and public utilities. The panel researched the causes of the crisis, suggested measures to prevent future occurrences, and prescribed remediation strategies for the City of Flint. The FWATF worked with local, State, and Federal levels of government to research causes of the crisis. From the State of Michigan, the FWATF interviewed personnel of the Department of Environmental Quality, the Governor's office, and the Department of Health and Human Services, as well as State-appointed emergency managers (Department of Treasury). The panel requested large amounts of data and sent three official interim letters to the Governor documenting the progress made by the FWATF and questions that remained unresolved. On March 21, 2016, the FWATF issued its final report, which contained 44 State recommendations for what should be undertaken in response to the Flint water crisis. After the report was issued, the FWATF's work was deemed completed.

Michigan Prescription Drug and Opioid Abuse Task Force. The Task Force was first mentioned in Governor Snyder's 2015 State of the State address and was later established. The 21-member Task Force had the goal of examining recent trends in prescription drug use and opioid abuse, evaluating strategic options to reduce opioid abuse, and developing a statewide action plan by the fall of 2015. On October 26, 2015, the Task Force released its action plan detailing 25 recommendations divided between five focus areas.

Michigan Special Election Reform Task Force. This item was possibly included erroneously in E.O. 2017-11, as no such task force or group has existed. As such, this portion of the E.O. has no effect. A correction to this item could come in a subsequent E.O.

Third-Grade Reading Workgroup. Governor Snyder established a Third-Grade Reading Workgroup in March 2015. The purpose of this workgroup was to research solutions to improve early literacy statewide. On June 3, 2015, the workgroup presented its findings in a report, thus fulfilling its purpose.

Water Use Advisory Council. Established by the Director of the Department of Environmental Quality, the Council met for the first time in February 2013. The Council was charged with providing recommendations on water conservation, technical tools to support water withdrawal applications, methods to address conflict, and other items related to water use. The Council produced its final report in December 2014.

Fiscal Impact

It is not anticipated that E.O. 2017-11 will have any fiscal impact on the affected State departments and agencies, or on local units of government. The entities affected by the E.O. have completed the tasks with which they were charged, so abolishing them will have no ongoing effect on the finances of any State department or agency.

Summary

Executive Order 2017-11 rescinded a number of previous Executive Orders and abolished a number of executive bodies that were obsolete or had completed the tasks they were created to accomplish. Unlike Executive Reorganizations Orders, which the Legislature has 60 days to reject, E.O. 2017-11 took effect when it was filed with the Secretary of State, which occurred on November 20, 2017.

If you have any questions on E.O. 2017-11, please do not hesitate to contact our office.

/hkv

c: Ellen Jeffries, Director
Bill Bowerman, Associate Director