



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 23

**AN ORDER TRANSFERRING THE MANAGEMENT AND OPERATION OF THE DIVISION
OF RECORDS MANAGEMENT FROM THE DEPARTMENT OF GENERAL SERVICES TO
THE DEPARTMENT OF STATE**

WHEREAS, the Department of State was created and established in Tenn. Code Ann. §4-3-2101, and the Department of General Services was created and established in Tenn. Code Ann. §4-3-1101; and

WHEREAS, the Division of Records Management (hereinafter "Records Management") is currently a division of the Department of General Services; and

WHEREAS, the services rendered by Records Management, in substance, are closely aligned with those rendered by the Department of State; and

WHEREAS, the transfer of the management and operation of Records Management from the Department of General Services to the Department of State affords the Department of State an opportunity to deliver Records Management's services in a more economical and efficient manner; and

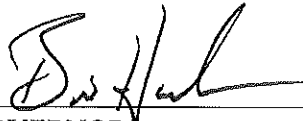
NOW THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and by Tenn. Code Ann. §§4-4-102 and 4-4-117 do hereby direct and order the following:

1. The management and operation of Records Management shall be transferred from the Department of General Services to the Department of State. The Department of State shall have exclusive jurisdiction and control over Records Management, effective October 8, 2012. All statutory and related functions of Records Management now in the Department of General Services are hereby transferred and made a part of the Department of State, effective October 8, 2012. From and after October 8, 2012, the Secretary of State shall control, manage, and oversee all statutory and regulatory functions of Records Management.
2. As of October 8, 2012, the Secretary of State shall be responsible for the management and operation of Records Management, and shall perform all of the duties of Records Management.

3. With the assistance and approval of the Commissioner of Human Resources, the Commissioner of General Services and the Secretary of State shall cause to be transferred to the Department of State, under the personnel rules of the Department of State, any filled or unfilled, authorized and funded positions assigned to Records Management. As of October 8, 2012, the Secretary of State shall begin the process of implementing this Executive Order and shall complete the process in due time.
4. In accordance with the schedule for transferring jurisdiction and control, the 2012-2013 fiscal year appropriations to the Department of General Services for the management and operation of Records Management and for the administration of those statutory and regulatory functions transferred under the provisions of Section 1 of this Executive Order shall be transferred to the Department of State. The Department of Finance and Administration shall revise the budgets of both Departments to reflect this Executive Order.
5. All personal property, equipment and other materials available and necessary to implement the requirements of this Executive Order shall also be transferred to the custody and control of the Department of State.
6. As of October 8, 2012, the Department of State, through the Secretary of State or his designee, shall have the authority to receive, administer and oversee all grants and funds related to Records Management or its functions. These grants and funds shall include, but shall not be necessarily limited to, those from federal, state, and local governments and other governmental entities and agencies.
7. All contracts or leases entered into prior to October 8, 2012, by the Department of General Services with any person, association, or entity that concern or relate to Records Management or any program or function transferred herein shall continue in full force and effect to the same extent as if such contracts or leases had originally been entered into by and between such person, association or entity and the Department of State, unless and until such contracts or leases are amended or modified by the parties thereto.
8. All current rules, regulations, orders, decisions and policies heretofore issued or promulgated by the Department of General Services with respect to Records Management shall remain in full force and effect and shall hereafter be administered and enforced by the Department of State. The Department of State, through the Secretary of State, shall have the authority consistent with the statutes and regulations pertaining to Records Management to modify or rescind orders, rules and regulations, decisions or policies heretofore issued and to adopt, issue or promulgate new orders, rules and regulations, decisions or policies as may be necessary, appropriate, or convenient for the management and operations of Records Management.
9. The Secretary of State shall have the authority to execute such documents and take such other actions from time to time as may be necessary, appropriate or convenient to carry out the intent of this Executive Order.

10. This Executive Order supersedes and rescinds all other executive orders and all other directives and memoranda on the same subject to the extent that they 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 5th day of October, 2012.



GOVERNOR

ATTEST:



SECRETARY OF STATE

