

ADDENDA

Messages from the Governor

The following message from the Governor was received December 27, 2007 and read:

EXECUTIVE ORDER
No. 2007 – 50

IDLEWILD CENTENNIAL COMMISSION

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

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, 2,700 acres of land in Lake County, Michigan filled with white pine trees, wild flowers, and four lakes became the Idlewild resort community in 1912;

WHEREAS, Idlewild holds a special place in the history of the United States, as a summer attraction for African-Americans who were barred from other resorts due to official and unofficial segregation;

WHEREAS, the Idlewild resort community has been described as a “Black Eden”;

WHEREAS, the community of Idlewild, Michigan possesses a unique cultural legacy, natural assets, and regional economic development potential as recognized by its designation as a historic district by the National Park Service;

WHEREAS, given the cultural legacy of Idlewild, it is appropriate that the State of Michigan formally recognize the 100th anniversary of the founding of the resort community;

WHEREAS, recognizing the Idlewild Centennial will increase awareness of Michigan’s cultural heritage and aid cultural economic development opportunities in this state;

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. “Commission” means the Idlewild Centennial Commission created within the Department of History, Arts, and Libraries under Section II of this Order.

B. “Commission of Natural Resources” means the commission created as the head of the Department of Natural Resources under Chapter 11 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.350 to 16.358, and Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, as modified by Executive Order 1995-18, MCL 324.99903.

C. “Department of History, Arts, and Libraries” or “Department” means the principal department of state government created by Section 3 of the History, Arts, and Libraries Act, 2001 PA 63, MCL 399.703.

D. “Department of Natural Resources” means the principal department of state government created under Section 250 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.350, and Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, as modified by Executive Order 1995-18, MCL 324.99903.

E. “Idlewild Centennial” means the 100th anniversary of the founding of the Idlewild community in Lake County, Michigan in 1912.

F. “Travel Michigan” means the program created as the Michigan Travel Bureau under Section 2a of the Michigan Tourism Policy Act, 1945 PA 106, MCL 2.102a, renamed Travel Michigan by Executive Order 1997-1, MCL 2.111, transferred to the Michigan Strategic Fund by Executive Order 1999-1, MCL 408.40, and transferred to the Michigan Economic Development Corporation under the interlocal agreement effective April 5, 1999, and subsequently amended, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan Strategic Fund.

II. CREATION OF THE IDLEWILD CENTENNIAL COMMISSION

A. The Idlewild Centennial Commission is created as an advisory body within the Department of History, Arts, and Libraries.

B. The Commission shall consist of 21 members, including all of the following:

1. The Director of the Department of History, Arts, and Libraries, or his or her designee from within the Department of History, Arts, and Libraries.

2. The Director of the Department of Natural Resources, or his or her designee from within the Department of Natural Resources or the Commission for Natural Resources.

3. The head of Travel Michigan, as designated by the President of the Michigan Strategic Fund.

4. Eighteen residents of this state appointed by the Governor, including not less than 7 individuals representing the Idlewild community, such as residents of Idlewild, residents of Yates Township, or members of the Idlewild Owners' Association.

C. Of the members of the Commission appointed under Section II.B.4, 5 members shall be appointed for terms expiring on December 31, 2008, 5 members shall be appointed for terms expiring on December 31, 2009, 4 members shall be appointed for terms expiring on December 31, 2010, and 4 members shall be appointed for terms expiring on December 31, 2011. After the initial appointments, members shall be appointed for a term of 4 years.

D. A vacancy on the Commission shall be filled in the same manner as the original appointment.

E. The Director of the Department shall serve as the Chairperson of the Commission. The Commission shall elect a member of the Commission to serve as Vice-Chairperson of the Commission.

III. CHARGE TO THE COMMISSION

A. The Commission shall act in an advisory capacity and shall do all of the following:

1. Advise the Department and the Governor on matters relating to fostering the revitalization and preservation of Idlewild and recognition of the Idlewild Centennial.

2. Assist and support the creation of a "centennial vision" for Idlewild through the development of a comprehensive cultural economic development strategic plan.

3. Monitor and measure implementation and performance of the strategic plan.

4. Encourage, plan, and develop activities, events, programs, and services appropriate to commemorate the Idlewild Centennial.

5. Enlist the support of private citizens, businesses, nonprofit organizations, and governmental entities in the planning and promotion of the Idlewild Centennial.

6. Encourage private citizens, businesses, nonprofit organizations, and governmental entities to organize and participate in Idlewild Centennial activities.

7. Encourage schools and cultural institutions in Michigan to participate in activities recognizing the Idlewild Centennial.

8. Serve as a clearinghouse for the collection and dissemination of information about Idlewild Centennial plans, events, programs, and services.

9. Identify and leverage resources to ensure the future viability of public amenities at Idlewild.

10. Research and promote the development of cultural, historical, and economic development opportunities at Idlewild, including in connection with the Idlewild Centennial.

B. The Commission shall complete its work by December 31, 2012.

IV. OPERATIONS OF THE COMMISSION

A. The Commission shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Commission shall be performed under the direction and supervision of the Director of the Department.

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

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

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

E. The Commission may establish advisory workgroups composed of members of the public who are not members of the Commission. The Commission may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

F. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission 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.

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

H. The Commission 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 Commission 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.

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

J. Members of the Commission shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Commission or to any member or representative of the Commission, any necessary assistance required by the Commission or any member or representative of the Commission, in the performance of the duties of the

Commission so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Commission.

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 27th 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 message was referred to the Clerk.

The following message from the Governor was received December 27, 2007 and read:

EXECUTIVE ORDER

No. 2007 – 51

MICHIGAN COMMISSION ON THE COMMEMORATION OF THE BICENTENNIAL OF THE WAR OF 1812

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

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 War of 1812 served as a crucial test for the United States Constitution and our newly established democratic republic;

WHEREAS, many parts of Michigan were affected by the War of 1812, including the City of Detroit and Fort Mackinac, which were both captured and occupied by British forces;

WHEREAS, Michigan played a critical role in the War of 1812, including the Battle of Frenchtown in Monroe County on January 22, 1813, where more than 900 soldiers from Michigan, Ohio, and Kentucky fought;

WHEREAS, it is in the best interests of the State of Michigan to provide for appropriate commemorative activities recognizing the 200th anniversary of the War of 1812;

WHEREAS, recognizing the bicentennial of the War of 1812 will increase awareness of Michigan's cultural heritage and assist cultural economic development in this state;

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. "Commission" means the Michigan Commission on the Bicentennial of the War of 1812 created within the Department of History, Arts, and Libraries under Section II of this Order.

B. "Department of History, Arts, and Libraries" or "Department" means the principal department of state government created by Section 3 of the History, Arts, and Libraries Act, 2001 PA 63, MCL 399.703.

C. Department of Military and Veterans Affairs means the principal department of state government created as the Department of Military Affairs by Section 125 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.225, and renamed the Department of Military and Veterans Affairs by Executive Order 1997-7, MCL 32.91.

D. "Mackinac Island State Park Commission" means the commission created under Section 2 of 1927 PA 355, transferred to the Department of Natural Resources by Section 256 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.356, transferred to the new Department of Natural Resources by Executive Order 1991-31, MCL 299.13, and transferred to the Department of History, Arts, and Libraries by 2001 PA 78, MCL 324.76503.

E. "Travel Michigan" means the program created as the Michigan Travel Bureau under Section 2a of the Michigan Tourism Policy Act, 1945 PA 106, MCL 2.102a, renamed Travel Michigan by Executive Order 1997-1, MCL 2.111, transferred to the Michigan Strategic Fund by Executive Order 1999-1, MCL 408.40, and transferred to the Michigan

Economic Development Corporation under the interlocal agreement effective April 5, 1999, and subsequently amended, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan Strategic Fund.

II. CREATION OF THE MICHIGAN COMMISSION ON THE COMMEMORATION OF THE BICENTENNIAL OF THE WAR OF 1812

A. The Michigan Commission on the Commemoration of the Bicentennial of the War of 1812 is created as an advisory body within the Department of History, Arts, and Libraries.

B. The Commission shall consist of 15 members, including all of the following:

1. The Director of the Department of History, Arts, and Libraries, or his or her designee from within the Department of History, Arts, and Libraries.

2. The Adjutant General, or his or her designee from within the Department of Military and Veterans Affairs.

3. 13 residents of this state appointed by the Governor, including 1 individual representing Travel Michigan, 1 individual representing the Mackinac Island State Park Commission, and at least 1 individual representing Native American tribes in Michigan.

C. Of the members of the Commission appointed under Section II.B.3, 4 members shall be appointed for terms expiring on December 31, 2008, 3 members shall be appointed for terms expiring on December 31, 2009, 3 members shall be appointed for terms expiring on December 31, 2010, and 3 members shall be appointed for terms expiring on December 31, 2011. After the initial appointments, members shall be appointed for a term of 4 years.

D. A vacancy on the Commission shall be filled in the same manner as the original appointment.

E. The Director of the Department shall serve as the Chairperson of the Commission. The Commission shall elect a member of the Commission to serve as Vice-Chairperson of the Commission.

III. CHARGE TO THE COMMISSION

A. The Commission shall act in an advisory capacity and shall do all of the following:

1. Advise the Department and the Governor on matters relating to fostering authenticity and inclusion in Michigan's observance of the 200th anniversary of the War of 1812.

2. Encourage, plan, and develop activities, events, programs, observances, and services appropriate to commemorate the Bicentennial of the War of 1812.

3. Enlist the support of private citizens, businesses, nonprofit organizations, and governmental entities in the planning and promotion of the Bicentennial of the War of 1812.

4. Encourage private citizens, businesses, nonprofit organizations, and governmental entities to organize and participate in War of 1812 Bicentennial activities.

5. Encourage schools and cultural institutions in Michigan to participate in activities recognizing the Bicentennial of the War of 1812.

6. Encourage Michigan's participation in national and international activities commemorating the Bicentennial of the War of 1812 and facilitate communications with other states, provinces, and countries commemorating the Bicentennial.

7. Recognize the role of Native Americans in the War of 1812.

8. Serve as a clearinghouse for the collection and dissemination of information about War of 1812 Bicentennial plans, events, programs, observances, and services.

9. Research and promote the development of cultural, historical, and economic development opportunities relating to the War of 1812 in connection with the War of 1812 Bicentennial.

10. Review, plan, and recommend strategies to promote and preserve the history of the War of 1812 in Michigan.

B. The Commission shall complete its work by July 31, 2015.

IV. OPERATIONS OF THE COMMISSION

A. The Commission shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Commission shall be performed under the direction and supervision of the Director of the Department.

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

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

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

E. The Commission may establish advisory workgroups composed of members of the public who are not members of the Commission. The Commission may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

F. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission 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.

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

H. The Commission 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 Commission 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.

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

J. Members of the Commission shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Commission or to any member or representative of the Commission, any necessary assistance required by the Commission or any member or representative of the Commission, in the performance of the duties of the Commission so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Commission.

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 27th 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 message was referred to the Clerk.

The following message from the Governor was received December 27, 2007 and read:

EXECUTIVE ORDER No. 2007 – 52

OBSERVING THE SESQUICENTENNIAL OF THE CIVIL WAR

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

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, each principal department of state government is under the supervision of the Governor unless otherwise provided, and the Governor shall transact all necessary business with the officers of government;

WHEREAS, at the beginning of the American Civil War in 1861, Michigan residents responded enthusiastically to President Abraham Lincoln's call for troops to put down the Confederate rebellion, eventually sending 90,000 men, and a few women, to the Union Army;

WHEREAS, Michigan sent 50 percent of its military age male population to fight in the Civil War, including specialized regiments of sharpshooters and engineers, and more cavalry per capita than any other northern state;

WHEREAS, at least 68 Michigan men were awarded the Medal of Honor for gallantry on the battlefield during the Civil War;

WHEREAS, Michigan mines produced tons of iron ore used to make cannon, iron clad ships, and rails, all of which contributed to the military success of the Union in the Civil War;

WHEREAS, the year 2011 marks the sesquicentennial of the beginning of the Civil War;

WHEREAS, it is in the best interests of the State of Michigan to provide for appropriate commemorative activities recognizing the 150th anniversary of the Civil War;

WHEREAS, recognizing the sesquicentennial of the Civil War will increase awareness of Michigan's cultural heritage and assist cultural economic development in this state;

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 History, Arts, and Libraries" or "Department" means the principal department of state government created by Section 3 of the History, Arts, and Libraries Act, 2001 PA 63, MCL 399.703.

B. "Michigan Historical Commission" or "Commission" means the commission created under Section 1 of 1913 PA 271, MCL 399.1.

II. STATE ACTION TO RECOGNIZE THE SESQUICENTENNIAL OF THE CIVIL WAR

A. The members of the Michigan Historical Commission shall constitute an advisory body within the Department of History, Arts and Libraries, for the purpose of all of the following:

1. Advising the Department and the Governor on matters relating to fostering authenticity and inclusion in Michigan's observance of the 150th anniversary of the Civil War.

2. Encouraging, planning, and developing activities, events, programs, observances, and services appropriate to commemorate the Sesquicentennial of the Civil War.

3. Enlisting the support of private citizens, businesses, nonprofit organizations, and governmental entities in the planning and promotion of the Sesquicentennial of the Civil War.

4. Encouraging private citizens, businesses, nonprofit organizations, and governmental entities to organize and participate in Civil War Sesquicentennial activities.

5. Encouraging schools and cultural institutions in Michigan to participate in activities recognizing the Sesquicentennial of the Civil War.

6. Encouraging Michigan's participation in national and international activities commemorating the Sesquicentennial of the Civil War and facilitating communications with other states commemorating the Sesquicentennial.

7. Serving as a clearinghouse for the collection and dissemination of information about Civil War Sesquicentennial plans, events, programs, observances, and services.

8. Researching and promoting the development of cultural, historical, and economic development opportunities relating to the Civil War in connection with the Civil War Sesquicentennial.

9. Reviewing, planning, and recommending strategies to promote and preserve the history of Michigan's role in the Civil War.

10. Performing other functions related to the observance of the 150th Anniversary of the Civil War, as requested by the Director of the Department or the Governor.

III. OPERATIONS

A. The activities of the members of the Commission under this Order shall be staffed and assisted by personnel from the Department under the direction and supervision of the Director of the Department, subject to available funding.

B. The Commission may establish advisory workgroups composed of members of the public who are not members of the Commission to assist the members of the Commission in performing duties under this Order. The Commission may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

C. In performing duties under this Order, the Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission 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.

D. In performing duties under this Order, the Commission 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 Commission 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.

E. The Commission may accept donations of labor, services, or other things of value from any public or private agency or person related to activities under this Order.

F. Members of the Commission shall refer all legal, legislative, and media contacts related to this Order to the Department.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Commission or to any member or representative of the Commission, any necessary assistance required by the Commission or any member or representative of the Commission, in the performance of the duties of the Commission so far as is compatible with its, his, or her duties under this Order. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Commission 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 27th 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 message was referred to the Clerk.

The following message from the Governor was received December 27, 2007 and read:

EXECUTIVE ORDER
No. 2007 – 53

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

STATE HISTORIC PRESERVATION OFFICE

STATE HISTORIC PRESERVATION REVIEW BOARD

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 Department of History, Arts, and Libraries was created as a principal department of state government under Section 3 of the History, Arts, and Libraries Act, 2001 PA 63, MCL 399.703;

WHEREAS, under Section 5 of the History, Arts and Libraries Act, 2001 PA 63, MCL 399.705, the Department of History, Arts, and Libraries is charged with carrying out powers, duties, functions, and responsibilities as provided in the History, Arts, and Libraries Act, and as otherwise provided in law;

WHEREAS, the federal National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470 to 470x-6, establishes a program for the preservation of historic properties throughout the United States;

WHEREAS, Section 101(b)(1) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(b)(1), provides for the designation and appointment by each governor of a state historic preservation officer and for the employment or appointment by the officer of professionally qualified staff as necessary to administer the state's historic preservation program;

WHEREAS, under Section 101(b)(1) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(b)(1), provides for an adequate and qualified historic preservation review board in each state;

WHEREAS, formal establishment of a state historic preservation office is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

WHEREAS, it is in the best interests of the State of Michigan to have a formally organized state historic preservation office, state historic preservation officer, and state historic preservation review board;

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. "Certified local government" means a local government in this state whose local historic preservation program has been certified as provided under Section 101(c) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(c).

B. "Department of History, Arts and Libraries" or "Department" means the principal department of state government created under Section 3 of 2001 PA 63, MCL 399.703, and includes the Michigan Historical Center.

C. "Historic property" means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource.

D. "Michigan Historical Center" means that phrase as used in Section 266 of the Income Tax Act, 1967 PA 281, MCL 206.266.

E. "National Register" means the National Register of Historic Places established under Section 101(a) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(a).

F. "Secretary" means the Secretary of the United States Department of Interior, including when the Secretary is acting through the Director of the United States National Park Service.

G. "State Historic Preservation Office" or "Office" means the State Historic Preservation Office created under this Order as the state's principal historic preservation agency.

H. "State Historic Preservation Officer" means the State Historic Preservation Officer designated and appointed under this Order.

I. "State historic preservation program" means the state historic preservation program meeting the requirements specified in Section 101(b) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(b).

J. "State Historic Preservation Review Board" or "Review Board" means the State Historic Preservation Review Board created under this Order.

II. STATE HISTORIC PRESERVATION OFFICE

A. The State Historic Preservation Office is created within the Department of History, Arts, and Libraries. The authority, powers, duties, and functions of the Office, 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.

B. The State Historic Preservation Officer, who shall be appointed by the Governor, shall serve as the head of the Office, administer this state's historic preservation program, and perform the duties and responsibilities provided under this Order.

C. The staff of the Office shall be professionally qualified. Unless otherwise authorized by the Secretary, the staff of the Office shall include at least one individual meeting the Secretary's historic preservation professional qualifications standards for history, one individual meeting the Secretary's historic preservation professional qualifications standards for historic or prehistoric archeology, and one individual meeting the Secretary's historic preservation professional qualifications standards for architectural history. The State Historic Preservation Officer may determine that additional professional staff members representing the required or other disciplines are necessary to administer this state's historic preservation program in accordance with the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470 to 470x-6. If a position required under this paragraph to meet the Secretary's historic preservation professional qualifications standards becomes vacant, the vacancy shall be filled in a timely manner and shall not remain vacant for more than six months. When a position is vacant, the State Historic Preservation Officer shall ensure that appropriately qualified individuals address technical matters. The Office may meet the requirements of this paragraph with assistance from other qualified staff within the Department.

D. The Office shall do all of the following:

1. Direct and conduct a comprehensive statewide survey of historic properties and maintain inventories of the properties in cooperation with federal agencies, state departments and agencies, local governments, and private organizations and individuals.

2. Identify and nominate eligible properties to the National Register and otherwise administer applications for listing historic properties on the National Register. As part of the process of recommending a property to the National Register, the Office shall comply with the consultation and notification procedures under 36 CFR part 60. The Office may authorize other persons or entities to fulfill the notice requirements in 36 CFR part 60 pursuant to the written guidance from the United States Secretary of the Interior. The Office may authorize the historic preservation review commission of a certified local government to act in place of the Review Board for the purpose of considering National Register nominations within its jurisdiction, provided that the historic preservation review commission meets the professional qualifications required for the Review Board when considering the nominations and otherwise follows written guidance of the Secretary. In accordance with the written guidance of the Secretary, and with the consent of both the property owners in a nomination and the chief elected local official, the Review Board, or a historic preservation review commission meeting in place of the Review Board, may consider the nomination without a face-to-face meeting.

3. Prepare and implement a comprehensive statewide historic preservation plan.

4. Administer the state program of federal assistance for historic preservation within this state.

5. Advise and assist, as appropriate, federal agencies, state departments and agencies, and local governments in carrying out their historic preservation responsibilities.

6. Cooperate with the Secretary, the federal Advisory Council on Historic Preservation created under Section 201 of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470i, and other federal agencies, state departments and agencies, local governments, and organizations and individuals to ensure that historic properties are taken into consideration at all levels of planning and development.

7. Provide public information, education, and training and technical assistance in historic preservation.

8. Cooperate with local governments in the development of local historic preservation programs and assist local governments in becoming certified pursuant to Section 101(c) of the National Historic Preservation Act, Public Law 89-665, 16 USC 470a(c).

9. Consult with appropriate federal agencies in accordance with Sections 1 to 407 of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470 to 470x-6, on both of the following:

a. Federal undertakings that may affect historic properties.

- b. The content and sufficiency of any plans developed to protect, manage, or reduce or mitigate harm to such properties.
 - 10. Advise and assist in the evaluation of proposals for rehabilitation projects that may qualify for federal assistance
 - 11. Carry out the duties and activities described under Section 101(b)(3) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(b)(3).
 - 12. Carry out a historic preservation planning process that includes the development and implementation of a comprehensive statewide historic preservation plan that provides guidance for effective decision making about historic property preservation throughout this state.
 - 13. Survey and maintain inventories of historic properties.
 - 14. Obtain one or more of the following:
 - a. Comparative data valuable in determining the National Register eligibility of properties.
 - b. Information on properties that may become eligible for the National Register of Historic Places with the passage of time.
 - c. Information on the absence of historic properties for use in planning for public and private development projects.
 - 15. Provide for adequate public participation in this state's historic preservation program as a whole.
 - 16. Provide a mechanism for certification of local governments by the State Officer and the Secretary authorizing local governments to carry out the purposes of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470 to 470x-6, and perform other tasks related to certified local government programs as provided under Section 101(c) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(c), and under 31 CFR 61.6.
 - 17. Issue subgrants to certified local government programs and perform other duties required by Section 103 of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470c, and 31 CFR 61.7.
 - 18. Perform functions related to the historic properties of Indian tribes as required under Section 101(d) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(d).
 - 19. Advise and assist the Director with the assignment, acceptance or administration of historic preservation easements, including, but not limited to, easements executed under Sections 2140 to 2144 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.2140 to 324.2144.
 - 20. Advise and assist the State Historic Preservation Review Board in the performance of its duties under this Order.
 - 21. Assist the Secretary in performing the functions prescribed in the National Historic Lighthouse Preservation Act of 2000, Public Law 106-355, as amended, 16 USC 470w-7 to 470w-8.
 - 22. Perform other related duties as requested by the Director or the Governor.
- E. The Office may carry out all or any part of its responsibilities under this Order by contract or cooperative agreement with a qualified person or entity, consistent with Michigan law and applicable rules and regulations of the Department of Management and Budget and the Civil Service Commission, but may not delegate the responsibility for compliance with the Act or with grant assistance terms and conditions.
- F. To the extent provided under Section 101(b)(6) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(b)(6), the Office may enter into a contract or cooperative agreement with the Secretary authorizing the Office to assist the Secretary in carrying out within this state one or more of the following responsibilities:
- 1. Identification and preservation of historic properties.
 - 2. Determination of the eligibility of properties for listing on the National Register.
 - 3. Preparation of nominations for inclusion on the National Register.
 - 4. Maintenance of historical and archaeological databases.
 - 5. Evaluation of eligibility for federal preservation incentives.
- G. In addition to performing duties and responsibilities under the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470 to 470x-6, the Office also shall advise and assist the Director in performing functions vested in the Department under any of the following:
- 1. Section 266 of the Income Tax Act, 1967 PA 281, MCL 206.266.
 - 2. Section 39c of the Single Business Tax Act, 1975 PA 288, MCL 208.39c, or Section 435 of the Michigan Business Tax Act, 2007 PA 36, MCL 208.1435.
 - 3. Section 811k of the Michigan Vehicle Code, 1949 PA 300, MCL 257.811k.
 - 4. The Michigan Historical Markers Act, 1955 PA 10, MCL 399.151 to 399.160.
 - 5. The Local Historic Districts Act, 1970 PA 169, MCL 399.203.

III. STATE HISTORIC PRESERVATION REVIEW BOARD

A. The State Historic Preservation Review Board is created within the Department of History, Arts, and Libraries. The authority, powers, duties, and functions of the Review Board, 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.

B. The Review Board shall consist of 9 members appointed by the Governor. The members of the Review Board shall possess demonstrated competency, interest, or knowledge in historic preservation. The State Historic Preservation Officer shall advise the Governor on qualified professionals and other individuals interested in service as a member of the Review Board as requested by the Governor.

C. Each member of the Review Board shall possess demonstrated competency, interest or knowledge in historic preservation.

D. At least 5 of the members of the Review Board shall meet the historic preservation qualifications standards issued by the Secretary, including at least one individual meeting the Secretary's historic preservation qualifications standards for history, one individual meeting the Secretary's historic preservation qualifications standards for prehistoric archeology or historic archeology, and one individual meeting the Secretary's historic preservation qualifications standards for architectural history. Other members of the Review Board required under this paragraph may represent other disciplines described by the Secretary's historic preservation qualifications standards. A member of the Review Board may satisfy the Secretary's historic preservation qualifications standards for more than one required discipline.

E. Of the members of the Review Board initially appointed by the Governor, 3 members shall be appointed for a term expiring on December 31, 2008, 2 members shall be appointed for a term expiring on December 31, 2009, 2 members shall be appointed for a term expiring on December 31, 2010, and 2 members shall be appointed for a term expiring on December 31, 2011. After the initial appointments under this paragraph, members shall be appointed for a term of 4 years.

F. A member of the Review Board shall continue to serve until a successor is appointed and qualified. A vacancy on the Review Board 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. When a position on the Review Board position becomes vacant, the vacancy shall be filled in a timely manner and shall not remain vacant for more than 1 year. While a vacancy is pending, the Office shall ensure that the Review Board has access to advice from appropriately qualified individuals.

G. The Review Board shall do all of the following:

1. Provide advice to the Office and the Department on the full range of Historic Preservation Fund-supported activities described under Section 101 (b)(3) of the National Historic Preservation Act, Public Law 89-665, as amended, 16 USC 470a(b)(3).

2. Review and make recommendations on National Register nomination proposals.

3. Participate in the review of appeals of National Register nominations.

4. Perform other duties as may be appropriate, including, but not limited to, the performance of other related duties required under state law or as requested by the Director or the Governor.

H. The Review Board shall adopt written procedures governing its organization and operations consistent with Michigan law, this Order, 36 CFR 61.4, and related guidance issued by the National Park Service.

I. The Governor shall designate a member of the Review Board to serve as its Chairperson. The Review Board may select from among its members a Vice-Chairperson and any other officers as the Review Board deems appropriate. The Officer shall serve as the Executive Secretary of the Review Board.

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

K. The Review Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Review Board. The Review Board shall meet at least once per year and as often as is necessary to complete its work in a timely fashion.

L. The business of the Review Board shall be conducted at public meetings held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of all meetings of the Board shall be given in the manner required by the Open Meetings Act.

M. A writing prepared, owned, used, in the possession of, or retained by the Review Board in the performance of official business shall be made available to the public under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

N. The Review Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Review 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.

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

P. The Review 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 Review 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.

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

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

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Review Board or to any member or representative of the Review Board, any necessary

assistance required by the Review Board or any member or representative of the Review Board, in the performance of the duties of the Review Board so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Review Board.

B. Any rules, orders, bylaws, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until amended, rescinded, or terminated.

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 Monday, January 28, 2008 at 12:01 a.m..

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 27th 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 message was referred to the Clerk.

The following message from the Governor was received December 27, 2007 and read:

EXECUTIVE ORDER
No. 2007 – 54

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

STATE HISTORICAL RECORDS ADVISORY BOARD

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 Department of History, Arts, and Libraries was created as a principal department of state government under Section 3 of the History, Arts, and Libraries Act, 2001 PA 63, MCL 399.703;

WHEREAS, under Section 5 of the History, Arts and Libraries Act, 2001 PA 63, MCL 399.705, the Department of History, Arts, and Libraries is charged with carrying out powers, duties, functions, and responsibilities as provided in the History, Arts, and Libraries Act, and as otherwise provided in law;

WHEREAS, the National Historical Publications and Records Commission (“National Commission”) was created by Public Law 90-620, as amended, 44 USC 2501 to 2507, to cooperate with, and encourage federal, state, and local government agencies and non-governmental institutions, societies, and individuals in collecting, preserving, editing, and publishing documents, including the papers of outstanding citizens of the United States, that may be important for an in-depth understanding and appreciation of the history of the United States;

WHEREAS, under Section 1 of Public Law 90-620, as amended, 44 USC 2504, the National Commission has established a grant program for the collection, description, preservation, compilation, publication, and dissemination of records, photographs, and other materials significant to the history of the United States;

WHEREAS, to participate in the National Commission’s grant program, Part 1206 of Chapter 36 of the Code of Federal Regulations requires a state to establish a historical records advisory board;

WHEREAS, historical records play a vital role in our state’s democracy by ensuring that people can discover, use, and learn from our heritage;

WHEREAS, formal establishment of the State Historical Records Advisory Board within the Department of History, Arts, and Libraries is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

WHEREAS, it is in the best interests of the State of Michigan to have a formally organized historical records advisory board;

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. "Advisory Board" means the State Historical Records Advisory Board established by this Order.
- B. "Department of History, Arts and Libraries" or "Department" means the principal department of state government created under the Section 3 of 2001 PA 63, MCL 399.703, and includes the Michigan Historical Center.
- C. "National Commission" means the National Historical Publications and Records Commission created by Public Law 90-620, as amended, 44 USC 2501 to 2507.
- D. "State Archivist" means the full-time professional employee within the Department who is responsible for this state's archival program and the operation of the state archives.

II. CREATION OF MICHIGAN HISTORICAL RECORDS ADVISORY BOARD

A. The State Historical Records Advisory Board is created as an advisory body within the Department of History, Arts, and Libraries. The authority, powers, duties, and functions of the Advisory Board, 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.

B. Subject to Section II.C, the Advisory Board shall consist of all of the following:

- 1. The State Archivist.
- 2. The Director of the Department of History, Arts, and Libraries, or his or her designee from within the Department of History, Arts, and Libraries.
- 3. Five residents of this state appointed by the Governor.

C. A majority of the members of the Advisory Board shall have recognizable experience in the administration of records, manuscripts, or archives. The Advisory Board shall be as broadly representative as practicable of the public and private archives, records offices, and research institutions and organizations in this state.

D. Of the members of the Advisory Board initially appointed by the Governor under Section II.B.3, 2 members shall be appointed for a term expiring on December 31, 2008, 1 member shall be appointed for a term expiring on December 31, 2009, 1 member shall be appointed for a term expiring on December 31, 2010, and 1 member shall be appointed for a term expiring on December 31, 2011. After the initial appointments under this paragraph, members shall be appointed for a term of 4 years.

E. A member of the Advisory Board shall continue to serve until a successor is appointed and qualified. A vacancy on the Advisory Board 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.

III. CHARGE TO THE ADVISORY BOARD

A. The Advisory Board shall do all of the following:

- 1. Serve as the central advisory body for historical records coordination within this state.
- 2. Serve as the central advisory body for National Commission state and local projects within this state.
- 3. Engage in planning relating to historical publications and records in this state.
- 4. Develop, revise, and submit to the National Commission a state plan that includes priorities for state historical records projects following the Manual of Suggested Practices for State Historical Records Advisory Boards issued by the National Commission.
- 5. Review all state and local records projects within this state and make recommendations for state projects to the National Commission.
- 6. Coordinate historical records planning and Commission-funded projects developed and carried out within this state.
- 7. Facilitate cooperation among historical records repositories and other information agencies within this state.
- 8. Perform other tasks related to historical publications and records as requested by the Director or the Governor.

B. The Advisory Board may do one or more of the following:

- 1. Promote an understanding of the role and value of historical records.
- 2. Foster and support cooperative networks and programs dealing with historical records.
- 3. Review reports and otherwise monitor the operation and progress of projects in this state financed by National Commission grants.
- 4. Sponsor and publish reports on the conditions and needs of historical records in this state.
- 5. Solicit or develop proposals for historical records projects to be undertaken by institutions in this state or by the Advisory Board with grants from the National Commission.
- 6. Provide advice to the State Archives, and other archival, records, or information agencies in this state.
- C. The Advisory Board shall comply with the Manual of Suggested Practices for State Historical Records Advisory Boards and other guidelines issued by the National Commission.

D. The Advisory Board also shall perform the powers, duties, and functions vested in the State Historical Records Advisory Board under the Records Reproduction Act, 1992 PA 116, MCL 24.401 to 24.406.

IV. OPERATIONS OF THE ADVISORY BOARD

A. The Department and the State Archivist shall provide staff support for the Advisory Board. The State Archivist shall perform administrative functions in support of the Advisory Board as provided in the Manual of Suggested

Practices for State Historical Records Advisory Boards issued by the National Commission. If the position of State Archivist is vacant or unable to serve, the Deputy State Archivist shall perform the functions of the State Archivist under this Order. In the absence of a Deputy State Archivist, the Advisory Board, after consultation with the Director of the Department, shall designate another employee of the Department to perform the functions of the State Archivist under this Order until a new State Archivist is appointed.

B. The State Archivist shall serve as the Chairperson of the Advisory Board. The Advisory Board may select from among the members of the Advisory Board other officers as the Advisory Board deems necessary.

C. The Advisory Board shall adopt procedures consistent with federal law, Michigan law, and this Order governing its organization and operations.

D. A majority of the voting 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 the voting members of the Advisory Board serving.

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

F. The business of the Advisory Board shall be conducted at public meetings held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of all meetings of the Advisory Board shall be given in the manner required by the Open Meetings Act.

G. A writing prepared, owned, used, in the possession of, or retained by the Advisory Board in the performance of official business shall be made available to the public under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

H. 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.

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

J. 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 Advisory Board 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.

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

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

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

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Advisory Board or to any member or representative of the Advisory Board, any necessary assistance required by the Advisory Board or any member or representative of the Advisory Board, in the performance of the duties of the Advisory Board so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Advisory Board.

B. Any rules, orders, bylaws, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until amended, rescinded, or terminated.

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 upon Monday, January 28, 2008 at 12:01 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 27th 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 message was referred to the Clerk.

Date: December 27, 2007

Time: 9:07 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4711 (Public Act No. 201, I.E.), being

An act to amend 1996 PA 381, entitled “An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,”

by amending section 15 (MCL 125.2665), as amended by 2006 PA 32.

(Filed with the Secretary of State December 27, 2007, at 10:34 a.m.)

Date: December 27, 2007

Time: 9:09 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4712 (Public Act No. 202, I.E.), being

An act to amend 1996 PA 381, entitled “An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,”

by amending section 13 (MCL 125.2663), as amended by 2006 PA 467.

(Filed with the Secretary of State December 27, 2007, at 10:36 a.m.)

Date: December 27, 2007

Time: 9:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5460 (Public Act No. 205, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 305 (MCL 208.1305).

(Filed with the Secretary of State December 27, 2007, at 10:42 a.m.)

Date: December 27, 2007

Time: 9:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5412 (Public Act No. 206, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” (MCL 208.1101 to 208.1601) by adding section 453.

(Filed with the Secretary of State December 27, 2007, at 10:44 a.m.)

Date: December 27, 2007

Time: 9:19 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5413 (Public Act No. 207, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 111 (MCL 208.1111), as amended by 2007 PA 145.

(Filed with the Secretary of State December 27, 2007, at 10:46 a.m.)

Date: December 27, 2007

Time: 9:21 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5409 (Public Act No. 208, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” (MCL 208.1101 to 208.1601) by adding section 450a.

(Filed with the Secretary of State December 27, 2007, at 10:48 a.m.)

Date: December 27, 2007

Time: 9:27 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5105 (Public Act No. 209, I.E.), being

An act to amend 1964 PA 284, entitled “An act to permit the imposition and collection by cities of an excise tax levied on or measured by income; to permit the collection and administration of the tax by the state; to provide the procedure including referendums for, and to require the adoption of a prescribed uniform city income tax ordinance by cities desiring to impose and collect such a tax; to limit the imposition and collection by cities and villages of excise taxes levied on or measured by income; to prescribe the powers and duties of certain state and municipal agencies, departments, and officials; to establish the city income tax trust fund; to provide for appeals; and to prescribe penalties and provide remedies,” by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

(Filed with the Secretary of State December 27, 2007, at 10:50 a.m.)

Date: December 27, 2007

Time: 9:23 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5125 (Public Act No. 215, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 433 (MCL 208.1433).

(Filed with the Secretary of State December 28, 2007, at 10:02 a.m.)

Date: December 27, 2007

Time: 9:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5126 (Public Act No. 216, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 435 (MCL 208.1435).

(Filed with the Secretary of State December 28, 2007, at 10:04 a.m.)

Communications from State Officers

The following communication from the Department of Labor and Economic Growth was received and read:

December 28, 2007

Pursuant to Section 315(13) of the Michigan Telecommunications Act (MTA), the Michigan Telecommunications Relay Center Advisory Board (MRC Board) submits the following report to the Governor and Legislature. This report includes information on the specific elements requested in the statute as well as other additional information that the MRC Board examined in order to provide a full and complete report. The report includes several attachments of relevant information referenced in this report.

The changing telecommunications industry presents unique challenges to Deaf/Hard of Hearing/Speech Impaired (D/HOH/SI) customers, whose service needs are specialized and can vary considerably even within similar sectors of the community. Different degrees of hearing loss and/or speech impairment may require very different technology solutions. This report has identified two main issues that face D/HOH/SI customers: equipment costs and a lack of information about available telecommunications services and equipment to assist the D/HOH/SI community.

While some members of the MRC Board would like to see changes to Michigan’s equipment distribution program, the MRC Board is in agreement that it does not have any concrete evidence that changes are necessary and does not have any solid proposals before it to consider. While there are programs in other states that seem to have merit, the larger questions of what entity would administer any new program and where does the funding come from have not been answered. It is not within this Board’s purview to make those types of decisions. What the MRC Board has done is compile a wealth of information on this issue to present to the Legislature for their consideration.

While all customers face what can be a confusing array of products and service providers, the specialized needs of D/HOH/SI customers and limitations that may exist in their ability to shop at retail outlets point to a need for a central source of focused information. Having a comprehensive list of products and services available from a trusted source, whether it’s a state agency or non-profit organization, would help D/HOH/SI customers make informed choices. The MRC Board will work with the Michigan Public Service Commission (MPSC) to coordinate an effort that includes relevant state agencies (MPSC, Division of Deaf and Hard of Hearing, Department of Information Technology), representatives of the D/HOH/SI community and representatives of the telecommunications industry to designate a place where D/HOH/SI citizens can go to find information to assist them in purchasing telecommunications equipment and services. The MRC Board will continue to monitor these and other related issues on a going forward basis and bring to the attention of the Commission and Legislature any issues that may require legislative action.

Sincerely,

Orjiakor N. Isiogu, Chairman

Michigan Public Service Commission

The communication was referred to the Clerk.

Announcements by the Clerk

December 28, 2007

Received from the Auditor General a copy of the following audit report and/or report summary: Performance audit of General Controls of the Offender Management Network Information System, Department of Corrections and Department of Information Technology, December 2007.

Richard J. Brown
Clerk of the House