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Don Sundquist

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STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 21

AN ORDER CLARIFYING EXECUTIVE ORDER NUMBERS 9 AND 10 RELATIVE TO THE TRANSFER OF ADMINISTRATIVE STAFF FROM THE DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION

WHEREAS, Executive Order No. 9 (signed February 7, 1996) transferred management and operation of Arlington Developmental Center ("Developmental Centers") and the Department of Mental Health and Mental Retardation's West Tennessee Office of Community Services ("Community Services Offices") from the Department of Mental Health and Mental Retardation to the Department of Finance and Administration; and,

WHEREAS, Executive Order No. 10 (signed October 14, 1996) transferred management and operation of Clover Bottom Developmental Center, Greene Valley Developmental Center, Nat T. Winston Developmental Center ("Developmental Centers") and Middle Tennessee Office of Community Services and the East Tennessee Office of Community Services ("Community Services Offices") from the Department of Mental Health and Mental Retardation to the Department of Finance and Administration; and,

WHEREAS, Paragraph 5 of Executive Order No. 9 and paragraph 3 of Executive Order No. 10 authorize the Commissioner of Finance and Administration to transfer to the Department of Finance and Administration any filled or unfilled, authorized and funded positions assigned, directly or indirectly to the Developmental Centers and/or Community Services Offices or directly or indirectly performing functions relating to the Developmental Centers and/or Community Services Offices; and,

WHEREAS, the Department of Mental Health and Mental Retardation's Mental Retardation Services Division budget codes include the Developmental Centers (339.25, 339.26, 339.27, 339.28), Community Services Offices (339.23, 339.24), Mental Retardation Administration (339.21), and the Developmental Disabilities Council (339.22); and,

WHEREAS, pursuant to Paragraph 5 of Executive Order No. 9 and paragraph 3 of Executive Order No. 10, the Department of Mental Health and Mental Retardation Mental Retardation Services Division budget codes, which included positions, were shown as part of the Department of Finance and Administration beginning July 1, 1998; and,

WHEREAS, Executive Order Numbers 9 and 10 were not intended to transfer the Department of Mental Health and Mental Retardation Central Office to the Department of Finance and Administration. The Central Office includes the Administrative Services Division (339.01), which includes human resources, fiscal services, budget, information systems and Major Maintenance and Equipment (339.40); and,

WHEREAS, coordination of staff to allow the Department of Mental Health and Mental Retardation Administrative Services Division to provide administrative support and administer the Major Maintenance and Equipment appropriation for the Mental Retardation Services Division promotes efficiency in providing services to the citizens of the State of Tennessee;

NOW THEREFORE, I, Don Sundquist, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and by Tennessee Code Annotated, Sections 4-4-102 and 4-4-117 do hereby direct the following:

1. Executive Order Numbers 9 and 10 shall remain in full force and effect except that it is my intent that the Department of Mental Health and Mental Retardation Administrative services Division shall remain as part of the Department of Mental Health and Mental Retardation, but shall perform all administrative support functions (i.e., fiscal services, budget, financial, internal audit, human resources, payroll, accounting, procurement, licensure, legal, training, public information, general services, construction and engineering, information system services) and administer the Major Maintenance and Equipment appropriation for the Mental Retardation Services Division.
2. The Department of Finance and Administration, through its Commissioner, is authorized to develop cost allocation procedures for services provided as appropriate.
3. That the effective date of this Order shall be the date of signature.
4. That this Order supersedes all other Executive Orders on the same subject to the extent that those Orders are inconsistent with this Order.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 29th day of July, 1999.


GOVERNOR

ATTEST:


SECRETARY OF STATE

