

**No. 52**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Thursday, May 24, 2007.

12:00 Noon.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—e/d/s
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—excused	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—e/d/s
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—e/d/s	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—e/d/s	Knollenberg—present		

e/d/s = entered during session

Rep. Richard LeBlanc, from the 18th District, offered the following invocation:

“Lord Almighty, give us guidance as we make decisions on behalf of all of the people in the Great State of Michigan.

Remind us, Lord, of our responsibility to represent others, and not just ourselves. Remind us to craft good public policy which benefits all of our state’s residents, and not just a few. And let us remember Lord that the gap between the rich and the poor everywhere continues to grow larger, and that caring and providing for our less fortunate citizens is moral and good.

Help us to remember to practice the art of compromise, and help to guide us to the best course of action in all that we do today. Help us also to realize that good government comes from a fair hearing and consideration of different points of views, and that compromise represents the best of each of us.

Today we also pray for continued growth of freedom and democracy, remembering our troops and service men and women, and ask God to protect each person serving our military. We pray for their families, and we are thankful for the sacrifices they make everyday.

Let us pray for the Governor, members of the House and Senate, as well as all of Your public servants, for we need Your wisdom to deal with the issues that confront us. May God’s love help us to provide understanding, compassion, love, peace and joy today and everyday.

Dear Lord, we pray for all of these things with humility. We know that all that is good in our world is due to You. We give our thanks to You today and everyday for the countless blessings You continue to provide.

In Your Holy name we pray. Amen.”

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Rep. Tobocman moved that Rep. Cheeks be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Concurrent Resolution No. 23.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group B General Office Building Renovations.

(For text of concurrent resolution, see House Journal No. 48, p. 717.)

(The concurrent resolution was reported by the Committee on Appropriations on May 23, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 168**

#### **Yeas—105**

Accavitti	Ebli	Lahti	Pavlov
Acciavatti	Elsenheimer	LaJoy	Pearce
Agema	Emmons	Law, David	Polidori
Amos	Espinoza	Law, Kathleen	Proos
Angerer	Farrah	LeBlanc	Robertson
Ball	Gaffney	Leland	Rocca
Bauer	Garfield	Lemmons	Sak
Bennett	Gillard	Lindberg	Schuitmaker
Bieda	Gonzales	Marleau	Scott

Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Spade
Casperson	Hood	Meltzer	Stahl
Caswell	Hoogendyk	Miller	Stakoe
Caul	Hopgood	Moolenaar	Steil
Clack	Horn	Moore	Tobocman
Clemente	Huizenga	Moss	Vagnozzi
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Warren
Coulouris	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Wojno
Dillon	Knollenberg	Pastor	Young
Donigan			

**Nays—0**

In The Chair: Sak

Rep. DeRoche entered the House Chambers.

The Speaker laid before the House  
**House Concurrent Resolution No. 24.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group C Grand Rapids State Office Building Renovations.

(For text of concurrent resolution, see House Journal No. 48, p. 718.)

(The concurrent resolution was reported by the Committee on Appropriations on May 23, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 169**

**Yeas—106**

Accavitti	Donigan	Lahti	Pavlov
Acciavatti	Ebli	LaJoy	Pearce
Agema	Elsenheimer	Law, David	Polidori
Amos	Emmons	Law, Kathleen	Proos
Angerer	Espinoza	LeBlanc	Robertson
Ball	Farrah	Leland	Rocca
Bauer	Gaffney	Lemmons	Sak
Bennett	Garfield	Lindberg	Schuitmaker

Bieda	Gillard	Marleau	Scott
Booher	Gonzales	Mayes	Shaffer
Brandenburg	Green	McDowell	Sheen
Brown	Griffin	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hammon	Meisner	Smith, Alma
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Miller	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Warren
Coulouris	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pastor	Young
Dillon	Knollenberg		

**Nays—0**

In The Chair: Sak

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4721, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20129a (MCL 324.20129a), as amended by 2005 PA 42.

(The bill was received from the Senate on May 23, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 770.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 170****Yeas—105**

Accavitti	Ebli	Lahti	Pavlov
Acciavatti	Elsenheimer	LaJoy	Pearce
Agema	Emmons	Law, David	Polidori
Angerer	Espinoza	Law, Kathleen	Proos
Ball	Farrah	LeBlanc	Robertson
Bauer	Gaffney	Leland	Rocca
Bennett	Garfield	Lemmons	Sak
Bieda	Gillard	Lindberg	Schuitmaker
Booher	Gonzales	Marleau	Scott
Brandenburg	Green	Mayes	Shaffer
Brown	Griffin	McDowell	Sheen
Byrnes	Hammel	Meadows	Sheltrown
Byrum	Hammon	Meekhof	Simpson
Calley	Hansen	Meisner	Smith, Alma
Casperson	Hildenbrand	Melton	Spade
Caswell	Hood	Meltzer	Stahl

Caul	Hoogendyk	Miller	Stakoe
Clack	Hopgood	Moolenaar	Steil
Clemente	Horn	Moore	Tobocman
Condino	Huizenga	Moss	Vagnozzi
Constan	Hune	Nitz	Valentine
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Warren
Dean	Jones, Rick	Palmer	Wenke
DeRoche	Jones, Robert	Palsrok	Wojno
Dillon	Knollenberg	Pastor	Young
Donigan			

### Nays—1

Amos

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Reps. Virgil Smith, Ward and Cushingberry entered the House Chambers.

### Quorum Call

Rep. Accavitti questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

### Roll Call No. 171

### Yeas—105

Accavitti	Donigan	Knollenberg	Pearce
Acciavatti	Ebli	Lahti	Polidori
Agema	Elsenheimer	LaJoy	Proos
Amos	Emmons	Law, David	Robertson
Angerer	Espinoza	Law, Kathleen	Rocca
Ball	Farrah	LeBlanc	Sak
Bauer	Gaffney	Leland	Schuitmaker
Bennett	Garfield	Lemmons	Scott
Bieda	Gillard	Lindberg	Shaffer
Booher	Gonzales	Marleau	Sheen
Brandenburg	Green	Mayer	Sheltrown
Brown	Griffin	McDowell	Simpson
Byrnes	Hammel	Meadows	Smith, Alma
Byrum	Hammon	Meekhof	Smith, Virgil
Calley	Hansen	Meisner	Spade
Casperson	Hildenbrand	Meltzer	Stahl

Caswell	Hood	Miller	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Vagnozzi
Clemente	Horn	Moss	Valentine
Condino	Huizenga	Nitz	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

In The Chair: Sak

### Quorum Call

Rep. Tobocman questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.  
The roll was called and the Clerk announced that a quorum was present.  
The following is the roll call:

### Roll Call No. 172

### Yeas—109

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Miller	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon			

In The Chair: Sak

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Friday, May 25, at 10:00 a.m.  
The motion prevailed.

Reps. Accavitti, Farrah, Clemente, Lemmons, Leland, Polidori, Hammel, Mayes, Spade, LeBlanc, Hopgood, Alma Smith, Wojno, Acciavatti, Ball, Booher, Brandenburg, Caswell, Caul, Clack, Cushingberry, Dean, Elsenheimer, Garfield, Gonzales, Hammon, Hansen, Hildenbrand, Huizenga, Johnson, Rick Jones, Meekhof, Nitz, Nofs, Palmer, Pearce, Proos, Rocca, Sak, Schuitmaker, Shaffer, Sheen, Sheltroun, Simpson, Stahl and Steil offered the following resolution:

**House Resolution No. 121.**

A resolution to memorialize the Congress of the United States to encourage expansion of existing or the construction of new petroleum refineries in the United States to meet our increasing energy needs.

Whereas, The price of petroleum products has been unpredictable. Between December 2006 and the end of February 2007, the price of crude oil fluctuated between 62 dollars a barrel and 50 dollars several times. Currently, the world crude oil price exceeds 66 dollars a barrel. Recently, oil futures leapt above 72 dollars a barrel on the New York Mercantile Exchange due to shrinking gasoline supplies and international tensions. Increased refinery capacity would buffer the United States from some of the more volatile price swings that occur during periods of global conflict and which are often outside of our national control; and

Whereas, There has not been a new oil refinery built in the United States in nearly 30 years. Yet, in the intervening years, the total energy demand in the United States has grown by about 40 percent. According to the United States Energy Information Administration, the projected petroleum demand between 2003 and 2025 will increase by 30 percent. We must plan for our future energy needs by incorporating new petroleum refineries into the overall energy policy of the United States; and

Whereas, Recent major investments in the Marathon Refinery located in the city of Detroit, Michigan's only refinery, will increase the output by about 28 percent, from 74,000 barrels per day to over 102,000 barrels per day. Marathon's investment of \$300 million was made possible through the collaborative efforts of Marathon, the city of Detroit, and the state of Michigan. Marathon's commitment to Michigan and its collaboration with the city and state to create a renaissance zone encompassing the refinery illustrates the type of creative solutions that can be used to promote increased capacity or the construction of new refineries; and

Whereas, Constructing new refineries or expanding current facilities would also create new jobs and increase gasoline, fuels, and distillate output—all vital components of strengthening our economy. Michigan is well placed to locate a new refinery due to our proximity with Canada, this country's largest source of imported petroleum. Moreover, Michigan's highly skilled labor force could adapt to employment in the refinery industry; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to establish a national energy policy that promotes the expansion of existing or construction of new petroleum refineries in the United States; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the United States Environmental Protection Agency, the United States Department of Energy, the American Petroleum Institute, and the American Petroleum Industries of Michigan.

The resolution was referred to the Committee on Energy and Technology.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 24, for her approval of the following bills:

**Enrolled House Bill No. 4512 at 11:28 a.m.**

**Enrolled House Bill No. 4530 at 11:30 a.m.**

**Enrolled House Bill No. 4721 at 2:52 p.m.**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, May 24:

**House Bill Nos. 4814 4815 4816 4817 4818 4819 4820**  
**House Joint Resolution M**

The Clerk announced that the following Senate bills had been received on Thursday, May 24:

**Senate Bill Nos. 410 411**

### Reports of Standing Committees

The Committee on Insurance, by Rep. Virgil Smith, Chair, reported

**House Concurrent Resolution No. 22.**

A concurrent resolution to express the commitment of the Michigan Legislature to the development of a health care system that provides comprehensive coverage to all residents.

(For text of concurrent resolution, see House Journal No. 48, p. 716.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson and Wojno

Nays: Reps. Hune, Robertson, Emmons and Hildenbrand

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Virgil Smith, Chair, of the Committee on Insurance, was received and read:  
 Meeting held on: Thursday, May 24, 2007

Present: Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Hune, Robertson, Emmons, Hildenbrand, David Law, Moore and Rocca

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, May 24, 2007

Present: Reps. Clemente, Leland, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Garfield

Absent: Reps. Clack and Pastor

Excused: Reps. Clack and Pastor

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hopgood, Chair, of the Committee on Transportation, was received and read:  
 Meeting held on: Thursday, May 24, 2007

Present: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

### Messages from the Senate

**Senate Bill No. 410, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending the title and sections 101, 102, 201, 202, 203, 205, 301, 302, 303, 307, 308, 312, 319, 320, and 401 (MCL 484.1101, 484.1102, 484.1201, 484.1202, 484.1203, 484.1205, 484.1301, 484.1302, 484.1303, 484.1307, 484.1308, 484.1312, 484.1319, 484.1320, and



484.1401), the title as amended by 1994 PA 36, sections 102 and 303 as amended by 1999 PA 80, section 201 as amended by 1999 PA 78, section 205 as amended by 1998 PA 23, sections 301 and 401 as amended by 2006 PA 249, section 308 as amended by 1994 PA 29, section 319 as added by 1989 PA 36, and section 320 as amended by 1998 PA 122, and by adding sections 401a, 401b, 401c, 401d, and 401e.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

#### **Senate Bill No. 411, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 402, 403, 404, 405, 406, 407, 408, 412, 413, 502, 504, 601, 602, 605, 712, 714, 716, and 717 (MCL 484.1402, 484.1403, 484.1404, 484.1405, 484.1406, 484.1407, 484.1408, 484.1412, 484.1413, 484.1502, 484.1504, 484.1601, 484.1602, 484.1605, 484.1712, 484.1714, 484.1716, and 484.1717), sections 403, 404, 405, and 406 as amended by 1999 PA 81, sections 407 and 412 as added by 1999 PA 78, section 408 as amended by 2006 PA 74, section 413 as added and section 717 as amended by 2006 PA 249, section 601 as amended and section 605 as added by 1999 PA 80, section 602 as amended by 2004 PA 515, and sections 712, 714, and 716 as added by 1999 PA 79; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

### **Messages from the Governor**

Date: May 18, 2007

Time: 2:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

#### **Enrolled House Bill No. 4482 (Public Act No. 9, I.E.), being**

An act to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmity and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending sections 57d, 57g, and 57r (MCL 400.57d, 400.57g, and 400.57r), section 57d as amended by 2005 PA 323 and section 57g as amended and section 57r as added by 2006 PA 468.

(Filed with the Secretary of State May 18, 2007, at 3:37 p.m.)

Date: May 24, 2007

Time: 9:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

#### **Enrolled House Bill No. 4327 (Public Act No. 10, I.E.), being**

An act to repeal 1939 PA 113, entitled "An act relative to domestic or foreign grown tomatoes; and to prescribe penalties for the violation of the provisions of this act," (MCL 752.751 to 752.752).

(Filed with the Secretary of State May 24, 2007, at 9:48 a.m.)

Date: May 24, 2007

Time: 9:37 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

#### **Enrolled House Bill No. 4322 (Public Act No. 11, I.E.), being**

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state

departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 513 (MCL 436.1513), as amended by 2004 PA 141.

(Filed with the Secretary of State May 24, 2007, at 9:50 a.m.)

The following message from the Governor was received May 24, 2007 and read:

**EXECUTIVE ORDER**  
**No. 2007 — 30**

**CONSOLIDATING HUMAN RESOURCES OPERATIONS AND ABOLISHING THE DEPARTMENT OF CIVIL SERVICE**

**DEPARTMENT OF CIVIL RIGHTS**  
**DEPARTMENT OF CIVIL SERVICE**  
**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**  
**DEPARTMENT OF MANAGEMENT AND BUDGET**

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

WHEREAS, Section 5 of Article XI of the Michigan Constitution of 1963 empowers the Civil Service Commission to fix rates of compensation for all classes of positions, to approve or disapprove all disbursements for personal services, to make rules and regulations covering all personnel transactions, and to regulate all conditions of employment in the classified state civil service;

WHEREAS, the transfer of functions relating to management of state employees and related programs will result in enhanced accountability, more effective control of personnel management functions, and enhanced service to both state agencies and state employees;

WHEREAS, the consolidation of state government functions providing services to other state departments and agencies will eliminate unnecessary duplication and facilitate more effective and efficient coordination of executive branch functions;

WHEREAS, the Department of Management and Budget is required to minimize the duplication of activities among state agencies, between state agencies and businesses, to effect a better organization and consolidation of functions among state agencies, and to establish, administer, operate, or provide centralized services when advantageous to this state;

WHEREAS, consolidation of human resource operations within one principal state department will promote a unified approach to human resource administration within the executive branch of state government and improve the effectiveness of the administration human resource operations and related functions;

WHEREAS, a reduction in the number of principal state departments and improvements in the organization of state government are necessary to provide Michigan residents with improved delivery of state services;

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government and to reduce the number of principal state departments;

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. DEFINITIONS**

As used in this Order:

A. "Civil Service Commission" or "Commission" means the commission required under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Department of Civil Service" means the principal department of state government created under Section 200 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.300.

C. "Department of Management and Budget" or "Department" means the Department of Management and Budget, the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121.

D. "HRMN System" means the State of Michigan's statewide Human Resource Management Network System that delivers payroll, personnel, employee benefits, and other human resource functionality and data exchange, and includes, but is not limited to, the standards, guidelines, processes, procedures, practices, rules, regulations, hardware, and software for the operation of the system.

E. "Office of the State Budget Director" means the office created within the Department of Management and Budget under Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

F. "Office of the State Employer" means the autonomous office created within the Department of Management and Budget by Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3, 1988-6, 2002-18, and 2004-31.

G. "State Personnel Director" means the administrative and principal executive officer of the Civil Service Commission provided for under Section 5 of Article XI of the Michigan Constitution of 1963 and Section 204 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.304.

H. "Type I transfer" means that type of transfer as defined in Section 3(a) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

I. "Type III transfer" means that term as defined under Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

## **II. DEPARTMENT OF MANAGEMENT AND BUDGET**

### **A. Board of Ethics**

1. The Board of Ethics created under 1973 PA 196, MCL 15.341 to MCL 15.348, and all the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources of the Board of Ethics are transferred by Type I transfer to the Department of Management and Budget.

2. With the consent of the Civil Service Commission, the State Personnel Director shall continue to designate an employee of the Commission, acceptable to the Board of Ethics, to act as Executive Secretary of the Board of Ethics and provide clerical or administrative assistance from the Civil Service Commission as the Board of Ethics may, from time to time, request.

### **B. State Officers Compensation Commission**

1. The State Officers Compensation Commission created under Section 12 of Article IV of the Michigan Constitution and all the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources of the State Officers Compensation Commission are transferred by Type I transfer to the Department of Management and Budget. The State Officers Compensation Commission is assigned to the Department of Management and Budget for the purposes of administration, budgeting, procurement, and related management functions. With the consent of the Civil Service Commission, the State Personnel Director shall continue to act as the Secretary to the State Officers Compensation Commission.

2. The members of the State Officers Compensation Commission shall receive no compensation but shall be entitled to their actual and necessary expenses incurred in the performance of their duties subject to available appropriations to be paid from the appropriation made to the Department of Management and Budget for the Civil Service Commission.

### **C. Civil Service Commission**

1. The Civil Service Commission is transferred to the Department of Management and Budget. The Commission shall be an autonomous entity within the Department and shall possess the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources vested in the Commission under Section 5 of Article XI of the Michigan Constitution of 1963 and transferred to the Commission under this Order. The budgeting, procurement, personnel, and management-related functions of the Commission shall be retained by the Commission and shall be exercised by the Commission independently of the Department. As used in this paragraph, "budgetary resources" include the funds required to be appropriated to the Commission under Section 5 of Article XI of the Michigan Constitution of 1963 equal to not less than 1 percent of the aggregate payroll of the classified state civil service for a prior fiscal year, as certified by the Commission.

2. The Civil Service Commission shall retain all of the constitutional authority vested in the Commission under Section 5 of Article XI of the Michigan Constitution of 1963, including, but not limited to, authority to classify all positions in the classified service according to their respective duties and responsibilities, fix rates of compensation for all classes of positions, approve or disapprove disbursements for all personal services, determine by competitive examination and performance exclusively on the basis of merit, efficiency and fitness the qualifications of all candidates for positions in the classified service, make rules and regulations covering all personnel transactions, and regulate all conditions of employment in the classified state civil service.

3. As required by Section 5 of Article XI of the Michigan Constitution of 1963, the administration of the Civil Service Commission's power shall continue to be vested in the State Personnel Director, who shall be a member of the state classified service and who shall be responsible to and selected by the Commission after open competitive examination.

The State Personnel Director shall continue to be the principal executive officer of the Commission. All of the authority, powers, duties, and functions of the Director of the Department of Civil Service under Executive Order 2002-19, MCL 38.1173, are transferred to the State Personnel Director.

4. All of the authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds of the Department of Civil Service under any of the following are transferred to the Civil Service Commission:

- a. 1976 PA 199, MCL 15.501 to 15.512.
- b. Section 6 of 1976 PA 169, MCL 15.406.
- c. Section 237 of The Management and Budget Act, 1984 PA 431, MCL 18.1237.
- d. Sections 281 and 281a of The Management and Budget Act, 1984 PA 431, MCL 18.1281 and 18.1281a.
- e. Section 454 and 455 of The Management and Budget Act, 1984 PA 431, MCL 18.1454 and 18.1455.
- f. Executive Order 2002-13, MCL 38.1172. The Commission shall actively cooperate with the Office of the State Employer and provide information as requested by the Office of the State Employer on matters relating to state employee benefits programs to enable the Office of the State Employer to fulfill its duties and obligations under Executive Orders 1979-5, 1981-3, 1988-6, 2002-18, and 2004-31. As used in this paragraph, "state employee benefits programs" include, without limitation, all of the following:
  - i. Health screening programs.
  - ii. Group insurance plans for medical, dental, vision, disability, life, long-term care, and other similar benefits.
  - iii. Pre-tax benefit programs.
  - iv. Health benefit continuation programs under the federal Consolidated Omnibus Budget Reconciliation Act of 1986, as amended ("COBRA"), and other benefit continuation programs.
- g. Executive Order 2002-19, MCL 38.1173. The Commission shall actively cooperate with the Office of the State Budget Director and shall provide information as requested by the Office of the State Budget Director relating to the HRMN System to enable the Office of the State Budget Director to assure compliance with The Management and Budget Act, 1984 PA 431, MCL 18.1101 to 18.1594.
- h. Section 10j of 1951 PA 51, MCL 247.660j.
- i. Section I.D of Executive Order 2000-9, MCL 388.996.
- j. Section 4 of the Higher Education Loan Authority Act, 1975 PA 222, MCL 390.1154.
- k. 1976 PA 154, MCL 390.1201 to 390.1207.
- l. Section 2 of 1978 PA 260, MCL 393.352.
- m. Section 7 of 1982 PA 540, MCL 397.17.
- n. Sections 103 and 203 of the Michigan Museum Act, 1990 PA 325, MCL 399.403 and 399.503.
- o. Section 4 of the Correctional Industries Act, 1968 PA 15, MCL 800.324.

5. Except as otherwise provided in this Order, all the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources pertaining to the administration of human resource operations within the principal departments of the executive branch of state government, including, but not limited to, administration of human resource processes, human resource programs, disbursements for personnel services, personnel transactions, and employee benefits, are transferred to the Civil Service Commission. Upon the completion of the transfers authorized by this Order, all authority, power, duties, functions, responsibilities, personnel, equipment, and budgeting resources within the executive branch of state government relating to human resource operations shall be conducted by the Commission. The transfers under this paragraph shall not be construed to inhibit the head of a principal department, elected or appointed, from supervising the powers, duties, and functions of the principal department or to alter the powers and duties of the Office of the State Employer. The transfers under this paragraph shall not alter the authority of a department head, agency head, or a state officer to act as an appointing authority for department or agency personnel, and appointing authorities shall retain the authority to do any of the following:

- a. Direct and control the activities of employees, subject to the constitutional authority of the Civil Service Commission to regulate all conditions of employment in the state classified civil service.
- b. Participate in the recruitment of employees.
- c. Advise the Civil Service Commission on qualifications for positions.
- d. Process employee grievances.
- e. Conduct in-service training of employees.
- f. Establish or abolish positions.
- g. Evaluate employees and recommend employees for promotion.
- h. Select employees for positions based upon eligibility lists provided by the Civil Service Commission.

6. The Civil Service Commission shall continue to operate a human resource services center ("MI HR Service Center and "MI HR Gateway") to assist state employees and the principal departments of the executive branch of state government with human resource operations issues and may develop standardized policies and procedures for administration of human resource operations transferred to the Commission under this Order.

7. All of the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources of the Advisory Board to the Michigan Internship Office under Section 4 of 1976 PA 154, are transferred to the Civil Service Commission. The Advisory Board to the Michigan Internship Office is abolished.

8. Any of the remaining authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, budgetary resources, and discretionary activities of the Department of Civil Service not otherwise transferred to the Department of Management and Budget or the Civil Service Commission under this Order are transferred by Type III transfer to the Department of Management and Budget. The Department of Civil Service is abolished.

### **III. DEPARTMENT OF CIVIL RIGHTS**

#### **A. Michigan Women's Commission**

1. The position of the Director of the Department of Civil Service, or his or her representative, as an ex officio member of the Michigan Women's Commission under Section 1 of 1968 PA 1, MCL 10.71, is transferred to the State Personnel Director or his or her designee from within the Civil Service Commission.

### **IV. DEPARTMENT OF LABOR AND ECONOMIC GROWTH**

#### **A. Interagency Council on Spanish Speaking Affairs**

1. The position of the Director of the Department of Civil Service, or his or her authorized representative, as a member of the Interagency Council on Spanish-Speaking Affairs restored under Section III.E.1 of Executive Order 2003-18, MCL 445.2011, is transferred to the State Personnel Director or his or her designee from within the Civil Service Commission.

### **V. IMPLEMENTATION BY CIVIL SERVICE COMMISSION**

A. The State Personnel Director and the director of each principal department shall jointly identify the program positions and administrative function positions that will be transferred to the Civil Service Commission under Section II.C.5. The State Personnel Director and the directors of the principal departments within the executive branch of state government shall make every effort to develop the agreements specifying the positions to be transferred by the effective date of this Order. In the event of a failure to reach an agreement on positions to be transferred under this Order, the State Personnel Director shall develop a written recommendation specifying the positions to be transferred and submit the recommendation to the Civil Service Commission for consideration and approval. All transfers to the Commission under Section II.C.5 shall be consistent with this Order and documented by a memorandum of understanding between the director of each principal department affected by this Order and the State Personnel Director.

B. For the purpose of implementing this Order or facilitating the administration of human resource operations, the Civil Service Commission may enter into a written agreement, including a service level agreement, with any other department or agency regarding the performance of human resource operations.

C. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Civil Service Commission are transferred to the Commission.

D. The Civil Service Commission shall provide executive direction and supervision for the implementation of the transfers to the Civil Service Commission under this Order. The functions transferred to the Commission shall be administered under the direction and supervision of the Commission.

E. The Civil Service Commission shall immediately initiate coordination with departments and agencies within the executive branch of state government to facilitate the transfers to the Commission under this Order. Each principal department affected by the transfers to the Commission under this Order shall issue, after consultation with the Commission, a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the transferring department related to the transfers to the Commission under this Order.

F. Departments, agencies, and state officers within the executive branch of state government shall fully and actively cooperate with the Civil Service Commission in the implementation of this Order. The Civil Service Commission may request the assistance of other departments, agencies, and state officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, and other issues related to implementation of the transfers under this Order, and the departments and agencies shall provide the assistance requested.

G. The Civil Service Commission shall administer the assigned functions transferred to the Commission under this Order in such ways as to promote efficient administration and may make internal organizational changes within the Commission as may be administratively necessary to complete the realignment of responsibilities under this Order.

H. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Civil Service Commission are transferred to the Commission.

### **VI. IMPLEMENTATION BY DEPARTMENT OF MANAGEMENT AND BUDGET**

A. Except as otherwise provided in this Order, the Director of the Department of Management and Budget shall provide executive direction and supervision for the implementation of the transfers to the Department under this Order. The functions transferred to the Department shall be administered under the direction and supervision of the Director of the Department.

B. The Director of the Department of Management and Budget shall immediately initiate coordination with departments and agencies within the executive branch of state government to facilitate the transfers to the Department under this Order. Each principal department affected by the transfers to the Department under this Order shall issue, after consultation with the Director of the Department, a memorandum of record identifying any pending settlements, issues of compliance

with applicable federal and state laws and regulations, or other obligations to be resolved by the transferring department related to the transfers to the Department under this Order.

C. The Director of the Department of Management and Budget shall administer the assigned functions transferred to the Department under 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.

D. Except as otherwise provided in this Order, any authority, duties, powers, functions, and responsibilities transferred to the Department of Management and Budget under this Order, and not otherwise mandated by law, may in the future be reorganized to promote efficient administration by the Director of the Department.

E. The Director of the Department of Management and Budget may perform a duty or exercise a power conferred by law or executive order upon the Director of the Department at the time and to the extent the duty or power is delegated to the Director of the Department by law or order.

F. The Director of the Department of the Department of Management and Budget in writing may delegate within the Department a duty or power conferred on the Director of the Department by this Order or by other law, and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated by the Director of the Department.

G. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Department of Management and Budget are transferred to the Department.

## **VII. MISCELLANEOUS**

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in this state's financial management system necessary to implement this Order.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

C. All rules, orders, contracts, and agreements relating to the functions transferred to the under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

D. Nothing in this Order shall be construed to diminish or limit the power of the Civil Service Commission to exercise authority granted to the Commission under Section 5 of Article XI of the Michigan Constitution of 1963.

E. A copy of this Order shall be transmitted to the members of the Civil Service Commission and the State Personnel Director. The Civil Service Commission is urged to take any action necessary to implement the provisions of this Order.

F. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective August 26, 2007 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

### **EXECUTIVE ORDER**

**No. 2007 – 31**

### **CONSOLIDATING INTERNAL AUDIT FUNCTIONS**

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

WHEREAS, Section 53 of Article IV of the Michigan Constitution of 1963 limits the duties of the legislative Auditor General to the conduct of post audits of financial transactions and accounts of this state and state entities and performance post audits thereof;

WHEREAS, under Section 485 of The Management and Budget Act, 1984 PA 431, MCL 18.1485, each principal department within the executive branch is required to establish and maintain its own internal accounting and administrative control system and appoint its own internal auditor;

WHEREAS, the Department of Management and Budget is required to minimize the duplication of activities among state agencies, between state agencies and businesses, to effect a better organization and consolidation of functions among state agencies, and to establish, administer, operate, or provide centralized services when advantageous to this state;

WHEREAS, consolidation of internal audit functions within the Department of Management and Budget will promote a more unified approach to internal audit functions within the executive branch of state government and improve the effectiveness of financial controls;

WHEREAS, consolidating state internal audit functions will increase administrative efficiencies;

WHEREAS, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

NOW THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. DEFINITIONS**

As used in this Order:

A. "Department of Management and Budget" means the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121.

B. "Office of the State Budget Director" means the office created within the Department of Management and Budget under Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

C. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

#### **II. TRANSFERS TO OFFICE OF THE STATE BUDGET DIRECTOR**

A. All the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources of internal auditors within principal departments of this state under Sections 486 and 487 of The Management and Budget Act, 1984 PA 431, MCL 18.1486 and 18.1487, are transferred to the Office of the State Budget Director. The transfers under this paragraph shall not be construed to inhibit the head of a principal department, elected or appointed, from supervising the powers, duties, and functions of that principal department.

B. All of the authority, powers, duties, functions, responsibilities of a principal department of this state to appoint and supervise an internal auditor for a principal department under Section 486 of The Management and Budget Act, 1984 PA 431, MCL 18.1486, are transferred to the State Budget Director. The State Budget Director may appoint an internal auditor to serve as the internal auditor for one or more principal departments.

C. The Office of the State Budget Director shall operate an internal audit services center to assist departments and agencies within the executive branch with accounting functions and may develop standardized policies and procedures for the performance of accounting functions.

#### **III. ADMINISTRATION OF INTERNAL AUDIT FUNCTIONS**

A. Each internal auditor appointed by the State Budget Director shall be a member of the classified state civil service. Each internal auditor shall report to and be under the general supervision of the State Budget Director.

B. A person shall not prevent or prohibit an internal auditor from initiating, carrying out, or completing any audit or investigation. An internal auditor shall be protected pursuant to the Whistleblowers' Protection Act, 1980 PA 469, MCL 15.361 to 15.369.

C. An internal auditor appointed by the State Budget Director under Section II.B shall do all of the following:

1. Receive and investigate any allegations that false or misleading information was received in evaluating a principal department's internal accounting and administrative control system or in connection with the preparation of the biennial report on the system.

2. Conduct and supervise audits relating to financial activities of a principal department's operations.

3. Review existing activities and recommend policies designed to promote efficiency in the administration of a principal department's programs and operations.

4. Recommend policies for activities to protect this state's assets under the control of a principal department, and to prevent and detect fraud and abuse in the principal department's programs and operations.

5. Review and recommend activities designed to ensure that a principal department's internal financial control and accounting policies are in conformance with the accounting directives issued by the Office of the State Budget Director pursuant to Sections 421 and 444 of The Management and Budget Act, 1984 PA 431, MCL 18.1421 and 18.1444.

6. Provide a means to keep the State Budget Director and the head of a principal department fully and currently informed about problems and deficiencies relating to the administration of the principal department's programs and operations, and the necessity for, and progress of, corrective action.

7. Conduct other audit and investigative activities as assigned by the State Budget Director.

8. Prepare biennial reports for principal departments required under Section 485(4) of The Management and Budget Act, 1984 PA 431, MCL 18.1485.

D. Each internal auditor appointed by the State Budget Director under Section II.B shall adhere to appropriate professional and auditing standards in carrying out any financial or program audits or investigations.

E. Each internal auditor appointed by the State Budget Director under Section II.B shall report immediately to the State Budget Director and the principal department head if the internal auditor becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs or operations of a principal department or agencies within the department.

#### **IV. IMPLEMENTATION OF TRANSFERS**

A. The State Budget Director and the directors of all principal departments within the executive branch of state government shall jointly identify the program positions and administrative function positions that will be transferred to the Office of the State Budget Director under this Order. The State Budget Director and the directors of all principal departments shall make every effort to develop the agreements specifying the positions to be transferred by the effective date of this Order. In the event of a failure to reach an agreement on positions to be transferred under this Order, the State Budget Director shall develop a written recommendation specifying the positions to be transferred and submit the recommendation to the Governor for consideration and approval. All transfers to the Office of the State Budget Director shall be consistent with this Order and documented by a memorandum of understanding between the director of each principal department affected by this Order and the State Budget Director.

B. For the purpose of implementing this Order or facilitating the performance of internal audit functions, the Office of the State Budget Director may enter into a written agreement, including a service level agreement, with any other department or agency regarding the performance of internal audit functions.

C. The State Budget Director shall provide executive direction and supervision for the implementation of all transfers to the Office of the State Budget Director under this Order.

D. The State Budget Director shall immediately initiate coordination with department and agencies within the executive branch of state government to facilitate the transfers under this Order. Each principal department affected by the transfers under this Order shall issue, after consultation with the State Budget Director, a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the transferring department related to the transfers under this Order.

E. Departments, agencies, and state officers within the executive branch of state government shall fully and actively cooperate with the Office of the State Budget Director in the implementation of this Order. The State Budget Director may request the assistance of other departments, agencies, and state officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, and other issues related to implementation of the transfers under this Order, and the departments and agencies shall provide the assistance requested.

F. The State Budget Director shall administer the functions transferred under 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.

G. The State Budget Director may delegate within the Office of the State Budget Director a duty or power conferred on the State Budget Director by this Order or by other law, and the individual to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated by the State Budget Director.

H. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Office of the State Budget Director are transferred to the Office of the State Budget Director.

#### **V. MISCELLANEOUS**

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in this state's financial management system necessary to implement this Order.

B. All rules, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.



In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective October 1, 2007 at 12:01 a.m.

[SEAL]

Given under my hand this 24th day of May, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

### **EXECUTIVE ORDER**

**No. 2007 – 32**

### **CONSOLIDATING ACCOUNTING FUNCTIONS**

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

WHEREAS, the Department of Management and Budget is required to minimize the duplication of activities among state agencies, between state agencies and businesses, to effect a better organization and consolidation of functions among state agencies, and to establish, administer, operate, or provide centralized services when advantageous to this state;

WHEREAS, consolidation of state accounting functions within the Department of Management and Budget will promote a more unified approach to accounting of state expenditures and funds within the executive branch of state government and improve the effectiveness of accounting functions;

WHEREAS, consolidating state accounting functions will increase administrative efficiencies;

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. DEFINITIONS**

As used in this Order:

A. "Accounting functions" includes all of the following:

1. Processing of expenditure transactions, including, but not limited to, payments.
2. Processing of revenue transactions, including, but not limited to, processing of receipts.
3. Processing of journal vouchers.
4. Processing of budgetary transactions.
5. Preparation of financial reconciliations.
6. Preparation of financial reports and projections.

B. "Department of Management and Budget" means the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121.

C. "Office of the State Budget Director" means the office created within the Department of Management and Budget under Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

D. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

#### **II. TRANSFERS TO OFFICE OF THE STATE BUDGET DIRECTOR**

A. All the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources pertaining to accounting functions within the executive branch of state government, are transferred to the Office of the State Budget Director. Upon the completion of the transfers authorized by this Order, all authority, power, duties, functions, responsibilities, personnel, equipment, and budgeting resources within the executive branch of state government relating to accounting functions shall be administered by the Office of the State Budget Director.

The transfers under this paragraph shall not be construed to inhibit the head of a principal department, elected or appointed, from supervising the statutory powers, duties, and functions of that principal department.

B. All the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources of the Department of Management and Budget or the Director of the Department of Management and Budget under Section 283 of The Management and Budget Act, 1984 PA 431, MCL 18.1283, are transferred to the Office of the State Budget Director.

C. All the authority, powers, duties, functions, responsibilities, rule-making authority, personnel, equipment, and budgetary resources of the Department of Management and Budget or the Director of the Department of Management and Budget under Article IV of The Management and Budget Act, 1984 PA 431, MCL 18.1401 to 18.1499, are transferred to the Office of the State Budget Director.

D. The Office of the State Budget Director shall operate an accounting functions services center to assist departments and agencies within the executive branch with accounting functions and may develop standardized policies and procedures for the performance of accounting functions.

### **III. IMPLEMENTATION OF TRANSFERS**

A. The State Budget Director and the directors of all principal departments within the executive branch of state government shall jointly identify the program positions and administrative function positions that will be transferred to the Office of the State Budget Director under this Order. The State Budget Director and the directors of the principal departments shall make every effort to develop the agreements specifying the positions to be transferred by the effective date of this Order. In the event of a failure to reach an agreement on positions to be transferred under this Order, the State Budget Director shall develop a written recommendation specifying the positions to be transferred and submit the recommendation to the Governor for consideration and approval. All transfers to the Office of the State Budget Director shall be consistent with this Order and documented by a memorandum of understanding between the director of each principal department affected by this Order and the State Budget Director.

B. For the purpose of implementing this Order or facilitating the performance of accounting functions, the Office of the State Budget Director may enter into a written agreement, including a service level agreement, with any other department or agency regarding the performance of accounting functions.

C. The State Budget Director shall provide executive direction and supervision for the implementation of all transfers to the Office of the State Budget Director under this Order.

D. The State Budget Director shall immediately initiate coordination with department and agencies within the executive branch of state government to facilitate the transfers under this Order. Each principal department affected by the transfers under this Order shall issue, after consultation with the State Budget Director, a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the transferring department related to the transfers under this Order.

E. Departments, agencies, and state officers within the executive branch of state government shall fully and actively cooperate with the Office of the State Budget Director in the implementation of this Order. The State Budget Director may request the assistance of other departments, agencies, and state officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, and other issues related to implementation of the transfers under this Order, and the departments and agencies shall provide the assistance requested.

F. The State Budget Director shall administer the functions transferred under 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.

G. The State Budget Director may delegate within the Office of the State Budget Director a duty or power conferred on the State Budget Director by this Order or by other law, and the individual to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated by the State Budget Director.

H. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Office of the State Budget Director are transferred to the Office of the State Budget Director.

### **IV. MISCELLANEOUS**

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in this state's financial management system necessary to implement this Order.

B. All rules, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective October 1, 2007 at 12:01 a.m.

[SEAL]

Given under my hand this 24th day of May, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

**EXECUTIVE ORDER**

**No. 2007 – 33**

**ABOLISHING THE ENVIRONMENTAL EDUCATION  
ADVISORY COMMITTEE**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**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, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, abolishing the Environmental Education Advisory Committee will contribute to a smaller and more efficient state government;

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. DEFINITIONS**

As used in this Order:

A. "Department of Environmental Quality" means the principal department of state government created under Executive Order 1995-18, MCL 324.99903.

B. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

C. "Type III transfer" means that term as defined under Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

**II. TRANSFER OF AUTHORITY**

A. Any and all of the authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds of the Environmental Education Advisory Committee authorized under Section 2504 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.2504, are transferred by Type III transfer to the Department of Environmental Quality. The Environmental Education Advisory Committee is abolished.

**III. IMPLEMENTATION OF TRANSFERS**

A. The Director of the Department of Environmental Quality shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Environmental Quality in such ways as to promote efficient administration.

C. All records, property, unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Environmental Education Advisory Committee for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Environmental Quality.

D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

#### IV. MISCELLANEOUS

A. All rules, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective July 29, 2007 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand seven.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

#### **EXECUTIVE ORDER**

**No. 2007 – 34**

#### **ABOLISHING THE GREAT LAKES PROTECTION FUND TECHNICAL ADVISORY BOARD**

#### **DEPARTMENT OF ENVIRONMENTAL QUALITY**

#### **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, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, abolishing the Great Lakes Protection Fund Technical Advisory Board will contribute to a smaller and more efficient state government;

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. DEFINITIONS**

As used in this Order:

A. "Department of Environmental Quality" means the principal department of state government created under Executive Order 1995-18, MCL 324.99903.

B. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

C. "Type III transfer" means that term as defined under Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

#### **II. TRANSFER OF AUTHORITY**

A. All of the authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the Great Lakes Protection Fund Technical Advisory Board created under Section 32908 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.32908, are transferred by Type III transfer to the Department of Environmental Quality.

B. The Great Lakes Protection Fund Technical Advisory Board is abolished.

**III. IMPLEMENTATION OF TRANSFERS**

A. The Director of the Department of Environmental Quality shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Environmental Quality in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Great Lakes Protection Fund Technical Advisory Board for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Environmental Quality.

D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state’s financial management system necessary for the implementation of this Order.

**IV. MISCELLANEOUS**

A. All rules, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective July 29, 2007 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand seven.

Jennifer M. Granholm  
Governor  
By the Governor:  
Terri L. Land  
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

**EXECUTIVE ORDER  
No. 2007 – 35**

**ABOLISHING THE ORGANIC ADVISORY COMMITTEE**

**DEPARTMENT OF AGRICULTURE**

**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, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, abolishing the Organic Advisory Committee will contribute to a smaller and more efficient state government;

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. DEFINITIONS**

As used in this Order:

A. “Department of Agriculture” means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

B. “State Budget Director” means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

C. "Type III transfer" means that term as defined under Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

## **II. TRANSFER OF AUTHORITY**

A. Any and all of the authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the Organic Advisory Committee created within the Department of Agriculture under Section 25 of the Michigan Organic Products Act, 2000 PA 316, MCL 286.925, are transferred by Type III transfer to the Department of Agriculture.

B. The Organic Advisory Committee is abolished.

## **III. IMPLEMENTATION OF TRANSFERS**

A. The Director of the Department of Agriculture shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Agriculture in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Organic Advisory Committee for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Agriculture.

D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

## **IV. MISCELLANEOUS**

A. All rules, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective July 29, 2007 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand seven.

Jennifer M. Granholm  
Governor  
By the Governor:  
Terri L. Land  
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

### **EXECUTIVE ORDER No. 2007 – 36**

#### **ABOLISHING THE CONSUMER FOOD SAFETY EDUCATION FUND ADVISORY COMMITTEE**

#### **DEPARTMENT OF AGRICULTURE**

#### **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, there is a continuing need to reorganize functions amongst state departments to ensure efficient administration and effectiveness of government;

WHEREAS, abolishing the Consumer Food Safety Education Fund Advisory Committee will contribute to a smaller and more efficient state government;

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. DEFINITIONS**

As used in this Order:

A. "Department of Agriculture" means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

B. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

C. "Type III transfer" means that term as defined under Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

#### **II. TRANSFER OF AUTHORITY**

A. Any and all of the authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds of the Consumer Food Safety Education Fund Advisory Committee authorized under Section 4117 of the Food Law of 2000, 2000 PA 92, MCL 289.4117, are transferred by Type III transfer to the Department of Agriculture.

B. The Consumer Food Safety Education Fund Advisory Committee is abolished.

#### **III. IMPLEMENTATION OF TRANSFERS**

A. The Director of the Department of Agriculture shall provide executive direction and supervision for the implementation of all transfers of functions under this Order and shall make internal organizational changes as necessary to complete the transfers under this Order.

B. The functions transferred under this Order shall be administered by the Director of the Department of Agriculture in such ways as to promote efficient administration.

C. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Consumer Food Safety Education Fund Advisory Committee for the activities, powers, duties, functions, and responsibilities transferred under this Order are transferred to the Department of Agriculture.

D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

#### **IV. MISCELLANEOUS**

A. All rules, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective July 29, 2007 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand seven.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2007 and read:

#### **EXECUTIVE ORDER**

**No. 2007 – 37**

#### **ABOLISHING THE MICHIGAN TASK FORCE ON CERVICAL CANCER AWARENESS**

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, the Michigan Task Force Cervical Cancer Awareness has completed the work for which it was created; 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:

A. The Michigan Task Force on Cervical Cancer Awareness created by Executive Order 2006-5 is abolished. The provisions of this Order are effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand seven.

Jennifer M. Granholm  
Governor  
By the Governor:  
Terri L. Land  
Secretary of State

The message was referred to the Clerk.

By unanimous consent the House returned to the order of  
**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **House Bill No. 4575**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **House Bill No. 4576**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **House Bill No. 4577**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4600**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4601**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4548**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4246**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Intergovernmental, Urban and Regional Affairs from further consideration of **House Bill No. 4266**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4804**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4799**.

Rep. Tobocman



### Introduction of Bills

Reps. Angerer, Byrum, Coulouris, Gillard, Byrnes, Miller, Lemmons, Meisner, Griffin, Sak, Virgil Smith, Brown, Farrah, Polidori, Espinoza, Mayes, Ebli, LeBlanc, Valentine, Hopgood, Corriveau, Hammon, Sheltroun, McDowell, Wojno, Dean, Donigan, Robert Jones, Rick Jones, Meekhof, Vagnozzi, Gaffney, Hune, Wenke, Moore, David Law, Horn, Hoogendyk, Rocca, Green, Stakoe, Hildenbrand, Stahl, Ward, Opsommer, Nofs, Bauer, Marleau, Sheen and Clack introduced

**House Bill No. 4821, entitled**

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4b.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Byrum, Angerer, Coulouris, Gillard, Byrnes, Miller, Lemmons, Meisner, Griffin, Sak, Virgil Smith, Brown, Farrah, Polidori, Espinoza, Mayes, Ebli, LeBlanc, Valentine, Hopgood, Corriveau, Hammon, Sheltroun, McDowell, Wojno, Clack, Dean, Donigan, Robert Jones, Rick Jones, Meekhof, Vagnozzi, Gaffney, Hune, Wenke, Moore, David Law, Horn, Hoogendyk, Rocca, Green, Hildenbrand, Stahl, Ward, Opsommer, Nofs, Bauer, Marleau, Stakoe, Scott and Sheen introduced

**House Bill No. 4822, entitled**

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Nofs, Moore, LaJoy, Rocca, Caswell, Stahl, Stakoe, Hune, Steil, Hansen, Brandenburg, Casperson, Hildenbrand, Green, Hoogendyk, DeRoche, Palmer, Wenke, Rick Jones, Gaffney, Byrum, LeBlanc, Polidori and Sheen introduced

**House Bill No. 4823, entitled**

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Young, Scott, Cushingberry, Condino, Clack, Donigan, Robert Jones and Vagnozzi introduced

**House Bill No. 4824, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2006 PA 622.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Young, Scott, Cushingberry, Condino, Clack, Donigan, Robert Jones and Vagnozzi introduced

**House Bill No. 4825, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of

the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11c (MCL 247.661c), as amended by 2002 PA 498.

The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Young, Gillard and Johnson introduced

**House Bill No. 4826, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Amos, Rocca, Green, Miller, Ward, Meisner, Accavitti, Shaffer, Meekhof, Emmons, Gonzales, Sheltroun, Gaffney, Hune, Nofs, Dean, Sheen, Robertson, Hansen, David Law, Casperson, Palsrok, Booher, Steil and Agema introduced

**House Bill No. 4827, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 213 and 215 (MCL 18.1213 and 18.1215), section 213 as amended by 2006 PA 269 and section 215 as amended by 1988 PA 504.

The bill was read a first time by its title and referred to the Committee on Oversight and Investigations.

Reps. Rick Jones, Pearce, Elsenheimer, Stahl, Mayes, Sheltroun and Polidori introduced

**House Bill No. 4828, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7218 (MCL 333.7218), as amended by 1998 PA 319.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Valentine, Sheltroun, Lahti, McDowell, Espinoza, Mayes, Meadows, Bauer, Condino, Lindberg, Corriveau and Gillard introduced

**House Bill No. 4829, entitled**

A bill to make, supplement, and adjust appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Agema, Steil, LeBlanc, Green, Robertson, Johnson, Young, Bennett, Espinoza, Kathleen Law, Meadows, Hammel, Hammon, Rocca, Hoogendyk, Emmons, LaJoy, Sheen, Stahl, Acciavatti, Rick Jones, Garfield, Palmer, Calley, David Law, Nitz, Dean, Stakoe, Casperson, Huizenga, Brandenburg, Pastor, Meekhof, Hansen, Nofs, Moolenaar, Knollenberg, Hune, Ward, Pearce, Wenke, Virgil Smith, Ball, Gonzales, Brown and Polidori introduced

**House Bill No. 4830, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80205 (MCL 324.80205), as amended by 2007 PA 8.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reps. Clack, Hammel, Hammon, Vagnozzi, Miller, Constan, Johnson, Jackson, Hopgood, Polidori, Lemmons, Ebli, Cushingberry and Virgil Smith introduced

**House Bill No. 4831, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2947 (MCL 600.2947), as amended by 1995 PA 249.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Lahti, Alma Smith, Lindberg, McDowell, Green, Bauer, Booher, Gillard, Casperson, Sak, Rick Jones, Meekhof, Brown, Polidori, Scott, Meadows, Young, Condino, Hammel, Bennett, Espinoza and Dean introduced

**House Bill No. 4832, entitled**

A bill to authorize the state administrative board to convey certain state owned property in Gogebic county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Hoogendyk, Marleau, Agema, Calley, Meekhof, Elsenheimer, DeRoche and Opsommer introduced

**House Bill No. 4833, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Hoogendyk, Marleau, Agema, Calley, Meekhof, Elsenheimer, DeRoche and Opsommer introduced

**House Bill No. 4834, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2007 PA 6.

The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Constan, Young, Scott, Polidori, Hammel, Vagnozzi, Clemente, Melton, Clack, Meadows, Coulouris, Espinoza, Lemmons, Donigan and Gaffney introduced

**House Bill No. 4835, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5201 and 5205 (MCL 600.5201 and 600.5205) and by adding section 5202; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Constan, Johnson, Vagnozzi, Young, Meadows, Hammon, Hammel, Robert Jones, Scott, Clemente, Cushingberry, Polidori, Melton, Clack, Kathleen Law, Espinoza, Lemmons, Donigan and Condino introduced

**House Bill No. 4836, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3160.

The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Acciavatti, Pavlov, Meltzer, Stakoe and Tobocman introduced

**House Bill No. 4837, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11506 (MCL 324.11506), as amended by 1998 PA 466.

The bill was read a first time by its title and referred to the Committee on Agriculture.

Reps. Steil, Opsommer, Meekhof, Horn, Palmer, Shaffer, Sheen, Huizenga, Rick Jones, Elsenheimer, Meltzer, Stahl, Calley, Hansen, Green, Hildenbrand, Acciavatti, David Law and LaJoy introduced

**House Bill No. 4838, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3118 (MCL 324.3118), as amended by 2004 PA 91.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Farrah introduced

**House Bill No. 4839, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and section 252l as added by 2004 PA 493.

The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Kathleen Law introduced

**House Bill No. 4840, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Kathleen Law introduced

**House Bill No. 4841, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 13a (MCL 400.713a), as amended by 2004 PA 285.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Meadows introduced

**House Bill No. 4842, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), sections 3 and 37 as amended by 2006 PA 645, sections 13, 15, 17, 21, 23, 25, 27, 29, 31, 38, 39, 43, and 62 as amended by 2003 PA 87, and section 28 as added by 2006 PA 490.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Kathleen Law introduced

**House Bill No. 4843, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 31 and 35 (MCL 338.3541 and 338.3545), section 31 as amended by 2004 PA 268.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Meadows introduced

**House Bill No. 4844, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3 (MCL 338.883), as amended by 2004 PA 275.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Meadows introduced

**House Bill No. 4845, entitled**

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2004 PA 359.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Leland introduced

**House Bill No. 4846, entitled**

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 10 (MCL 338.980), as amended by 2004 PA 271.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Hood introduced

**House Bill No. 4847, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Johnson introduced

**House Bill No. 4848, entitled**

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 13 (MCL 338.2313).

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Jackson introduced

**House Bill No. 4849, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8317 (MCL 324.8317), as amended by 2003 PA 82; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Virgil Smith introduced

**House Bill No. 4850, entitled**

A bill to amend 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," by amending section 8 (MCL 129.268).

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Meisner introduced

**House Bill No. 4851, entitled**

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 4 (MCL 390.1154), as amended by 1989 PA 127, and by adding section 4b.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Cushingberry and Gillard introduced

**House Bill No. 4852, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," (MCL 484.1101 to 484.1717) by adding section 408a.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Kathleen Law moved that the House adjourn.  
The motion prevailed, the time being 6:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Friday, May 25, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives