

No. 132  
STATE OF MICHIGAN  
**Journal of the Senate**  
94th Legislature  
REGULAR SESSION OF 2007

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Senate Chamber, Lansing, Thursday, December 27, 2007.

11:30 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

The roll was called by the Assistant Secretary of the Senate, who announced that a quorum was not present.

Senator Mark C. Jansen of the 28th District offered the following invocation:

Dear Heavenly Father, we want to thank You for 2007. We want to thank You for the many gifts and the time You have allowed us to be here. We pray for those who have been here, and we just pray that You would give them strength now and replenish them. We pray that for 2008 that You would be here in this Capitol and in this state, Lord, because we need You and we do need Your leading and we need Your guiding. We pray that You would forgive us for anything in this past year that has been done without thinking of You, without bringing You honor and glory. We pray for this state, that You would help us to get back on our feet.

Lord, we have challenging economic times and we just pray that Your hand of mercy and Your hand of blessing would fall upon Michigan. But, Lord, we need our leaders from the most local to the highest in the state to follow You. We pray, Lord, that You would be doing the leading and the guiding for each and every one of us.

Lord, we think of those whom we've lost in this past year. We especially want to pray for those recently, with Mike Farley and some of the others. We pray for their families, especially this time of the year when we are missing our loved ones because we lost them recently. We pray for peace in those families, and we pray for peace in Michigan. We pray for a blessing in the year ahead.

We can only ask this in Jesus' name. Amen.

The Secretary of the Senate led the members of the Senate in recital of the *Pledge of Allegiance* and the *Pledge of Allegiance to the Flag of Michigan*.

#### Motions and Communications

The following communication was received and read:  
Office of the Senate Majority Leader

December 13, 2007

Pursuant to Public Act 224 of 2004, we are making the following appointments and reappointments to the State Drug Treatment Court Advisory Committee:

Judge Patrick Bowler, 61st District Court, Kent County Courthouse, 180 Ottawa Avenue NW, Suite 8A, Grand Rapids, Michigan 49503, representing the Michigan Association of Drug Court Professionals.

Mr. Homer Smith, MADD Michigan, P.O. Box 21157, Lansing, Michigan 48909, representing an individual who is an advocate for the rights of crime victims.

Judge William T. Ervin, Isabella County Probate Court, 300 N. Main Street, Mt. Pleasant, Michigan 48858, representing the position of a judge of the family division of circuit court who has presided for at least two years over a juvenile drug court program.

Ms. Charita Coleman-Gladdis, Ninth Circuit Court, 227 W. Michigan Avenue, Kalamazoo, Michigan 49007, representing an adult who has successfully completed a drug treatment court program.

Respectfully,  
Michael D. Bishop  
Senate Majority Leader

Andy Dillon  
Speaker of the House

The communication was referred to the Secretary for record.

The following communication was received and read:  
Office of the Auditor General

December 12, 2007

Enclosed is a copy of the Comprehensive Annual Financial Report of the Bureau of State Lottery for the fiscal years ended September 30, 2007 and 2006.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Therese A. Regner, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The audit report was referred to the Committee on Government Operations and Reform.

The following communication was received:  
Department of State

Administrative Rules  
Notice of Filing

December 19, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:09 p.m. this date, administrative rule (07-12-04) for the Department of Labor and Economic Growth, Public Service Commission, entitled "*Telecommunications Basic Local Exchange Service Quality*." These rules take effect 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, December 13:

**House Bill Nos. 4401 4847 5261 5539 5540 5541 5542**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, December 14:

**House Bill Nos. 5085 5375**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, December 13, for her approval the following bill:

**Enrolled Senate Bill No. 910 at 3:01 p.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, December 18, for her approval the following bills:

- Enrolled Senate Bill No. 386 at 1:52 p.m.**
- Enrolled Senate Bill No. 455 at 1:54 p.m.**
- Enrolled Senate Bill No. 534 at 1:56 p.m.**
- Enrolled Senate Bill No. 539 at 1:58 p.m.**
- Enrolled Senate Bill No. 174 at 2:00 p.m.**
- Enrolled Senate Bill No. 928 at 2:02 p.m.**
- Enrolled Senate Bill No. 929 at 2:04 p.m.**
- Enrolled Senate Bill No. 930 at 2:06 p.m.**
- Enrolled Senate Bill No. 931 at 2:08 p.m.**
- Enrolled Senate Bill No. 932 at 2:10 p.m.**
- Enrolled Senate Bill No. 933 at 2:12 p.m.**
- Enrolled Senate Bill No. 934 at 2:14 p.m.**
- Enrolled Senate Bill No. 935 at 2:16 p.m.**
- Enrolled Senate Bill No. 937 at 2:18 p.m.**
- Enrolled Senate Bill No. 450 at 2:20 p.m.**
- Enrolled Senate Bill No. 451 at 2:22 p.m.**
- Enrolled Senate Bill No. 453 at 2:24 p.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, December 19, for her approval the following bills:

- Enrolled Senate Bill No. 938 at 4:20 p.m.**
- Enrolled Senate Bill No. 940 at 4:22 p.m.**
- Enrolled Senate Bill No. 941 at 4:24 p.m.**
- Enrolled Senate Bill No. 942 at 4:26 p.m.**
- Enrolled Senate Bill No. 452 at 4:28 p.m.**
- Enrolled Senate Bill No. 411 at 4:30 p.m.**
- Enrolled Senate Bill No. 410 at 4:32 p.m.**
- Enrolled Senate Bill No. 271 at 4:34 p.m.**
- Enrolled Senate Bill No. 794 at 4:36 p.m.**
- Enrolled Senate Bill No. 242 at 4:38 p.m.**
- Enrolled Senate Bill No. 241 at 4:40 p.m.**
- Enrolled Senate Bill No. 243 at 4:42 p.m.**
- Enrolled Senate Bill No. 98 at 4:44 p.m.**
- Enrolled Senate Bill No. 368 at 4:46 p.m.**
- Enrolled Senate Bill No. 540 at 4:48 p.m.**
- Enrolled Senate Bill No. 925 at 4:50 p.m.**
- Enrolled Senate Bill No. 513 at 4:52 p.m.**
- Enrolled Senate Bill No. 944 at 4:54 p.m.**
- Enrolled Senate Bill No. 59 at 4:56 p.m.**
- Enrolled Senate Bill No. 939 at 4:58 p.m.**
- Enrolled Senate Bill No. 678 at 5:00 p.m.**

The Secretary announced that the following official bills were printed on Thursday, December 13, and are available at the legislative website:

**Senate Bill Nos.   997   998   1000**  
**House Bill Nos.   5554 5555 5556 5557 5558 5559 5560 5561 5562 5563**

The Secretary announced that the following official bills were printed on Friday, December 14, and are available at the legislative website:

**Senate Bill Nos.   1001 1002 1003 1004 1005**  
**House Bill Nos.   5564 5565 5566 5567 5568 5569 5570 5571 5572 5573 5574 5575 5576 5577**  
**5578 5579 5580 5581 5582 5583 5584 5585 5586 5587 5588 5589**

### Messages from the Governor

The following messages from the Governor were received:

Date: December 13, 2007

Time: 9:57 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 593 (Public Act No. 149), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending the heading of part 131 and sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, 13109, 13110, and 13111.

(Filed with the Secretary of State on December 13, 2007, at 10:33 a.m.)

Date: December 14, 2007

Time: 2:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 910 (Public Act No. 150), being**

An act to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending sections 6 and 9 (MCL 207.806 and 207.809), section 6 as amended by 2003 PA 248 and section 9 as amended by 2000 PA 144.

(Filed with the Secretary of State on December 14, 2007, at 4:08 p.m.)

Date: December 20, 2007

Time: 4:17 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 452 (Public Act No. 157), being**

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 601, 602, 605, 2402, 2404, 2405, and 2411 (MCL 339.601, 339.602, 339.605, 339.2402, 339.2404, 339.2405, and 339.2411), sections 601 and 602 as amended by 2005 PA 278, section 2404 as amended by 1988 PA 463, and section 2411 as amended by 2001 PA 113, and by adding sections 2404b and 2411a.

(Filed with the Secretary of State on December 21, 2007, at 11:04 a.m.)

Date: December 20, 2007  
Time: 4:47 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 450 (Public Act No. 155), being**

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 601, 602, 604, 605, 2405, 2411, and 2412 (MCL 339.601, 339.602, 339.604, 339.605, 339.2405, 339.2411, and 339.2412), sections 601 and 602 as amended by 2005 PA 278, section 604 as amended by 1989 PA 261, and sections 2411 and 2412 as amended by 2001 PA 113, and by adding sections 606 and 2404a.

(Filed with the Secretary of State on December 21, 2007, at 11:00 a.m.)

Date: December 20, 2007  
Time: 4:49 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 451 (Public Act No. 156), being**

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142, and by adding section 2975a.

(Filed with the Secretary of State on December 21, 2007, at 11:02 a.m.)

Date: December 20, 2007  
Time: 4:53 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 453 (Public Act No. 158), being**

An act to amend 1979 PA 152, entitled “An act to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments,” by amending section 39 (MCL 338.2239), as amended by 2007 PA 77.

(Filed with the Secretary of State on December 21, 2007, at 11:06 a.m.)

Date: December 20, 2007  
Time: 6:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 174 (Public Act No. 159), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services;

to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding part 54C.

(Filed with the Secretary of State on December 21, 2007, at 11:08 a.m.)

Date: December 20, 2007

Time: 6:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 386 (Public Act No. 163), being**

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 520a, 520b, 520c, 520d, and 520e (MCL 750.520a, 750.520b, 750.520c, 750.520d, and 750.520e), sections 520a and 520c as amended by 2006 PA 171, section 520b as amended by 2006 PA 169, and sections 520d and 520e as amended by 2002 PA 714.

(Filed with the Secretary of State on December 21, 2007, at 11:16 a.m.)

Date: December 20, 2007

Time: 6:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 410 (Public Act No. 164), being**

An act to amend 1986 PA 32, entitled "An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates," 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 and section 308 as amended by 1994 PA 29, 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 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.

(Filed with the Secretary of State on December 21, 2007, at 11:18 a.m.)

Date: December 20, 2007

Time: 6:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 411 (Public Act No. 165), being**

An act to amend 1986 PA 32, entitled "An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates," 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.

(Filed with the Secretary of State on December 21, 2007, at 11:20 a.m.)

Date: December 20, 2007  
Time: 6:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 540 (Public Act No. 167), being**

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 552 (MCL 750.552).

(Filed with the Secretary of State on December 21, 2007, at 11:24 a.m.)

Date: December 20, 2007  
Time: 6:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 794 (Public Act No. 168), being**

An act to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 11 (MCL 247.911), as amended by 1993 PA 149.

(Filed with the Secretary of State on December 21, 2007, at 11:26 a.m.)

Date: December 20, 2007  
Time: 6:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 925 (Public Act No. 169), being**

An act to amend 1984 PA 431, entitled “An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 395 (MCL 18.1395), as amended by 2007 PA 2.

(Filed with the Secretary of State on December 21, 2007, at 11:28 a.m.)

Date: December 20, 2007  
Time: 6:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 928 (Public Act No. 170), being**

An act to amend 1979 PA 72, entitled “An act to require the governor to report certain tax information with the annual budget message to the legislature,” by amending section 3 (MCL 21.273), as amended by 2003 PA 38.

(Filed with the Secretary of State on December 21, 2007, at 11:30 a.m.)

Date: December 20, 2007  
Time: 6:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 929 (Public Act No. 171), being**

An act to amend 1895 PA 215, entitled “An act to provide for the incorporation of cities of the fourth class; to provide for the vacation of the incorporation thereof; to define the powers and duties of such cities and the powers and

duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by cities; to define the application of this act and provide for its amendment by cities subject thereto; to validate such prior amendments and certain prior actions taken and bonds issued by such cities; and to prescribe penalties and provide remedies,” by amending section 20 (MCL 110.20).

(Filed with the Secretary of State on December 21, 2007, at 11:32 a.m.)

Date: December 20, 2007

Time: 6:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 930 (Public Act No. 172), being**

An act to amend 1991 PA 180, entitled “An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 207.751).

(Filed with the Secretary of State on December 21, 2007, at 11:34 a.m.)

Date: December 20, 2007

Time: 6:56 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 931 (Public Act No. 173), being**

An act to amend 2003 PA 296, entitled “An act to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture investment corporation; to prescribe the powers and duties of a Michigan early stage venture investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies,” by amending sections 17, 19, and 23 (MCL 125.2247, 125.2249, and 125.2253), as amended by 2005 PA 102.

(Filed with the Secretary of State on December 21, 2007, at 11:36 a.m.)

Date: December 20, 2007

Time: 6:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 932 (Public Act No. 174), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 8716, 14501, 36109, and 73301 (MCL 324.8716, 324.14501, 324.36109, and 324.73301), section 8716 as amended by 2003 PA 163, section 14501 as amended by 2006 PA 254, section 36109 as amended by 2002 PA 75, and section 73301 as added by 1995 PA 58.

(Filed with the Secretary of State on December 21, 2007, at 11:38 a.m.)



Date: December 20, 2007  
Time: 7:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 933 (Public Act No. 195), being**

An act to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 11 (MCL 207.561), as amended by 2004 PA 323.

(Filed with the Secretary of State on December 21, 2007, at 2:57 p.m.)

Date: December 20, 2007  
Time: 7:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 934 (Public Act No. 175), being**

An act to amend 1990 PA 100, entitled “An act to permit the imposition, revival, and continued collection by cities of a population of 750,000 or more of a utility users tax; to provide the procedure for, and to require the adoption of a prescribed uniform city utility users tax ordinance by cities desiring to impose and collect such a tax; to limit the rate of such tax; to prescribe the powers and duties of the state commissioner of revenue; and to provide for appeals,” by amending section 5 (MCL 141.1155), as amended by 2004 PA 322.

(Filed with the Secretary of State on December 21, 2007, at 11:40 a.m.)

Date: December 20, 2007  
Time: 7:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 935 (Public Act No. 176), being**

An act to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending section 2a (MCL 21.142a), as amended by 2002 PA 16.

(Filed with the Secretary of State on December 21, 2007, at 11:42 a.m.)

Date: December 20, 2007  
Time: 7:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 937 (Public Act No. 177), being**

An act to amend 1980 PA 56, entitled “An act to create a neighborhood assistance program; to prescribe the powers and duties of the department of labor; to create a fund; to permit certain rebates to business firms participating in neighborhood projects; and to require certain reports,” by amending section 3 (MCL 125.803), as amended by 1983 PA 104.

(Filed with the Secretary of State on December 21, 2007, at 11:44 a.m.)

Date: December 20, 2007  
Time: 7:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 938 (Public Act No. 178), being**

An act to amend 1980 PA 243, entitled “An act to provide emergency financial assistance for certain municipalities; to create a local emergency financial assistance loan board and to prescribe the powers and duties of this board; to

prescribe conditions for granting and receiving loans, to prescribe terms and conditions for the repayment of loans, and to allow the limiting of repayment by a county from specified revenue sources; to impose certain requirements and duties on certain state departments, municipalities of this state, and officials of the state and municipalities of this state; and to prescribe remedies and penalties,” by amending section 1 (MCL 141.931), as amended by 1987 PA 282.

(Filed with the Secretary of State on December 21, 2007, at 11:46 a.m.)

Date: December 20, 2007

Time: 7:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 939 (Public Act No. 179), being**

An act to amend 1987 PA 173, entitled “An act to define and regulate mortgage brokers, mortgage lenders, and mortgage servicers; to prescribe the powers and duties of the financial institutions bureau and certain public officers and agencies; to provide for the promulgation of rules; and to provide remedies and penalties,” by amending section 2 (MCL 445.1652), as amended by 2005 PA 113.

(Filed with the Secretary of State on December 21, 2007, at 11:48 a.m.)

Date: December 20, 2007

Time: 7:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 940 (Public Act No. 180), being**

An act to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10o (MCL 460.10o), as added by 2000 PA 142.

(Filed with the Secretary of State on December 21, 2007, at 11:50 a.m.)

Date: December 20, 2007

Time: 7:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 941 (Public Act No. 181), being**

An act to amend 1945 PA 47, entitled “An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies,” by amending section 4 (MCL 331.4).

(Filed with the Secretary of State on December 21, 2007, at 11:52 a.m.)

Date: December 20, 2007  
Time: 7:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 942 (Public Act No. 182), being**

An act to amend 1972 PA 284, entitled “An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,” by amending sections 911 and 1062 (MCL 450.1911 and 450.2062), section 911 as amended by 1996 PA 197 and section 1062 as amended by 2005 PA 212.

(Filed with the Secretary of State on December 21, 2007, at 11:54 a.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received on December 20, 2007, and read:

EXECUTIVE ORDER  
No. 2007-47

**Establishing the Michigan Intelligence Operations  
Center for Homeland Security**

**Department of State Police**

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, under section 8 of Article V of the Michigan Constitution of 1963, it is the responsibility of the Governor to take care that the laws be faithfully executed;

WHEREAS, the persons, houses, papers, and possessions of every person in Michigan are guaranteed to be secure from unreasonable searches and seizures under Section 11 of Article I of the Michigan Constitution of 1963, and no warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation;

WHEREAS, the State of Michigan has a continuing obligation to take appropriate steps to protect the safety and security of Michigan residents;

WHEREAS, one of the most serious challenges affecting homeland security is the timely exchange of intelligence and other critical information by and among federal, state, and local law enforcement agencies;

WHEREAS, accurate and timely intelligence is a key factor in state government’s ability to protect public infrastructure and Michigan residents;

WHEREAS, the creation of a homeland security intelligence fusion center in Michigan will enable the United States Department of Homeland Security to distribute critical information and intelligence to a single point of contact in this state, enabling dissemination to law enforcement agencies that can utilize the information to better protect Michigan residents;

WHEREAS, the purpose of a homeland security intelligence fusion center will be to collect, evaluate, collate, analyze, and disseminate information to support federal, state, and local law enforcement agencies in detecting, preventing, and responding to criminal and terrorist activity while protecting the political and civil rights of Michigan residents;

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. “Advisory Board” means the Advisory Board for the Michigan Intelligence Operations Center for Homeland Security created within the Department of State Police under Section III of this Order.

B. “Center” means the Michigan Intelligence Operations Center for Homeland Security created within the Department of State Police under Section II of this Order.

C. “Department of State Police” or “Department” means the principal department of state government created under Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

## **II. CREATION OF THE MICHIGAN INTELLIGENCE OPERATIONS CENTER FOR HOMELAND SECURITY**

A. The Michigan Intelligence Operations Center for Homeland Security is created within the Department of State Police.

B. The authority, powers, duties, and functions of the Center, including, but not limited to, budgeting, procurement, and related management functions, shall be performed under the direction and supervision of the Director of the Department. The Director of the Department shall direct and supervise the operation of the Center and shall be responsible for developing and implementing the management and operational policies of the Center.

C. Information and intelligence provided to the Center shall be collected, evaluated, collated, analyzed, and disseminated under applicable federal and state laws and regulations.

D. The Center shall comply with any applicable laws, including, but not limited to, 1980 PA 201, MCL 752.1 to 752.6, and the C.J.I.S. Policy Council Act, 1974 PA 163, MCL 28.211 to 28.216.

E. The Department, after consultation with the Advisory Board, shall develop and publish a privacy policy for information and intelligence in the possession of the Center that is designed to protect the political and civil rights of Michigan residents consistent with applicable state and federal law, including, but not limited to, laws and regulations relating to privacy and public access to government information. The privacy policy shall preserve the integrity and effectiveness of law enforcement responsibilities and functions while also assuring that Michigan residents remain protected from the inappropriate use or release of private information.

## **III. CREATION OF THE ADVISORY BOARD FOR THE MICHIGAN INTELLIGENCE OPERATIONS CENTER FOR HOMELAND SECURITY**

A. The Advisory Board for the Michigan Intelligence Operations Center for Homeland Security is created as an advisory body within the Department of State Police.

B. The Advisory Board shall consist of the following 15 members:

1. The Director of the Department of State Police.
2. The Adjutant General or his or her designee from within the Department of Military and Veterans Affairs.
3. The Director of the Department of Civil Rights or his or her designee from within the Department of Civil Rights or from the Civil Rights Commission.
4. The Director of the Department of Corrections or his or her designee from within the Department of Corrections.
5. The following members appointed by the Governor:
  - a. An individual representing local police departments in Michigan or the Michigan Association of Chiefs of Police.
  - b. An individual representing local sheriff's departments in Michigan or the Michigan Sheriffs' Association.
  - c. An individual representing the office of a county prosecuting attorney or the Prosecuting Attorneys Association of Michigan.
  - d. Five Michigan residents representing federal homeland security or law enforcement agencies, such as the United States Department of Homeland Security, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the United States Attorney's Office for the Eastern District of Michigan, or the United States Attorney's Office for the Western District of Michigan.
  - e. Three other residents of this state.

C. Of the members of the Advisory Board initially appointed by the Governor under Section III.B.5, 3 members shall be appointed for terms expiring on November 30, 2008, 3 members shall be appointed for terms expiring on November 30, 2009, 3 members shall be appointed for terms expiring on November 30, 2010, and 2 members shall be appointed for terms expiring on November 30, 2011. After the initial appointments, members of the Advisory Board appointed by the Governor under Section III.B.5 shall be appointed for terms of 4 years. A vacancy caused other than by expiration of a term shall be filled in the same manner as the original appointment for the remainder of the term.

D. The Director of the Department shall serve as the Chairperson of the Advisory Board. The Advisory Board shall annually elect a member of the Advisory Board to serve as Vice-Chairperson of the Advisory Board.

E. The Advisory Board shall be staffed and assisted by personnel from the Department, as directed by the Director of the Department. The budgeting, procurement, and related management functions of the Advisory Board shall be performed under the direction and supervision of the Director of the Department.

F. The Advisory Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations. The Advisory Board shall recommend a privacy policy and management policies and procedures for the Center to comply any applicable laws, including, but not limited to, 1980 PA 201, MCL 752.1 to 752.6, and the C.J.I.S. Policy Council Act, 1974 PA 163, MCL 28.211 to 28.216.

G. A majority of the members of the Advisory Board serving constitutes a quorum for the transaction of the Advisory Board's business. The Advisory Board shall act by a majority vote of its serving members.

H. The Advisory Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Advisory Board.

I. The Advisory Board may establish advisory workgroups composed of representatives of law enforcement agencies participating in Center activities, other law enforcement or public safety agencies, and other public participation as the

Advisory Board deems necessary to assist the Advisory Board in its duties and responsibilities. The Advisory Board may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

J. The Advisory Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Advisory Board may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

K. Members of the Advisory Board shall serve without compensation. Members of the Advisory Board may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

L. The Advisory Board may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Advisory Board and the performance of its duties, as the Director of the Department deems advisable and necessary, in accordance with this Order and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

M. The Advisory Board may accept donations of labor, services, or other things of value from any public or private agency or person.

N. Members of the Advisory Board shall refer all legal, legislative, and media contacts to the Department.

#### IV. MISCELLANEOUS

A. State departments and agencies shall actively cooperate with the Center and Advisory Board in the performance of their duties and responsibilities under this Order.

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.

D. This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of December, in the year of our Lord, two thousand seven.

Jennifer M. Granholm  
Governor

By the Governor:

Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on December 20, 2007, and read:

EXECUTIVE ORDER  
No. 2007-48

**Michigan Rehabilitation Council**

**Department of Labor and Economic Growth**

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 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, many Michigan residents have one or more physical or mental disabilities and persons with disabilities are an important part of Michigan's workforce;

WHEREAS, physical and mental disabilities are a natural part of the human experience and in no way diminish the right of an individual with a disability to live independently, enjoy self-determination, make choices, contribute to society, pursue meaningful careers, and enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of our society;

WHEREAS, the State of Michigan shares the goals of the federal government of providing individuals with disabilities with the tools necessary to make informed choices and decisions and to achieve equality of opportunity, full inclusion and integration in society, employment, independent living, and economic and social self-sufficiency;

WHEREAS, when enacting the Rehabilitation Act of 1973, the Congress of the United States recognized the importance of empowering individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society, and assisting states and providers of services in fulfilling the aspirations of individuals with disabilities for meaningful and gainful employment and independent living;

WHEREAS, under Section 100 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 725, to be eligible to receive federal assistance under Sections 100 to 140 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a, each state must establish a rehabilitation council;

WHEREAS, reestablishment of a state rehabilitation council previously organized under Executive Order 1994-20 is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

WHEREAS, reestablishment of the Michigan Statewide Rehabilitation Council will improve working relationships among state independent living rehabilitation service programs, centers for independent living, the Michigan Statewide Independent Living Council, vocational rehabilitation programs, and other federally-funded programs;

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**

A. "Center for independent living" means that phrase as defined under Section 702 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 796a.

B. "Council" means the Michigan Rehabilitation Council created within the Executive Office of the Governor by this Order.

C. "Council for Labor and Economic Growth" means the workforce investment board for this state created by Executive Order 2004-36, as amended by Executive Order 2006-15.

D. "Department of Labor and Economic Growth" means the principal department of state government created by section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, and renamed by Executive Order 1996-2, MCL 445.2001, and Executive Order 2003-18, MCL 445.2011.

E. "Disability" means that term as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

F. "Individual with a disability" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

G. "Individuals with disabilities" means more than one individual with a disability.

H. "Michigan Rehabilitation Services" means the bureau within the Department of Labor and Economic Growth that serves as the state general rehabilitation agency for individuals with disabilities, except those who are blind, and that is responsible for administration of the vocational rehabilitation program under the Rehabilitation Act of 1964, 1964 PA 232, MCL 395.81 to 395.90.

I. "Personal assistance services" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

#### **II. CREATION OF MICHIGAN REHABILITATION COUNCIL**

A. The Michigan Rehabilitation Council is established within the Department of Labor and Economic Growth.

B. The Council shall include the following voting members:

1. The following members appointed by the Governor after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities:

a. One individual representing the Statewide Independent Living Council established under Executive Order 2007-49.

b. One individual representing a parent training and information center established under Section 671 of the Individuals with Disabilities Education Act, Public Law 91-30, as amended, 20 USC 1471.

c. One individual representing the client assistance program established under Section 112 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 732.

d. One individual representing qualified vocational rehabilitation counselors with knowledge of, and experience with, vocational rehabilitation programs. The individual appointed under this paragraph shall not be an employee of Michigan Rehabilitation Services.

e. One individual representing community rehabilitation program service providers.

f. Four individuals representing business, industry, or labor, including at least one individual representing the Council for Labor and Economic Growth.

g. Four individuals representing disability advocacy groups, including a cross-section of all of the following:

i. Disability advocacy groups representing individuals with physical cognitive, sensory, and mental disabilities.

ii. Disability groups representing representatives of individuals with disabilities who have difficulty in representing themselves or are unable due to their disabilities to represent themselves.

h. One individual representing current or former applicants for, or recipients of, vocational rehabilitation services.

i. One individual representing the director of a project carried out under Section 121 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 741, providing vocational rehabilitation services grants to the governing bodies of an Indian tribe or to a consortium of tribal governing bodies.

j. Seven other residents of this state, including, but not limited to, individuals who might also qualify for appointment under Sections II.B.1.a to II.B.1.i.

2. The Superintendent of Public Instruction, or his or her designee from within the Department of Education.

C. The Bureau Director of Michigan Rehabilitation Services shall serve as a non-voting ex officio member of the Council.

D. A majority of the members of the Council shall be individuals with disabilities and shall not be employed by Michigan Rehabilitation Services. When appointing members of the Council, the Governor shall consider, to the greatest extent practicable, the extent to which minority populations are represented on the Council.

E. Of the members of the Council initially appointed by the Governor under Section II.B, 7 members shall be appointed for a term expiring on December 31, 2008, 7 members shall be appointed for a term expiring on December 31, 2009, and 8 members shall be appointed for a term expiring on December 31, 2010. After the initial appointments, members shall be appointed for a term of 3 years.

F. A vacancy on the Council occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A vacancy shall not affect the power of the remaining members to exercise the duties of the Council.

G. Except for a member appointed under Section II.B.1.c or Section II.B.1.i, a member of the Council shall not serve more than two consecutive full terms.

### **III. CHARGE TO THE COUNCIL**

A. After consulting with the Council for Labor and Economic Growth, the Council shall do all of the following:

1. Review, analyze, and advise Michigan Rehabilitation Services regarding the performance of the responsibilities of Michigan Rehabilitation Services under Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a, particularly responsibilities relating to all of the following:

a. Eligibility, including order of selection.

b. The extent, scope, and effectiveness of services provided.

c. Functions performed by state departments and agencies that affect or that potentially affect the ability of individuals with disabilities in achieving employment outcomes under Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a.

2. In partnership with Michigan Rehabilitation Services, do all of the following:

a. Develop, agree to, and review the goals and priorities of this state in accordance with Section 101(a)(15)(C) of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 721(a)(15)(C).

b. Evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the federal government in accordance with Section 101(a)(15)(E) of the Rehabilitation Act of 1973 Public Law 93-112, as amended, 29 USC 721(a)(15)(E).

3. Advise the Department of Labor and Economic Growth and Michigan Rehabilitation Services regarding activities authorized to be carried out under Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a, and assist in the preparation of the State Plan and amendments to the State Plan, applications, reports, needs assessments, and evaluations required by Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a.

4. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with, all of the following:

a. The functions performed by the Department of Labor and Economic Growth and Michigan Rehabilitation Services.

b. The vocational rehabilitation services provided by state departments and agencies and other public and private entities within this state responsible for providing vocational rehabilitation services to individuals with disabilities under Sections 2 to 803 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 701 to 797b.

c. The employment outcomes achieved by eligible individuals receiving services under Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a, including the availability of health and other employment benefits in connection with such employment outcomes.

5. Prepare and submit an annual report to the Governor and the United States Secretary of Education on the status of vocational rehabilitation programs operated within this state, and make the report available to the public, including on an Internet website maintained by the Department of Labor and Economic Growth.

6. To avoid duplication of efforts and enhance the number of individuals served, coordinate activities with the activities of other councils within this state, including the Michigan Statewide Independent Living Council created by Executive Order 2007-49, the Michigan Developmental Disabilities Council created under Executive Order 2006-12, the Special Education Advisory Committee created under Section 9a of 1964 PA 297, MCL 388.1009a, the Advisory Council on Mental Illness established within the Department of Community Health, and the Council for Labor and Economic Growth.

7. Provide for coordination and the establishment of working relationships between Michigan Rehabilitation Services, the Michigan Statewide Independent Living Council created by Executive Order 2007-49, and centers for independent living within this state.

8. Perform other functions, consistent with the purpose of Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a, as the Council determines to be appropriate, that are comparable to the other functions performed by the Council.

9. Perform other functions related to the Council's responsibilities as requested by the Governor.

#### **IV. OPERATIONS OF THE COUNCIL**

A. The Council shall select from among the voting members of the Council a member to serve as Chairperson of the Council and may select from among the voting members of the Council other officers as the Council deems necessary.

B. The Council shall adopt procedures consistent with federal law, Michigan law, and this Order governing its organization and operations.

C. A majority of the voting members of the Council serving constitutes a quorum for the transaction of the Council's business. The Council shall act by a majority vote of the voting members of the Council serving.

D. The Council shall meet at least four times per year in a place that the Council determines necessary to conduct Council business and conduct forums or hearings as the Council determines appropriate.

E. The Council may hold hearings and forums as the Council determines necessary to carry out the duties of the Council under this Order.

F. The Council shall conduct all business at public meetings held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of each meeting shall be given in the manner required by the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

G. The Council shall prepare, in conjunction with Michigan Rehabilitation Services, a resource plan for the provision of resources, including staff and personnel, as may be necessary and sufficient to carry out the functions of the Council under this Order. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the resource plan.

H. To the extent that there is a disagreement between the Council and Michigan Rehabilitation Services regarding the resources necessary to carry out the functions of the Council under this Order, the disagreement shall be resolved by the Governor consistent with Section IV.H.

I. The Council shall, consistent with applicable Michigan law and rules of the Civil Service Commission, supervise and evaluate staff and personnel as may be necessary to carry out the functions of the Council under this Order.

J. While assisting the Council in carrying out its duties under this Order, staff and other personnel shall not be assigned duties by Michigan Rehabilitation Services or any other state department, agency, or office that would create a conflict of interest under Michigan law.

K. Subject to applicable law, the Council may use funds allocated to the Council by Michigan Rehabilitation Services under Sections 100 to 141 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 753a, except for funds appropriated to carry out the client assistance program under Section 112 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 732, and funds reserved under Section 110(c) of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 730(c), to carry out Sections 120 to 124 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 720 to 744, to reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties, including child care and personal assistance services, and to pay compensation to a member of the Council, if the member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing the duties of the Council.

L. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Council deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

M. The Council may enter into agreements with state departments and agencies to assist the Council in the performance of its duties and responsibilities under this Order.

N. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

O. All state departments and agencies shall cooperate with the Council in the performance of its duties and responsibilities under this Order. The Council may request, and state departments and agencies shall provide, information and assistance as the Council requires in the performance of its duties and responsibilities under this Order.

#### **V. MISCELLANEOUS**

A. Executive Order 1994-20 is rescinded in its entirety.

B. Any rules, orders, contracts, and agreements related to the Council lawfully in effect prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.



C. 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.

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.

E. This Order is effective on Tuesday, January 15, 2008, at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of December, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on December 20, 2007, and read:

EXECUTIVE ORDER  
No. 2007-49

**Michigan Statewide Independent Living Council**

**Executive Office of the Governor**

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 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, many Michigan residents have one or more physical or mental disabilities;

WHEREAS, physical and mental disabilities are a natural part of the human experience and in no way diminish the right of an individual with a disability to live independently, enjoy self-determination, make choices, contribute to society, pursue meaningful careers, and enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of our society;

WHEREAS, the State of Michigan shares the goals of the federal government of providing individuals with disabilities with the tools necessary to make informed choices and decisions and to achieve equality of opportunity, full inclusion and integration in society, employment, independent living, and economic and social self-sufficiency;

WHEREAS, when enacting the Rehabilitation Act of 1973, the Congress of the United States recognized the importance of empowering individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society, and assisting states and providers of services in fulfilling the aspirations of individuals with disabilities for meaningful and gainful employment and independent living;

WHEREAS, under Section 705 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 796d, to be eligible to receive federal assistance under Sections 701 to 741 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 796 to 796i, a state must establish a statewide independent living council, which may not be established as an entity within a state agency;

WHEREAS, reestablishment of the Michigan Statewide Independent Living Council previously organized under Executive Order 1994-23 is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

WHEREAS, reestablishment of the Michigan Statewide Independent Living Council will improve working relationships among state independent living rehabilitation service programs, centers for independent living, the Michigan Statewide Independent Living Council, vocational rehabilitation programs, and other federally-funded programs;

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**

A. "Center for independent living" means that phrase as defined under Section 702 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 796a.

B. "Commission for the Blind" means the commission created under Section 2 of 1978 PA 260, MCL 393.352, transferred to the Family Independence Agency under Executive Order 1996-2, MCL 445.2001, and transferred to the Department of Labor and Economic Growth under Executive Order 2003-18, MCL 445.2011.

C. "Council" means the Michigan Statewide Independent Living Council created within the Executive Office of the Governor by this Order.

D. "Department of Labor and Economic Growth" means the principal department of state government created by section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, and renamed by Executive Order 1996-2, MCL 445.2001, and Executive Order 2003-18, MCL 445.2011.

E. "Disability" means that term as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

F. "Independent living services" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

G. "Individual with a disability" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

H. "Individuals with disabilities" means more than one individual with a disability.

I. "Michigan Rehabilitation Services" means the bureau within the Department of Labor and Economic Growth that serves as the state general rehabilitation agency for individuals with disabilities, except those who are blind, and that is responsible for administration of the vocational rehabilitation program under the Rehabilitation Act of 1964, 1964 PA 232, MCL 395.81 to 395.90.

J. "Personal assistance services" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 705.

K. "State Plan" means the state plan for independent living jointly developed, signed, and submitted by the Council, in conjunction with the Commission for the Blind and Michigan Rehabilitation Services, as required by Section 704 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 796c.

## **II. CREATION OF MICHIGAN STATEWIDE INDEPENDENT LIVING COUNCIL**

A. The Michigan Statewide Independent Living Council is created within the Executive Office of the Governor.

B. The Council shall include members that provide statewide representation, represent a broad range of individuals with disabilities from diverse backgrounds, and are knowledgeable about centers for independent living and independent living services. A majority of the voting members of the Council shall be individuals with disabilities and shall not be employed by any state agency or center for independent living.

C. The Council shall include the following voting members appointed by the Governor after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities:

1. One director of a center for independent living nominated by a majority of the directors of centers for independent living within this state.

2. The director of any project carried out under Section 121 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 741, providing vocational rehabilitation services grants to the governing bodies of an Indian tribe located on a federal or state reservation, or to a consortium of tribal governing bodies, or the director's designated representative.

3. One individual representing parents or guardians of individuals with disabilities.

4. One individual representing advocates of, and for, individuals with disabilities.

5. One individual representing organizations that provide services for individuals with disabilities, including, but not limited to, private businesses.

6. Ten other residents of this state.

D. In addition to the voting members of the Council appointed under Section II.C, the Council shall include the following non-voting ex officio members:

1. The Director of the Department of Community Health, or his or her designee from within the Department of Community Health.

2. The Director of the Department of Human Services, or his or her designee from within the Department of Human Services.

3. The Director of the Department of Labor and Economic Growth, or his or her designee from within the Department of Labor and Economic Growth.

4. The Superintendent of Public Instruction, or his or her designee within the Department of Education.

5. The Executive Director of the Michigan State Housing Development Authority, or his or her designee from within the Michigan State Housing Development Authority.

6. The Director of the Commission for the Blind.

7. The Bureau Director of Michigan Rehabilitation Services.

E. Of the members of the Council initially appointed by the Governor under Section II.C, 5 members shall be appointed for a term expiring on December 31, 2008, 5 members shall be appointed for a term expiring on December 31, 2009, and the remaining members shall be appointed for a term expiring on December 31, 2010. After the initial appointments, members shall be appointed for a term of 3 years.

F. A vacancy on the Council occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A vacancy shall not affect the power of the remaining members to exercise the duties of the Council.

G. No member of the Council appointed by the Governor under Section II.C may serve more than two consecutive full terms.

### **III. CHARGE TO THE COUNCIL**

A. The Council shall do all of the following:

1. Jointly develop and sign, in conjunction with the Commission for the Blind and Michigan Rehabilitation Services, the State Plan in compliance with Section 704 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 796c.

2. Monitor, review, and evaluate the implementation of the State Plan.

3. Coordinate activities with the Michigan Rehabilitation Council created under Executive Order 2007-48, the Michigan Interagency Coordinating Council for Infants and Toddlers with Developmental Disabilities created under Executive Order 2007-43, the Michigan Developmental Disabilities Council created under Executive Order 2006-12, the Michigan Commission on Disability Concerns created by Executive Order 1995-11, and any other state councils or entities that address the needs of specific disability populations and issues in Michigan under other federal law.

4. Ensure that all regularly scheduled meetings of the Statewide Independent Living Council are open to the public and that sufficient advance notice is provided.

5. Submit to the United States Secretary of Education reports as the Secretary may reasonably request. Keep records, and provide access to the records, as the Secretary finds necessary to verify the reports. Copies of any reports submitted under this paragraph shall be transmitted to the Governor and the members of the Council appointed under Section II.D.1 to II.D.5.

6. Perform other functions related to the Council's responsibilities as requested by the Governor.

### **IV. OPERATIONS OF THE COUNCIL**

A. The Council shall select from among the voting members of the Council a member to serve as Chairperson of the Council and may select from among the voting members of the Council other officers as the Council deems necessary.

B. The Council shall adopt procedures consistent with federal law, Michigan law, and this Order governing its organization and operations.

C. The Council shall conduct all business at public meetings held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of each meeting shall be given in the manner required by the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

D. A majority of the voting members of the Council serving constitutes a quorum for the transaction of the Council's business. The Council shall act by a majority vote of the voting members of the Council serving.

E. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

F. The Council shall hold hearings and forums as the Council determines necessary to carry out the duties of the Council.

G. The Department of Labor and Economic Growth, the Commission for the Blind, and Michigan Rehabilitation Services may provide staff support for the Council as requested by the Council or the Governor.

H. The Council shall prepare, in conjunction with Michigan Rehabilitation Services, a resource plan for the provision of resources, including staff and personnel, as may be necessary and sufficient to carry out the functions of the Council, with funds made available under Sections 701 to 741 of the Rehabilitation Act of 1973, Public Law 93-112, 29 USC 796 to 796i, under Section 110 of Rehabilitation Act of 1973, Public Law 93-112, 29 USC 730, consistent with Section 101(a)(18) of the Rehabilitation Act of 1973, Public Law 93-112, 29 USC 721(a)(18), and from other public and private sources. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the resource plan.

I. The Council shall, consistent with applicable Michigan law and rules of the Civil Service Commission, supervise and evaluate staff and personnel performing duties for the Council under the resource plan adopted under Section IV.H as may be necessary to carry out the functions of the Council under this Order.

J. While assisting the Council in carrying out its duties, staff and other personnel performing duties pursuant to the resource plan adopted under Section IV.H shall not be assigned duties by Michigan Rehabilitation Services or any other agency or office of this state that would create a conflict of interest.

K. Subject to applicable law, the Council may use resources available under the resource plan adopted under Section IV.H to do any of the following:

1. Reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties, including, but not limited to, child care and personal assistance services.

2. Pay compensation to a member of the Council, if the member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing Council duties.

L. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Council deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

M. The Council may enter into agreements with state departments and agencies to assist the Council in the performance of its duties and responsibilities under this Order.

N. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

O. All state departments and agencies shall cooperate with the Council in the performance of its duties and responsibilities under this Order. The Council may request, and state departments and agencies shall provide, information and assistance as the Council requires in the performance of its duties and responsibilities under this Order.

#### **V. MISCELLANEOUS**

A. Executive Order 1994-23 is rescinded. Executive Order 1994-21, which was rescinded by Executive Order 1994-23, remains rescinded.

B. Any rules, orders, contracts, and agreements related to the Council lawfully in effect prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.

C. 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.

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.

E. This Order is effective on Tuesday, January 15, 2008, at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of December, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

### **Messages from the House**

#### **Senate Bill No. 59, 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 9c.

The House of Representatives has concurred in the Senate substitute (S-4) to the House substitute (H-5).

Pursuant to a previous order, the bill was ordered enrolled on December 14, 2007.

#### **Senate Bill No. 868, entitled**

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

#### **Recess**

Senator Jansen moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 11:36 a.m.

11:59 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

The following message was received and read:

December 27, 2007

I have the honor to inform you that the House of Representatives has completed the business of the session and is now ready to adjourn sine die.

Very respectfully,  
Richard J. Brown, Clerk  
House of Representatives

#### **Scheduled Meetings**

##### **Appropriations -**

##### **Subcommittee -**

**State Police and Military Affairs** - Wednesday, January 9, 10:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Legislative Commission on Statutory Mandates** - Wednesday, January 9, 2:00 p.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

The hour of 12:00 noon having arrived,

Pursuant to the resolution fixing the date of final adjournment and the provision of the Constitution determining the hour of such adjournment, the Secretary of the Senate declared the Senate adjourned without day.

CAROL MOREY VIVENTI  
Secretary of the Senate