

No. 69
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Wednesday, November 9, 2016.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Ananich—present
Bieda—excused
Booher—present
Brandenburg—present
Casperson—present
Colbeck—present
Emmons—present
Green—excused
Gregory—present
Hansen—present
Hertel—present
Hildenbrand—present
Hood—present

Hopgood—present
Horn—present
Hune—present
Johnson—excused
Jones—present
Knezek—present
Knollenberg—present
Kowall—present
MacGregor—present
Marleau—present
Meekhof—present
Nofs—present

O'Brien—present
Pavlov—present
Proos—present
Robertson—present
Rocca—present
Schmidt—present
Schuitmaker—present
Shirkey—present
Stamas—present
Warren—present
Young—excused
Zorn—present

Pastor Casey Arnouts of Grace Assembly of God of Fruitport offered the following invocation:

Lord, You crafted this morning's sunrise, so we realize this Senate's chamber does not impress You.

But we are just human. We're aware of the awesome responsibility this room represents. The deliberations and decisions of this chamber impact every living person in the state. That idea is big enough to give us pause and to have us stop and ask for Your help.

So I ask that You would be with these Senators, Lord. They carry heavy burdens. They shoulder the charge of their constituents, and the influence of their party's apparatus. They are barraged by interests and lobbies clamoring for attention. They're driven by news cycles, battered through campaigns, and finally, they give an account to You, O Lord.

They have voluntarily stepped into this daunting role and they occupy seats of incredible pressure, incredible responsibility, and incredible influence.

So I ask that You would give them aid, God. Sustain a passion in their hearts for service to their Constitution and constituents. Grant them wisdom and foresight as they process information, craft laws, and take votes. Give them courage where it's required, compassion where it's wise, shield their hearts from the temptation of bitterness or vindictiveness that could rise in the rough and tumble world of politics. Guard their families, Lord, and keep these Senators grounded through those that are close.

Bless their aides as they gather information and care for the constituents, the Sergeants at Arms who have to be here, even after a late election night. Help them, Lord, to follow the command of Scripture: to do kindness, love justice, and walk humbly before You.

Be with our Senators, I pray. Help them as they walk in honor and integrity. Strengthen them so they may be a credit to their district, a blessing to the state, and pleasing to you, O Lord, the One strong enough and glorious enough to make the sunrise and near enough to give us aid.

We ask this in the name of the Father, Son, and Holy Spirit. Amen.

The President, Lieutenant Governor Calley, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Ananich and Hopgood entered the Senate Chamber.

Senator Kowall moved that Senator Brandenburg be temporarily excused from today's session.
The motion prevailed.

Senator Kowall moved that Senator Green be excused from today's session.
The motion prevailed.

Senator Hood moved that Senator Hertel be temporarily excused from today's session.
The motion prevailed.

Senator Hood moved that Senators Bieda, Johnson and Young be excused from today's session.
The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senators Ananich and Hansen admittance to the Senate floor.

The motion prevailed, a majority of the members serving voting therefor.

The following communications were received and read:

Office of the Auditor General

September 8, 2016

Enclosed is a copy of the following performance audit:

- Commercial Vehicle Enforcement Division, Michigan Department of State Police.

September 14, 2016

Enclosed is a copy of the following follow-up report on prior audit recommendations:

- Adult Protective Services, Michigan Department of Health and Human Services.

September 15, 2016

Enclosed is a copy of the following financial audit including report on internal control, compliance, and other matters:

- Michigan Justice Training Fund, Michigan Commission on Law Enforcement Standards, Michigan Department of State Police, Fiscal Years Ended September 30, 2015 and September 30, 2014.

September 20, 2016

Enclosed is a copy of the following performance audit:

- Use of Transportation-Related Funding.

September 21, 2016

Enclosed is a copy of the following performance audit:

- Corporate Income Tax and Michigan Business Tax.

October 26, 2016

Enclosed is a copy of the following audits:

- Financial Audit Including Report on Internal Control, Compliance, and Other Matters of the Emergency 9-1-1 Fund, Michigan Department of State Police and Department of Treasury, Fiscal Years Ended September 30, 2015 and September 30, 2014.
- Performance Audit Report on the Septage Waste, Campground, Public Swimming Pool, and Onsite Wastewater Programs, Office of Drinking Water and Municipal Assistance, Department of Environmental Quality, October 2016.

November 1, 2016

Enclosed is a copy of the following report:

- Preliminary survey summary of the Field Services System Operations Section, Michigan Department of Transportation.

November 3, 2016

Enclosed is a copy of the following reports:

- Performance audit report on the Parole Eligibility Consideration Process, Department of Corrections.
- Performance audit report on the Michigan Medical Marijuana Program, Department of Licensing and Regulatory Affairs.

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Government Operations.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

August 31, 2016

In accordance with the provision 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 Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-020-TP (Secretary of State Filing #16-08-09) on this date at 3:49 p.m. for the Department of Transportation entitled, "Railroads."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 8, 2016

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 Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-023-LR (Secretary of State Filing #16-09-02) on this date at 3:55 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Unarmed Combat."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 27, 2016

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 Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Emergency Administrative Rule #2016-063-EQ (Secretary of State Filing #16-10-03) on this date at 4:03 p.m. for the Department of Environmental Quality entitled, "Establishment of Cleanup Criteria for 1, 4 – Dioxane."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, October 27, for his approval the following bills:

- Enrolled Senate Bill No. 903 at 11:10 a.m.**
- Enrolled Senate Bill No. 981 at 11:12 a.m.**
- Enrolled Senate Bill No. 987 at 11:14 a.m.**
- Enrolled Senate Bill No. 988 at 11:16 a.m.**
- Enrolled Senate Bill No. 989 at 11:18 a.m.**
- Enrolled Senate Bill No. 990 at 11:20 a.m.**

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, October 19, and are available at the Michigan Legislature website:

House Bill Nos.	5947	5948	5949	5950	5951	5952	5953	5954	5955	5956	5957	5958	5959	5960
	5961	5962	5963	5964	5965	5966	5967	5968	5969	5970	5971	5972	5973	5974
	5975	5976	5977	5978	5979	5980	5981	5982	5983	5984	5985	5986	5987	5988
	5989	5990	5991	5992	5993	5994	5995	5996	5997	5998	5999	6000	6001	6002
	6003	6004	6005	6006	6007									
House Joint Resolution		TT												

The Secretary announced that the following bills were printed and filed on Thursday, October 20, and are available at the Michigan Legislature website:

Senate Bill Nos.	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139
	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1153	1154
	1155													

Senators Robertson and Hood asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Robertson’s statement is as follows:

Joining me in the Gallery today is a constituent of mine, my neighbor just down the street, his name is Eugene Burk and he is here with his wife, Catherine. They have been married for the past 24 years. Eugene is a veteran of the United States Army, and he served in Vietnam both in 1958 and when he was called back to duty in 1961. He is here today visiting the Capitol. We just had a wonderful lapel pinning ceremony in my colleague Senator Kowall’s office to honor him and another veteran. He is the Sergeant at Arms at the American Legion Post 413 in Grand Blanc and he is a lifetime member of the Disabled American Veterans in Burton.

I ask my colleagues to join me in welcoming him and his wife to the Capitol today, and thanking him for his service to our country.

Senator Hood’s statement is as follows:

Though we celebrate our veterans daily, we are fortunate and grateful to have several veterans and guests here with us today in honor of Veterans’ Day this Friday. One of these veterans is U.S. Army veteran Fred Sawyer. Earlier this morning, I had the opportunity to meet with Mr. Sawyer and be there when he was pinned with the distinguished Vietnam Veteran lapel pin as an expression of our gratitude for his service to our great country. Mr. Sawyer served during the Vietnam War from July 1969 until July 1970. He was decorated with two meritorious unit citations—the Army Commendation Medal and a Purple Heart. All of these medals commemorate the bravery and selflessness he has given, his dedication to our country, and the sacrifices he has made on our behalf. He has put his life on the line to ensure that our freedoms as U.S. citizens stay intact.

Today we express our deeply sincere gratitude for what he has done for our country and world. When Mr. Sawyer returned from the war, he used the G.I. Bill to take night classes at Eastern Michigan University, and after 11 years he earned a bachelor's degree in business. To me, this shows a vital part of his character. He is not only dedicated to his country, but also to consistently improving his family and his community. He then worked for Ford Financial Services for 33 years, retiring in 2001.

Mr. Sawyer deeply appreciates the support of his wife, Linda and his sons, Brad and Ryan, who he says have been invaluable over the years offering patience, kind words, and understanding. He joins us today in the Gallery with his wife Linda, son Ryan, and his very good friends Sharon, John, and Jerry. Please welcome Mr. Sawyer to the Senate, and thank him for his renowned service and all that he has done to serve and protect us, and give us the freedom that we deserve and that he defended for many years.

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:12 a.m.

10:44 a.m.

The Senate was called to order by the President, Lieutenant Governor Calley.

During the recess, Senator Brandenburg entered the Senate Chamber.

Senator Kowall moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 5181

The motion prevailed.

Senator Kowall moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1084

House Bill No. 5656

House Bill No. 5657

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Kowall moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Knollenberg as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 1089, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 2008 PA 43.

House Bill No. 5447, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 811e and 811h (MCL 257.811e and 257.811h), as amended by 2015 PA 78.

Senate Bill No. 1084, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 2016 PA 161.

House Bill No. 5656, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 312j.

House Bill No. 5657, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 55 (MCL 256.675).

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5215, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 70a. Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: November 2, 2016

Time: 3:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 903 (Public Act No. 316), 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 protect the people's right to hunt and fish; 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 61703 and 61706 (MCL 324.61703 and 324.61706), as added by 1995 PA 57.

(Filed with the Secretary of State on November 3, 2016, at 11:20 a.m.)

Date: November 2, 2016

Time: 3:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 981 (Public Act No. 315), being

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 525 (MCL 436.1525), as amended by 2014 PA 353.

(Filed with the Secretary of State on November 3, 2016, at 11:18 a.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received on November 1, 2016, and read:

EXECUTIVE ORDER
No. 2016-20

Michigan Developmental Disabilities Council

Department of Health and Human Services

Rescission of Executive Order 2006-12

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, the state of Michigan recognizes a need to ensure that resources are developed, implemented, and coordinated to achieve the maximum impact on current and future needs of individuals with developmental disabilities and their families; and

WHEREAS, development and implementation of needed services for individuals with developmental disabilities are ongoing responsibilities of the Department of Health and Human Services and other state departments and agencies, in collaboration with non-governmental agencies and resources; and

WHEREAS, Executive Order 1977-3 established the Michigan State Planning Council for Developmental Disabilities; and

WHEREAS, Executive Order 1984-13 established the Michigan Developmental Disabilities Council; and

WHEREAS, Executive Order 2006-12 established a new Michigan Developmental Disabilities Council; and

WHEREAS, Section 125 of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, 42 USC § 15025, requires that each state receiving funding establish and maintain a council to undertake advocacy, capacity building, and systematic change activities that contribute to a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance beneficial for individuals with developmental disabilities; and

WHEREAS, modification of this state's council for developmental disabilities is necessary to reflect the current organizational structure of state government and to comply with federal law;

NOW, THEREFORE, I, Richard D. Snyder, 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. "Council" means the Michigan Developmental Disabilities Council re-created under this Order.

B. "Department of Health and Human Services" or "Department" means the principal department of state government created under Executive Order 2015-4, MCL 400.227.

C. "Developmental Disabilities Act" means the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, as amended, 42 USC § 15001 to 15115.

D. "State Developmental Disabilities Plan" means the state plan described under Section 124 of the Developmental Disabilities Act.

II. CREATION OF THE NEW MICHIGAN DEVELOPMENTAL DISABILITIES COUNCIL

A. The Department shall continue to serve as the state agency designated to provide support to the Council on behalf of this state as provided under Sections 124 and 125(d) of the Developmental Disabilities Act.

B. The Michigan Developmental Disabilities Council is created within the Department of Health and Human Services and shall be the state council on developmental disabilities required under Section 125 of the Developmental Disabilities Act.

C. The Governor shall appoint the members of the Council. The members shall be appointed at the discretion of the Governor after recommendations are solicited from organizations representing a broad range of individuals with developmental disabilities and individuals interested in individuals with developmental disabilities, including, but not limited to, the members of the Council not employed by this state. The Council may, at the initiative of the Council or on the request of the Governor, coordinate Council and public input to the Governor regarding all recommendations. The members of the Council shall be geographically representative of this state and reflect the diversity of the state of Michigan with respect to race and ethnicity.

D. The Council shall consist of 21 members appointed by the Governor, including all of the following:

1. An individual from the state agency that administers funds provided under the Rehabilitation Act of 1973 (29 USC § 701, *et seq.*);

2. An individual from the state agency that administers funds provided under the Individuals with Disabilities Education Act (20 USC § 1400, *et seq.*);

3. An individual from the state agency that administers funds provided under the Older Americans Act of 1965 (42 USC § 3001, *et seq.*);

4. An individual from the state agency that administers funds provided under Title V of the Social Security Act (42 USC § 701, *et seq.*);

5. An individual from the state agency that administers funds provided under Title XIX of the Social Security Act (42 USC § 1396, *et seq.*);

6. Not less than one (1) individual representing a university center for excellence in developmental disabilities education, research, and service with sufficient authority to engage in policy planning on behalf of the university center;

7. Not less than one (1) individual representing the protection and advocacy system in this state with sufficient authority to engage in policy planning and implementation; and

8. Not less than two (2) individuals representing local and non-governmental agencies and private nonprofit groups concerned with services for individuals with developmental disabilities in this state with sufficient authority to engage in policy planning and implementation on behalf of the agency or group.

9. Not less than one (1) individual with a developmental disability elected to the board of Self-Advocates of Michigan to represent self-advocates.

E. Subject to Sections II.E. and II.F., not less than 60 percent of the members of the Council shall be individuals who are one or more of the following:

1. An individual with developmental disabilities.

2. A parent or guardian of a child with developmental disabilities.

3. An immediate relative or guardian of an adult with mentally impairing developmental disabilities who cannot advocate for himself or herself.

F. Of the individuals described in Section II.E., all of the following shall apply:

1. Not less than one-third (1/3) of the individuals shall be individuals with developmental disabilities.

2. Not less than one-third (1/3) of the individuals shall be parents or guardians of an individual with developmental disabilities or immediate relatives or guardians of an adult with mentally impairing developmental disabilities who cannot advocate for himself or herself.

3. Not less than one-third (1/3) of the individuals shall be a combination of the individuals described in Section II.E.

4. If such an individual resides in this state, at least one of the individuals shall be an immediate relative or guardian of an individual with a developmental disability who previously resided in an institution or shall be an individual with a developmental disability who previously resided in an institution.

G. An individual meeting the criteria established under Section II.E. shall not be any of the following:

1. An employee of a state department or agency that receives funds or provides services under Subtitle B of the Developmental Disabilities Act.

2. A managing employee as defined in Section 1126(b) of the Social Security Act, 42 USC § 1320a-5(b).

3. An employee of any other entity that receives funds or provides services under Subtitle B of the Developmental Disabilities Act.

H. Of the members of the Council initially appointed under this Order, seven (7) members shall be appointed for terms expiring September 30, 2017, five (5) members shall be appointed for terms expiring September 30, 2018, five (5) members shall be appointed for terms expiring September 30, 2019, and five (5) members shall be appointed for terms expiring September 30, 2020. After the expiration of the initial terms, members of the Council shall be appointed for terms of four years.

I. A member of the Council shall continue to serve until a successor is appointed and qualified. A vacancy on the Council occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

J. The Council shall advise the Governor regarding the membership requirements of the Council and shall notify the Governor if a vacancy on the Council remains unfilled for more than 180 days.

III. CHARGE TO THE COUNCIL

A. The Council shall undertake advocacy, capacity building, and systematic change activities, consistent with Sections 101(b) and 101(c) of the Developmental Disabilities Act that contribute to a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance that contribute to the achievement of the purpose of Subtitle B of the Developmental Disabilities Act.

B. The Council shall serve as an advocate for individuals with developmental disabilities and conduct or support programs, projects, and activities that carry out the purpose of Subtitle B of the Developmental Disabilities Act.

C. At the end of each federal grant year, the Council shall:

1. Determine the extent to which each goal of the Council was achieved for the grant year.

2. Determine the extent to which each goal of the Council was not achieved and the factors that impeded the achievement.

3. Determine needs that require amendment of the State Developmental Disabilities Plan.

4. Separately determine the information on the self-advocacy goal described in Section 124(c)(4)(A)(ii) of the Developmental Disabilities Act.

5. Determine customer satisfaction with activities supported or conducted by the Council.

D. The Council shall continue to develop the State Developmental Disabilities Plan and submit the State Developmental Disabilities Plan to the Secretary of the United States Department of Health and Human Services after consultation with the Director of the Department of Health and Human Services. The consultation required by this paragraph shall be solely for the purpose of obtaining assurances from this state and ensuring consistency of the State Developmental Disabilities Plan with state law.

E. The Council shall implement the State Developmental Disabilities Plan by conducting and supporting advocacy, capacity building, and systemic change activities, including, but not limited to, any of the following:

1. The Council may support and conduct outreach activities to identify individuals with developmental disabilities and their families who otherwise might not come to the attention of the Council and assist and enable the individuals and families to obtain services, individualized supports, and other forms of assistance, including access to special adaptation of generic community services or specialized services.

2. The Council may support and conduct training for individuals with developmental disabilities, their families, and personnel, including professionals, paraprofessionals, students, volunteers, and other community members, to enable such persons to obtain access to, or to provide, community services, individualized supports, and other forms of assistance, including special adaptation of generic community services or specialized services for individuals with developmental disabilities and their families. To the extent that the Council supports or conducts training activities under this paragraph, such activities shall contribute to the achievement of the purpose of Subtitle B of the Developmental Disabilities Act.

3. The Council may support and conduct technical assistance activities to assist public and private entities to contribute to the achievement of the purpose of Subtitle B of the Developmental Disabilities Act.

4. The Council may support and conduct activities to assist neighborhoods and communities to respond positively to individuals with developmental disabilities and their families by any of the following:

a. Encouraging local networks to provide informal and formal supports.

b. Education.

c. Enabling neighborhoods and communities to offer individuals with developmental disabilities and their families access to, and use of, services, resources, and opportunities that lead to independence, community inclusion and productivity.

5. The Council may support and conduct activities to promote interdepartmental and interagency collaboration and coordination to better serve, support, assist, or advocate for individuals with developmental disabilities and their families.

6. The Council may support and conduct activities to enhance coordination of services with other councils, groups, entities, or committees, authorized by federal or state law concerning individuals with disabilities and other groups or entities as authorized under Section 125(c)(5)(G) of the Developmental Disabilities Act.

7. The Council may support and conduct activities to eliminate barriers to access and use of community services by individuals with developmental disabilities, enhance systems design and redesign, and enhance citizen participation to address issues identified in the State Developmental Disabilities Plan.

8. The Council may support and conduct activities to educate the public about the capabilities, preferences, and needs of individuals with developmental disabilities and their families and to develop and support coalitions that support the policy agenda of the Council, including training in self-advocacy, education of policymakers, and citizen leadership skills.

9. The Council may support and conduct activities to provide information to policymakers by supporting and conducting studies and analyses, gathering information, and developing and disseminating model policies and procedures, information, approaches, strategies, findings, conclusions, and recommendations. The Council may provide the information directly to federal, state, and local policymakers, including, but not limited to, Congress, the federal executive branch, the Governor, the Michigan Legislature, and state departments and agencies, in order to increase the ability of the policymakers to offer opportunities and to enhance or adapt generic services to meet the needs of, and provide specialized services to, individuals with developmental disabilities and their families.

10. The Council may support and conduct, on a time-limited basis, activities to demonstrate new approaches to serving individuals with developmental disabilities that are a part of an overall strategy for systemic change. The strategy may involve the education of policymakers and the public about how to deliver effectively, to individuals with developmental disabilities and their families, services, supports, and assistance that contribute to the achievement of the purpose of Subtitle B of the Developmental Disabilities Act. The Council may carry out this paragraph by supporting and conducting demonstration activities through sources of available funding other than funding provided under Subtitle B of the Developmental Disabilities Act, and by assisting entities conducting demonstration activities to develop strategies to secure funding from other sources.

11. The Council may support and conduct other advocacy, capacity building, and systemic change activities to promote the development of a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance that contribute to the achievement of the purpose of Subtitle B of the Developmental Disabilities Act.

F. The Council shall periodically review the activities of the Department of Health and Human Services carried out under Subtitle B of the Developmental Disabilities Act and report any recommendations for change to the Governor.

G. The Council shall annually prepare and transmit to the Secretary of the United States Department of Health and Human Services a report as required by Section 125(c)(7) of the Developmental Disabilities Act.

H. The Council shall prepare, approve, and implement a budget using amounts paid to the state under Subtitle B of the Developmental Disabilities Act to fund and implement all programs, projects, and activities carried out under Subtitle B of the Developmental Disabilities Act, including all of the following, consistent with the requirements of state and federal law and Council policy:

1. Conducting hearings and forums as the Council determines necessary to carry out the duties of the Council.
2. Reimbursing members of the Council for reasonable and necessary expenses, including expenses for child care and personal assistance services, for attending Council meetings and performing Council duties.
3. Paying a stipend to a member of the Council, if the member is not employed or must forfeit wages from other employment to attend Council meetings or perform other Council duties.
4. Supporting Council members and staff travel to authorized training and technical assistance activities, including in-service training and leadership development activities.
5. Carrying out appropriate contracting and subcontracting activities.
6. Hiring and maintaining such numbers and types of staff, qualified by training and experience and obtaining the services of such professional, consulting, technical, and clerical staff, qualified by training and experience, as the Council determines to be necessary to carry out the functions of the Council under Subtitle B of the Developmental Disabilities Act, subject to applicable federal law and regulations of the Civil Service Commission.
7. Directing the expenditure of funds for grants, contracts, interagency agreements that are binding contracts, and other activities authorized by the State Developmental Disabilities Plan.

I. The Council may participate in the planning, design, or redesign, and monitoring of quality assurance systems of this state that affect individuals with developmental disabilities.

J. The Council also shall fulfill the functions and responsibilities determined by the Governor that are consistent with the Developmental Disabilities Act.

IV. OPERATIONS OF THE COUNCIL

A. The Department of Health and Human Services shall provide necessary support services, including qualified staff, to permit the Council to fulfill its responsibilities.

B. The Governor shall designate the Chairperson of the Council.

C. The Council may select from among its members a Vice Chairperson.

D. The Council shall, consistent with state law and applicable regulations of the Civil Service Commission, recruit and hire a Director of the Council if the position of Director becomes vacant, supervise the Director, and annually evaluate the Director. The Director of the Council shall hire, supervise, and annually evaluate the staff of the Council. Council recruitment, hiring, and dismissal of staff shall be conducted in a manner consistent with state and federal nondiscrimination laws and regulations, including applicable Civil Service Commission regulations.

E. The staff and other personnel of the Council, while working for the Council, shall be responsible solely for assisting the Council in carrying out its duties, and shall not be assigned duties by the Department or any other entity of this state.

F. The Department and the Council shall maintain a written Memorandum of Agreement to clarify the discharge of administrative responsibilities.

G. The Council may establish committees and subcommittees, and request public participation on advisory groups or panels, including, but not limited to, regional coordinating councils serving as local forums for services coordination and problem resolution, as it deems necessary. The Council may adopt, reject, or modify recommendations made by committees, subcommittees, advisory groups, or panels.

H. The Council may enter into agreements with state agencies and other providers of services for improvements in services for persons with disabilities.

I. The Council shall conduct its business in accordance with the procedures established under the Open Meetings Act, 1976 PA 267, MCL 15.261 *et seq.*

J. As required under Section 124(c)(5)(D) of the Developmental Disabilities Act, no member of the Council shall cast a vote on any matter that would provide direct financial benefit of the member or otherwise give the appearance of a conflict of interest. As required under Section 125(b)(4)(B) of the Developmental Disabilities Act, a member of the Council appointed under Sections II.E.4 to II.E.9 shall recuse himself or herself from any discussion of grants or contracts for which the member's department, agency, or program is a grantee, contractor, or applicant.

V. RESCISSION

A. The Michigan Developmental Disabilities Council established by Executive Order 2006-12 is abolished. Executive Order 2006-12 is rescinded in its entirety.

B. Executive Orders 1977-3 and 1984-13, rescinded by Executive Order 2006-12, remain rescinded in their entirety.

VI. MISCELLANEOUS

A. Nothing in this Order shall be construed to authorize the Council to direct, control, or exercise any policymaking authority or administrative authority over any program assisted under the federal Rehabilitation Act of 1973 or the federal Individuals with Disabilities Education Act.

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

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

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

This Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 1st day of November, in the Year of our Lord Two Thousand Sixteen.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received on November 3, 2016, and read:

EXECUTIVE ORDER
No. 2016-21

**Building the 21st Century Economy Commission
Executive Office of the Governor**

Amendment to Executive Order No. 2016-14

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 4 of Article V of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes; and

WHEREAS, under Section 1 of 1931 PA 195, MCL 10.51, the Governor may, at such times and for such purposes as the Governor deems necessary or advisable, create special advisory bodies consisting of as many members as the Governor deems appropriate; and

WHEREAS, Section 17 of Article V of the Michigan Constitution of 1963 empowers the Governor to present to the Legislature information as to the affairs of the state and recommend measures that he considers necessary or desirable; and

WHEREAS, Michigan's economy has rebounded from the depths of the Great Recession, and businesses have created nearly 450,000 private sector jobs since December 2010, cutting our unemployment rate in half; and

WHEREAS, Michigan is number one in the nation for manufacturing job growth, and the automotive industry set U.S. records for car sales in this country over the last year; and

WHEREAS, Michigan's economy is more productive than it has been in years, driven by the success of our big three industries – automotive, agriculture, and tourism; and

WHEREAS, Michigan can be neither complacent nor content with our economic success, and must develop a strategy to build Michigan's economy of the future that will strengthen our existing industries, encourage new industries to grow, and promote a culture of continuous innovation; and

WHEREAS, Michigan must leverage our strengths in talent, natural resources, geography, and our education system, while supporting our existing industries; and

WHEREAS, government can help create the environment for the state's economy to flourish, and the brightest minds in Michigan's leading industries can provide the direction to help guide the state's economic future and create a culture of innovation; and

WHEREAS, it is critical that the state of Michigan develop a comprehensive, coordinated, and effective long-term economic vision that guides planning, investment, and prioritization in Michigan; and

WHEREAS, the Building the 21st Century Economy Commission was established by Executive Order 2016-14 on June 16, 2016, to advise and assist in matters relating to the assessment and development of a 21st Century Economy strategy and will be responsible for providing a full set of recommendations by June 30, 2017;

NOW, THEREFORE, I, Richard D. Snyder, 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. AMENDMENT

A. Section I.B of Executive Order 2016-14 is amended to read as follows:

B. The Commission shall be an independent and autonomous entity with the intent that its authority, powers, duties, and responsibilities be exercised free from the direction and supervision of the principal departments in the executive branch, and shall be composed of the twenty (20) members appointed as follows:

1. The Governor shall appoint eleven (11) voting members to the Commission serving at the pleasure of the Governor.

2. The following four (4) voting members:

- One (1) member appointed by the Speaker of the House;
- One (1) member appointed by the House Minority Leader;
- One (1) member appointed by the Senate Majority Leader; and
- One (1) member appointed by the Senate Minority Leader.

3. The following five (5) department or agency directors or their designee from within their respective department or agency who shall be non-voting, ex officio members:

- The Department of Transportation;
- The Department of Agriculture and Rural Development;
- The Department of Talent and Economic Development;
- The Department of Insurance and Financial Services; and
- The Michigan Veterans Affairs Agency.

B. A member of the Commission previously appointed and serving under section I.B.1 and I.B.2 of Executive Order 2016-14 shall continue under this Order as a member of the Commission.

II. MISCELLANEOUS

All other provisions of Executive Order 2016-14 not specifically amended by this Order shall remain unchanged.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 3rd day of November, in the Year of our Lord Two Thousand Sixteen.

Richard D. Snyder
Governor

By the Governor:

Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received on November 3, 2016, and read:

EXECUTIVE ORDER
No. 2016-22

State Employee Long-Term Disability Plan

Employee Service Program

**Office of the State Employer
Michigan Civil Service Commission**

Executive Reorganization

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, the Office of State Employer currently administers the state's long-term disability plan and employee service program; and

WHEREAS, the Michigan Civil Service Commission currently administers all other benefit programs for employees in the state classified service; and

WHEREAS, there is a continued need to reorganize functions among state agencies to ensure the efficient administration of state government; and

WHEREAS, the long-term disability plan and employee service program may be more effectively and efficiently administered and coordinated within the Michigan Civil Service Commission;

NOW, THEREFORE, I, Richard D. Snyder, 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. "Michigan Civil Service Commission" means the commission created under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Office of the State Employer" means the autonomous office created within the Department of Management and Budget under Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3, 1988-6, 2002-18, 2004-31, 2007-30, 2008-22, and 2009-55.

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

II. TRANSFER

All the authority, powers, duties, functions, and responsibilities of the Office of the State Employer related to administration of the state employee long-term disability plan and the employee service program are hereby transferred from the Office of the State Employer to the Michigan Civil Service Commission by Type II transfer, as defined by Section 3 of the Executive Organization Act, 1965 PA 380, MCL 16.103. The Office of the State Employer shall continue to exercise all other authority, powers, duties, functions, and responsibilities of the Office of the State Employer not transferred by this Order.

III. IMPLEMENTATION

A. The State Personnel Director, in cooperation with the Director of the Office of the State Employer, shall provide executive direction and supervision for implementing the transfer.

B. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system.

C. All records, personnel, property, and funds of the long-term disability plan and employee service program used, held, employed, available to, or to be made available to the Office of the State Employer for the powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Michigan Civil Service Commission.

D. All rules, orders, contracts, agreements, or other obligations relating to the long-term disability plan and employee service program lawfully adopted before the effective date of this Order shall continue to be effective until revised, amended, or repealed.

E. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taken effect of this Order.

F. Nothing contained in this Order shall diminish or limit the authority of the Michigan Civil Service Commission to exercise any authority granted to it under Article XI, Section 5 of the Constitution of the state of Michigan of 1963.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 calendar days after the beginning of the next regular legislative session after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 3rd day of November, in the Year of our Lord Two Thousand Sixteen.

Richard D. Snyder
Governor

By the Governor:

Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

October 10, 2016

I respectfully submit to the Senate the following appointment to office:

Local Community Stabilization Authority Council

David Keenan of 4760 Stephen Court, Auburn, Michigan 48611, county of Bay, succeeding himself, is reappointed for a term expiring September 3, 2022.

October 14, 2016

I respectfully submit to the Senate the following appointment to office:

Michigan Board of Acupuncture

Anne Biris of 3527 Edgewood Drive, Ann Arbor, Michigan 48104, county of Washtenaw, representing acupuncturists, succeeding Roseann Emanuele, is appointed for a term expiring June 30, 2020.

October 14, 2016

Please be advised of the following appointments to office:

Early Childhood Investment Corporation

Judy M. Freeman of 425 Cambridge Boulevard, S.E., East Grand Rapids, Michigan 49506, county of Kent, succeeding Melissa Cragg, is appointed for a term expiring July 22, 2020.

Carol Paine-McGovern of 2445 Hall Street, S.E., Grand Rapids, Michigan 49506, county of Kent, succeeding Lew Chamberlin, is appointed for a term expiring July 22, 2020.

October 14, 2016

Please be advised of the following appointment to office:

State Fire Safety Board

Julie Bulson of 1908 8th Street, N.W., Grand Rapids, Michigan 49504, county of Kent, representing hospital administrations, succeeding Usamah Mossallam, is appointed for a term expiring July 15, 2020.

October 14, 2016

I respectfully submit to the Senate the following appointments to office:

Michigan Pharmacy and Therapeutics Committee

Jayne E. Courts of 7071 Placid Pointe Court, S.E., Caledonia, Michigan 49316, county of Kent, representing physicians, succeeding Louis Cannon, is appointed for a term expiring October 1, 2018.

Andrew Mac of 9055 McClumpha Road, Plymouth, Michigan 48170, county of Wayne, representing pharmacists, succeeding himself, is reappointed for a term expiring October 1, 2018.

Brian J. Peltz of 26532 Lawrence Drive, Dearborn Heights, Michigan 48127, county of Wayne, representing pharmacists, succeeding himself, is reappointed for a term expiring October 1, 2018.

Venkat K. Rao of 11706 Kings Colony Road, Grand Blanc, Michigan 48439, county of Genesee, representing physicians, succeeding Tina Tanner, is appointed for a term expiring October 1, 2018.

Bradley J. Uren of 8115 Pettysville Road, Pinckney, Michigan 48169, county of Livingston, representing physicians, succeeding Keith Getz, is appointed for a term expiring October 1, 2017.

October 14, 2016

I respectfully submit to the Senate the following appointment to office:

Michigan Board of Respiratory Care

Jonathan M. Vono of 4331 Sandy Creek Drive, Shelby Township, Michigan 48316, county of Oceana, representing respiratory therapists, succeeding Debra Dix, is appointed for a term expiring December 31, 2017.

October 14, 2016

I respectfully submit to the Senate the following appointments to office:

Michigan Soybean Promotion Committee

Steven J. Koeman of 5760 136th Avenue, Hamilton, Michigan 49419, county of Allegan, representing District 7, succeeding himself, is reappointed for a term expiring September 23, 2019.

Robert A. Moore of 6498 S. Gratiot Road, Bannister, Michigan 48807, county of Clinton, representing District 6, succeeding George Zmitko, is appointed for a term expiring September 23, 2019.

October 14, 2016

I respectfully submit to the Senate the following appointments to office:

Utility Consumer Participation Board

Paul N. Isely of 358 Glenhaven Avenue, N.W., Grand Rapids, Michigan 49504, county of Kent, succeeding himself, is reappointed for a term expiring January 13, 2017.

James MacInnes of 4751 Arbutus Lane, Beulah, Michigan 49617, county of Benzie, succeeding himself, is reappointed for a term expiring January 13, 2017.

Samuel Passmore of 557 Allison Drive, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Ryan Dinkgrave, is appointed for a term expiring January 13, 2017.

Brian G. Vilmont of 3060 Three Mile Road, N.E., Grand Rapids, Michigan 49525, county of Kent, succeeding Conan Smith, is appointed for a term expiring January 13, 2017.

October 21, 2016

I respectfully submit to the Senate the following appointment to office:

Emergency Manager - Highland Park School District

Kevin A. Smith of 19275 Burlington Drive, Detroit, Michigan 48203, county of Wayne, succeeding Steven M. Schiller, is appointed to serve for a term effective October 21, 2016.

October 21, 2016

I respectfully submit to the Senate the following appointment to office:

Utility Consumer Participation Board

Susan L. Haroutunian of 14926 Rosemont Drive, Detroit, Michigan 48223, county of Wayne, representing a qualified person submitted by the Attorney General, succeeding herself, is reappointed for a term expiring January 13, 2017.

October 26, 2016

I respectfully submit to the Senate the following appointment to office:

Committee on Juvenile Justice

Michelle M. Jackson of 2803 Carnarsie Drive, Lansing, Michigan 48916, county of Ingham, representing persons who have been, or are currently, involved in a juvenile justice program and are under the age of 24 at the time of appointment, succeeding Melissa Baldwin, is appointed for a term expiring December 31, 2017.

October 27, 2016

I respectfully submit to the Senate the following appointment to office:

Michigan Finance Authority Board of Directors

Donald H. Gilmer of 7021 N. 46 Street, Augusta, Michigan 49012, county of Kalamazoo, representing Republicans and residents of this state with experience in natural resources and environmental issues relating to public finance, succeeding himself, is reappointed for a term expiring September 30, 2020.

October 27, 2016

I respectfully submit to the Senate the following appointments to office:

Chair - Port Authority Advisory Committee

Paul C. LaMarre of 3490 Lakeshore Drive, Newport, Michigan 48166, county of Monroe, is appointed for a term expiring at the pleasure of the Governor.

Port Authority Advisory Committee

Kyle T. Burlison of 1694 Newcastle Drive, Grosse Pointe Woods, Michigan 48236, county of Wayne, nominee of the Senate Majority Leader, is appointed for a term expiring at the pleasure of the Governor.

Erin L. Kuhn of 3735 Farmwood Drive, Norton Shores, Michigan 49441, county of Muskegon, representing the Southwest area of the state, is appointed for a term expiring at the pleasure of the Governor.

Paul C. LaMarre of 3490 Lakeshore Drive, Newport, Michigan 48166, county of Monroe, representing the Southeast area of the state, is appointed for a term expiring at the pleasure of the Governor.

Paul F. Rogers of 1391 Covington Lane, Alpena, Michigan 49707, county of Alpena, nominee of the Speaker of the House, is appointed for a term expiring at the pleasure of the Governor.

Paul Strpko of 16629 Garfield Road, Big Rapids, Michigan 49307, county of Mecosta, representing interests of the aggregate supply community, is appointed for a term expiring at the pleasure of the Governor.

Gabriel T. Schneider of 5119 Silver Cove Drive, Traverse City, Michigan 49685, county of Grand Traverse, representing the Northern Lower Peninsula of the state, is appointed for a term expiring at the pleasure of the Governor.

Charles L. Squires of 55 Auch Street, Sebawaing, Michigan 48759, county of Huron, representing the interests of the agricultural business supply and handling industry, is appointed for a term expiring at the pleasure of the Governor.

William Vadja of 701 Horizons Drive, Marquette, Michigan 49855, county of Marquette, representing the Upper Peninsula of the state, is appointed for a term expiring at the pleasure of the Governor.

Rodney A. Stokes of 3957 Sierra Heights, Holt, Michigan 48842, county of Ingham, representing the thumb area or mid-state area of the state, is appointed for a term expiring at the pleasure of the Governor.

November 2, 2016

I respectfully submit to the Senate the following appointment:

Executive Director – Michigan Women’s Commission

Mary L. Engelman of 2268 Somerset Drive, Bloomfield Township, Michigan 48302, county of Oakland, is appointed for a term commencing November 7, 2016, and expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

October 21, 2016

Due to an error on the letter dated October 17, 2016 and filed with your office on October 17, 2016, please be advised of the following corrections appearing in **bold** print.

Chair - Building 21st Century Economy Commission

Santanu K. Baruah of 70 Middlesex Road, Grosse Pointe Park, Michigan 48230, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

Building 21st Century Economy Commission

Santanu K. Baruah of 70 Middlesex Road, Grosse Pointe Park, Michigan 48230, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

JoAnn T. Crary of 8 Trillium Court, Frankenmuth, Michigan 48734, county of Saginaw, is appointed for a term expiring at the pleasure of the Governor.

Kathi Dobies of 30522 Georgetown Avenue, Beverly Hills, Michigan 48025, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

James Holcomb of 1505 Downing Street, Haslett, Michigan 48840, county of Ingham, is appointed for a term expiring at the pleasure of the Governor.

Joseph J. Lauer of 600 Suffield Avenue, Birmingham, Michigan 48009, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Jason **McCormack** of 9321 Lewis Road, Portland, Michigan 48875, county of Ionia, is appointed for a term expiring at the pleasure of the Governor.

Timothy J. Nelson of 307 Knollwood Drive, Traverse City, Michigan 49686, county of Grand Traverse, is appointed for a term expiring at the pleasure of the Governor.

Sandra E. Pierce of 15348 Bay Hill Drive, Northville, Michigan 48168, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

Thomas C. Pleger of 803 N Campus Ct., Sault Ste. Marie, Michigan 49783, county of Chippewa, is appointed for a term expiring at the pleasure of the Governor.

Nedda N. Shayota of 780 Vaughan Road, Bloomfield Hills, Michigan 48304, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Jessica A. Tyson of 2180 44th St., Kentwood, Michigan 49508, county of Kent, is appointed for a term expiring at the pleasure of the Governor.

October 21, 2016

Due to an error on the letter dated October 14, 2016, and filed with your office on October 21, 2016, please be advised of the following corrections appearing in **bold** print.

Health Endowment Fund Board

Lynn A. Alexander of 2092 Eagle Pointe, **Bloomfield Hills**, Michigan 48304, county of Oakland, representing the interest of senior citizens, succeeding herself, is reappointed for a term expiring October 1, 2020.

James Murray of 2746 Coreopsis Court, **Okemos**, Michigan 48864, county of Ingham, Senate Majority Leader nominee, succeeding himself, is reappointed for a term expiring October 1, 2020.

Michael E. Williams of 8194 St. Johns Drive, **Westland**, Michigan 48185, county of Calhoun, representing the interest of minor children, succeeding himself, is reappointed for a term expiring October 1, 2020.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Hansen introduced

Senate Bill No. 1152, entitled

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending section 9 (MCL 124.79). The bill was read a first and second time by title and referred to the Committee on Insurance.

Senator Knollenberg introduced

Senate Bill No. 1156, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending sections 13 and 16a (MCL 123.1353 and 123.1356a), section 13 as amended by 2015 PA 122.

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

Senator Warren introduced

Senate Bill No. 1157, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 149.

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

Senator Bieda introduced

Senate Bill No. 1158, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7413 (MCL 333.7413), as amended by 1988 PA 144.

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

Senator Bieda introduced

Senate Bill No. 1159, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 34 (MCL 791.234), as amended by 2010 PA 353.

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

Senator Bieda introduced

Senate Bill No. 1160, entitled

A bill to amend 1911 PA 209, entitled “An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use; to prohibit the use of the same for advertising purposes; to prescribe standards for the manufacture, sale, and display of certain flags of the United States and the state flag; and to prescribe the powers and duties of certain state agencies and officials,” by amending the title and section 3 (MCL 2.23), the title as amended by 2012 PA 167, and by adding section 3a.

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

Senator Bieda introduced

Senate Bill No. 1161, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” by amending section 61 (MCL 408.1061), as amended by 2015 PA 199.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received and read:

INSURANCE; HEALTH INSURANCE CLAIMS ASSESSMENT RATE
STATE FINANCING AND MANAGEMENT; HEALTH SERVICES FUND
USE TAX; ASSESSMENT OF TAX ON CERTAIN MEDICAL SERVICES
INDIVIDUAL INCOME TAX; EARMARK FOR MEDICAID FEDERAL MATCH

October 27, 2016

Today I am returning Enrolled Senate Bills 987-990, without signature. Together, these bills would re-establish the 6% use tax on the state’s Medicaid managed care organizations and dedicate the revenue for non-Medicaid purposes, dedicate other General Fund revenues for Medicaid match purposes, and accelerate the sunset on the Health Insurance Claims Assessment (HICA) from July 1, 2020 to December 31, 2018.

This legislation would sunset HICA 18 months earlier than the extension that just passed the Legislature earlier this year, regardless of any potential action by the federal government related to the provisions of SB 987-990. I am also very concerned that the federal government would not recognize this tax structure as an eligible Medicaid matching fund source, putting at risk federal funding for critical state programs and putting our state budget out of balance.

I appreciate the Legislature's attempt to develop a more desirable mechanism than HICA for meeting our federal Medicaid matching requirements, and I look forward to continued discussions. However, I cannot lend my signature to this legislation as written.

Sincerely,
Rick Snyder
Governor

These bills were returned from the Governor on October 27, 2016, at 1:58 p.m. The question being on the passage of the bills, the objections of the Governor to the contrary notwithstanding, Senator Kowall moved that the veto message be referred to the Committee on Government Operations. The motion prevailed.

By unanimous consent the Senate proceeded to the order of
Statements

Senator Hertel entered the Senate Chamber.

Senator Hood asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Hood's statement is as follows:

Every day there are men and women out there that will come to our need in a time of crisis, emergency, and in life and death situations. These men and women are our emergency responders and law enforcement officers, and without them our world would be a very difficult place. As I've said before and I will say again, they risk their lives so that our safety can be preserved. They run into danger when we as citizens want to run away from it. Sometimes, these brave men and women put themselves on the line and they don't come back. They pay the ultimate sacrifice to ensure we are safe.

One of these men was Detroit Police Officer Myron Jarrett who went to work on October 28 and did not make it home after his shift. The death of Police Office Myron Jarrett is nothing short of tragic. Officer Jarrett was entering his patrol car as he and his partner were preparing to leave the scene of an investigation. A van traveling at a high rate of speed struck Officer Jarrett and his patrol car and several other vehicles before stopping a short distance away. This just goes to show you that our emergency responders and law enforcement officers are always at risk.

Officer Jarrett was assigned to the Detroit 12th Precinct and had served on the Detroit police force for eight years. He was only 40 years old. He was respected not only by the people he worked with but also the people who he served. Officer Jarrett is survived by his wife and four children. He made the greatest sacrifice of all by giving his life to protect our community, to keep people out of harm's way.

My most heartfelt sympathies and prayers to the family, friends, and coworkers of Officer Jarrett.

A moment of silence was observed in memory of Detroit Police Officer Myron Jarrett.

Committee Reports

The Committee on Transportation reported
Senate Bill No. 1084, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 2016 PA 161.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1120, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 25a and 31 (MCL 257.25a and 257.31), section 25a as added by 1984 PA 328.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5656, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 312j.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5657, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 55 (MCL 256.675).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, October 20, 2016, at 8:00 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Horn, Pavlov, Marleau and Hopgood

Scheduled Meetings

Economic Development and International Investment - Thursday, November 10, 1:30 p.m., Room 210, Farnum Building (373-5323)

Local Government - Thursday, November 10, 12:30 p.m., Room 100, Farnum Building (373-5312)

Transportation - Thursday, November 10, 8:30 a.m., Room 210, Farnum Building (373-5312)

Veterans, Military Affairs and Homeland Security - Thursday, November 10, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-5314)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:01 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, November 10, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate