



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JOHN D. CHERRY, JR.
LT. GOVERNOR

**EXECUTIVE ORDER
No. 2009 - 43**

AMENDING EXECUTIVE ORDER 2009-36

EXECUTIVE REORGANIZATION

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

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 of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, on July 13, 2009, Executive Order 2009-36 was issued, consolidating the functions of the Department of History, Arts, and Libraries among various other state departments that already perform similar or related functions to assure a more efficient and effective organization of the executive branch of state government;

WHEREAS, Executive Order 2009-36, by its terms, is effective October 1, 2009 and, until September 11, 2009, remains subject to a 60-day review period under Section 2 of Article V of the Michigan Constitution of 1963;

WHEREAS, the purpose and intent of Executive Order 2009-36 is to achieve essential cost savings while, to the extent feasible consistent with diminishing state revenues, preserving both the integrity of and public access to the vital collections and other public resources currently managed by the Department of History, Arts, and Libraries;

WHEREAS, the purpose and intent of Executive Order 2009-36 also is to protect and preserve important state treasures housed in the Michigan Library and Historical Center during a time of severe fiscal constraints;

WHEREAS, it is in the best interests of an efficient and effective government that Executive Order 2009-36 be amended;

NOW, THEREFORE, I, Jennifer M. Granholm, 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. Section II.B.4 of Executive Order 2009-36 is amended to read as follows:

“4. The unclassified position of State Librarian created by Section 5 of the Library of Michigan Act, 1982 PA 540, MCL 397.15, is abolished. The Superintendent of Public Instruction, in cooperation with the Civil Service Commission if necessary, shall designate a qualified employee of the Department of Education to serve as the state librarian as soon as practicable.”

II. Section II.H.7 of Executive Order 2009-36 is amended to read as follows:

“7. The Director of the Department of Natural Resources shall supervise and administer the assigned functions transferred to the Department of Natural Resources under Section II.H of this Order 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. To achieve efficient administration and effectuate necessary cost savings consistent with appropriations provided by law, the Director shall evaluate and implement measures designed to reduce expenditures, eliminate duplicative services, and generate revenue while protecting the core functions of the former Department of History, Arts, and Libraries transferred to the Department of Natural Resources. The guiding purpose of any and all such measures, consistent with the purpose and intent of this Order, shall be to strike a careful and prudent balance between the goal of achieving efficient administration and necessary cost savings and that of preserving and maintaining public access to the important and unique collections and resources entrusted to the former Department of History, Arts, and Libraries, including, but not limited to, Michigan’s Civil War and other military flags. Unless the Director determines it to be impracticable, the measures may include, but shall not be limited to, all of the following:

a. Instituting an admission fee for museum facilities and exhibits.

b. If the Department of History, Arts, and Libraries has not already done so, entering into a memorandum of understanding with a qualified non-profit organization, society, or foundation willing to assume responsibility for the publication of any or all magazines or journals published by the Department or taking other steps to eliminate the expenditure of state funds appropriated for the

publications while preserving these important functions to the extent feasible.

c. Entering into a memorandum of understanding with a qualified non-profit organization, society, or foundation willing to assume responsibility for the staffing and operation of the museum store and for the development and operation of online sales of merchandise from, or related to, this state's museums or archives, if the Director determines that such an agreement will reduce state expenditures or enhance state revenues and is otherwise in the best interests of this state.

d. If the Department of History, Arts, and Libraries has not already done so, entering into a memorandum of understanding with a qualified non-profit organization, society, or foundation willing to assume responsibility for the administration and preservation of the Michigan historical markers program under the Michigan Historical Markers Act, 1955 PA 10, MCL 399.151, if the Director determines that such an agreement will reduce state expenditures or enhance state revenues and is otherwise in the best interests of this state.

e. Depositing any state funds generated by such activities into the general fund of this state.

f. Taking such other measures as may be necessary or appropriate to limit expenditures consistent with available appropriations.”

III. Section II.B.8 of Executive Order 2009-36 is amended to read as follows:

“8. The Superintendent of Public Instruction shall administer the assigned functions transferred to the Department of Education under Section II.B of this Order 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. To achieve efficient administration and effectuate necessary cost savings consistent with appropriations provided by law, the Library of Michigan shall evaluate and implement measures designed to reduce expenditures and eliminate duplicative services. Subject to available appropriations, the Library of Michigan shall focus on the provision of leadership and critical services to libraries and patrons throughout this state, including, but not limited to, all of the following:

a. Continuing this state's vital role in maintaining and delivering online services to libraries around this state, including prioritizing the provision of services that affect libraries and their patrons throughout this state such as continued support for, and availability of, the Michigan eLibrary (MeL) and MelCat, the statewide online catalog and resource sharing systems.

b. Continuing state-level support for the cost savings and effective delivery of statewide library services achieved through the leadership of the Library of Michigan and the collaboration and resource sharing of libraries throughout this state.

c. Preserving important collections maintained by the Library of Michigan, including the Michigan Collection, the Rare Books Collection, and the Genealogy Collection.”

IV. Section II of Executive Order 2009-36 is amended to add the following new Section II.P to read as follows:

“P. Michigan Library and Historical Center

1. Subject to available appropriations, the Department of Education, the Department of Natural Resources, the Michigan Commission for the Blind, and other state department and agencies shall actively cooperate to facilitate the continued operation of the Michigan Library and Historical Center and the preservation of the important historical resources and library collections maintained at the Center on behalf of the People of the State of Michigan.”

IV. Section IV.A of Executive Order 2009-36 is amended to read as follows:

“A. The Michigan Center for Innovation and Reinvention Board is created as an advisory body within the Department of Natural Resources. The Board will, among other tasks, consider potential ideas to preserve and maximize the benefits to the public of the existing Michigan Library and Historical Center, including public input and scrutiny regarding the most effective delivery of state library and historical services and facilities including, but not limited to, collections, buildings, and skilled personnel. The Board shall recognize the importance of preserving unique historical assets and collections, including, but not limited to, Michigan's Civil War and other military flags, the Michigan Collection, the Rare Books Collection, and the Genealogy Collection of the Library of Michigan. Qualified individuals recommended for consideration for appointment to the Board should

include librarians, historians, archivists, and others with relevant expertise.”

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this amendatory order are effective 60 days after the issuance of this amendatory order.

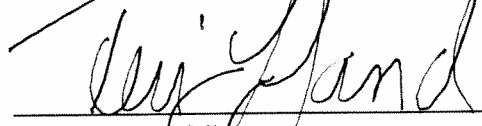
Given under my hand and the Great Seal of the State of Michigan this 9th day of September, in the year of our Lord, two thousand nine.





JENNIFER M. GRANHOLM
GOVERNOR

BY THE GOVERNOR:



Secretary of State

FILED WITH SECRETARY OF STATE

ON 9/9/09 AT 11:12 AM