

No. 50
STATE OF MICHIGAN
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House of Representatives
98th Legislature
REGULAR SESSION OF 2016

House Chamber, Lansing, Tuesday, May 24, 2016.

1:30 p.m.

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

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

Afendoulis—present	Garrett—present	LaFontaine—present	Price—present
Banks—present	Gay-Dagnogo—present	LaGrand—present	Pscholka—present
Barrett—present	Geiss—present	Lane—present	Rendon—present
Bizon—present	Gardon—present	Lauwers—present	Roberts, B.—present
Brinks—present	Glenn—present	LaVoy—present	Roberts, S.—present
Brunner—present	Goike—present	Leonard—present	Robinson—present
Bumstead—present	Graves—present	Leutheuser—present	Runestad—present
Byrd—present	Greig—present	Liberati—present	Rutledge—present
Callton—present	Greimel—present	Love—present	Santana—present
Canfield—present	Guerra—present	Lucido—present	Schor—present
Chang—present	Heise—present	Lyons—present	Sheppard—present
Chatfield—present	Hoadley—excused	Maturen—present	Singh—present
Chirkun—present	Hooker—present	McBroom—present	Smiley—present
Clemente—present	Hovey-Wright—present	McCready—present	Somerville—present
Cochran—present	Howell—present	Miller, A.—present	Talabi—present
Cole—present	Howrylak—present	Moss—present	Tedder—present
Cotter—present	Hughes—present	Muxlow—present	Theis—present
Cox—present	Iden—present	Neeley—present	Townsend—present
Crawford—present	Inman—present	Nesbitt—present	Vaupel—present
Darany—present	Irwin—present	Outman—present	VerHeulen—present
Dianda—present	Jacobsen—present	Pagan—present	Victory—present
Driskell—present	Jenkins—present	Pagel—present	Webber—present
Durhal—present	Johnson—present	Pettalia—present	Whiteford—present
Faris—present	Kelly—present	Phelps—excused	Wittenberg—present
Farrington—present	Kesto—present	Plawecki—present	Yanez—present
Forlini—present	Kivela—present	Poleski—present	Yonker—present
Franz—present	Kosowski—present	Potvin—present	Zemke—excused
Garcia—present			

e/d/s = entered during session

Rep. Dan Lauwers, from the 81st District, offered the following invocation:

“Almighty God, we give You thanks for giving us another day.

We pray for the gift of wisdom to all with great responsibility in the people’s House for the leadership of our state. May all the members have the vision of a world where respect and understanding are the marks of civility and honor and integrity are the marks of one’s character.

I ask You to raise up, Lord, men and women from every township and county who will lead towards the paths of prosperity and faith in You and whose good judgment will put the interests of our future and the quality of life that our children will inherit before our desire for immediate gratification.

Bless us this day and every day, and may all that is done within this chamber be for Your greater honor and glory. Amen.”

The Speaker assumed the Chair.

Rep. Singh moved that Reps. Hoadley, Phelps and Zemke be excused from today’s session. The motion prevailed.

Third Reading of Bills

House Bill No. 5106, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 151 (MCL 32.551), as amended by 2013 PA 99.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 313

Yeas—104

Afendoulis	Franz	Kivela	Potvin
Banks	Garcia	Kosowski	Price
Barrett	Garrett	LaFontaine	Pscholka
Bizon	Gay-Dagnogo	Lane	Rendon
Brinks	Geiss	Lauwers	Roberts, B.
Brunner	Glardon	LaVoy	Roberts, S.
Bumstead	Glenn	Leonard	Runestad
Byrd	Goike	Leutheuser	Rutledge
Callton	Graves	Liberati	Santana
Canfield	Greig	Love	Schor
Chang	Greimel	Lucido	Sheppard
Chatfield	Guerra	Lyons	Singh
Chirkun	Heise	Maturen	Smiley
Clemente	Hooker	McBroom	Somerville
Cochran	Hovey-Wright	McCready	Talabi
Cole	Howell	Miller, A.	Tedder
Cotter	Howrylak	Moss	Theis
Cox	Hughes	Muxlow	Townsend
Crawford	Iden	Neeley	Vaupel

Darany	Inman	Nesbitt	VerHeulen
Dianda	Irwin	Outman	Victory
Driskell	Jacobsen	Pagan	Webber
Durhal	Jenkins	Pagel	Whiteford
Faris	Johnson	Pettalia	Wittenberg
Farrington	Kelly	Plawecki	Yanez
Forlini	Kesto	Poleski	Yonker

Nays—2

LaGrand	Robinson
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In The Chair: Cotter

The House agreed to the title of the bill.
 Rep. Nesbitt moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5113, entitled

A bill to amend 1939 PA 178, entitled “An act to provide for the collection of water or sewage system rates, assessments, charges, or rentals; and to provide a lien for water or sewage system services furnished by municipalities as defined by this act,” by amending section 2 (MCL 123.162), as amended by 1981 PA 132.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 314**Yeas—102**

Afendoulis	Franz	Kosowski	Potvin
Banks	Garcia	LaFontaine	Price
Barrett	Garrett	LaGrand	Pscholka
Bizon	Gay-Dagnogo	Lane	Rendon
Brinks	Geiss	Lauwers	Roberts, B.
Brunner	Gardon	LaVoy	Roberts, S.
Bumstead	Glenn	Leonard	Runestad
Byrd	Goike	Leutheuser	Rutledge
Callton	Graves	Liberati	Santana
Canfield	Greig	Lucido	Schor
Chang	Greimel	Lyons	Sheppard
Chatfield	Guerra	Maturen	Singh
Chirkun	Heise	McBroom	Smiley
Clemente	Hooker	McCready	Somerville
Cochran	Hovey-Wright	Miller, A.	Talabi
Cole	Howell	Moss	Tedder
Cotter	Howrylak	Muxlow	Theis
Cox	Hughes	Neeley	Townsend
Crawford	Iden	Nesbitt	Vaupel
Darany	Inman	Outman	VerHeulen
Dianda	Jacobsen	Pagan	Victory
Driskell	Jenkins	Pagel	Webber
Durhal	Johnson	Pettalia	Whiteford

Faris
Farrington
Forlini

Kelly
Kesto
Kivela

Plawecki
Poleski

Yanez
Yonker

Nays—4

Irwin

Love

Robinson

Wittenberg

In The Chair: Cotter

The House agreed to the title of the bill.

Rep. Nesbitt moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker called the Speaker Pro Tempore to the Chair.

Senate Bill No. 569, entitled

A bill to amend 1978 PA 30, entitled “An act to provide for the creation and use of budget stabilization funds by counties, cities, villages, and townships,” by amending section 3 (MCL 141.443).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 315

Yeas—105

Afendoulis
Banks
Barrett
Bizon
Brinks
Brunner
Bumstead
Byrd
Callton
Canfield
Chang
Chatfield
Chirkun
Clemente
Cochran
Cole
Cotter
Cox
Crawford
Darany
Dianda
Driskell
Durhal
Faris

Garcia
Garrett
Gay-Dagnogo
Geiss
Gardon
Glenn
Goike
Graves
Greig
Greimel
Guerra
Heise
Hooker
Hovey-Wright
Howell
Howrylak
Hughes
Iden
Inman
Irwin
Jacobsen
Jenkins
Johnson
Kelly

Kosowski
LaFontaine
LaGrand
Lane
Lauwers
LaVoy
Leonard
Leutheuser
Liberati
Love
Lucido
Lyons
Maturen
McBroom
McCready
Miller, A.
Moss
Muxlow
Neeley
Nesbitt
Outman
Pagan
Pagel
Pettalia

Potvin
Price
Pscholka
Rendon
Roberts, B.
Roberts, S.
Runestad
Rutledge
Santana
Schor
Sheppard
Singh
Smiley
Somerville
Talabi
Tedder
Theis
Townsend
Vaupel
VerHeulen
Victory
Webber
Whiteford
Wittenberg

Farrington
Forlini
Franz

Kesto
Kivela

Plawecki
Poleski

Yanez
Yonker

Nays—1

Robinson

In The Chair: Leonard

The House agreed to the title of the bill.
Rep. Nesbitt moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5380, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2082 (MCL 500.2082).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 316

Yeas—106

Afendoulis
Banks
Barrett
Bizon
Brinks
Brunner
Bumstead
Byrd
Callton
Canfield
Chang
Chatfield
Chirkun
Clemente
Cochran
Cole
Cotter
Cox
Crawford
Darany
Dianda
Driskell
Durhal
Faris
Farrington
Forlini
Franz

Garcia
Garrett
Gay-Dagnogo
Geiss
Gardon
Glenn
Goike
Graves
Greig
Greimel
Guerra
Heise
Hooker
Hovey-Wright
Howell
Howrylak
Hughes
Iden
Inman
Irwin
Jacobsen
Jenkins
Johnson
Kelly
Kesto
Kivela
Kosowski

LaFontaine
LaGrand
Lane
Lauwers
LaVoy
Leonard
Leutheuser
Liberati
Love
Lucido
Lyons
Maturen
McBroom
McCready
Miller, A.
Moss
Muxlow
Neeley
Nesbitt
Outman
Pagan
Pagel
Pettalia
Plawecki
Poleski
Potvin

Price
Pscholka
Rendon
Roberts, B.
Roberts, S.
Robinson
Runestad
Rutledge
Santana
Schor
Sheppard
Singh
Smiley
Somerville
Talabi
Tedder
Theis
Townsend
Vaupel
VerHeulen
Victory
Webber
Whiteford
Wittenberg
Yanez
Yonker

Nays—0

In The Chair: Leonard

The House agreed to the title of the bill.
Rep. Nesbitt moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5514, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 834, 835, and 836b (MCL 500.834, 500.835, and 500.836b), section 834 as amended and section 836b as added by 2014 PA 571 and section 835 as amended by 1982 PA 221, and by adding section 835a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 317

Yeas—106

Afendoulis	Garcia	LaFontaine	Price
Banks	Garrett	LaGrand	Pscholka
Barrett	Gay-Dagnogo	Lane	Rendon
Bizon	Geiss	Lauwers	Roberts, B.
Brinks	Gardon	LaVoy	Roberts, S.
Brunner	Glenn	Leonard	Robinson
Bumstead	Goike	Leutheuser	Runestad
Byrd	Graves	Liberati	Rutledge
Callton	Greig	Love	Santana
Canfield	Greimel	Lucido	Schor
Chang	Guerra	Lyons	Sheppard
Chatfield	Heise	Maturen	Singh
Chirkun	Hooker	McBroom	Smiley
Clemente	Hovey-Wright	McCready	Somerville
Cochran	Howell	Miller, A.	Talabi
Cole	Howrylak	Moss	Tedder
Cotter	Hughes	Muxlow	Theis
Cox	Iden	Neeley	Townsend
Crawford	Inman	Nesbitt	Vaupel
Darany	Irwin	Outman	VerHeulen
Dianda	Jacobsen	Pagan	Victory
Driskell	Jenkins	Pagel	Webber
Durhal	Johnson	Pettalia	Whiteford
Faris	Kelly	Plawecki	Wittenberg
Farrington	Kesto	Poleski	Yanez
Forlini	Kivela	Potvin	Yonker
Franz	Kosowski		

Nays—0

In The Chair: Leonard

The House agreed to the title of the bill.
Rep. Nesbitt moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Franz to the Chair.

Second Reading of Bills**House Bill No. 5230, entitled**

A bill to make certain indemnity contracts relating to snowplow and deicing services void and unenforceable.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Judiciary,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Poleski moved to amend the bill as follows:

1. Amend page 3, line 1, after “after” by striking out “September 30, 2015” and inserting “the effective date of this act”.
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. VerHeulen moved to amend the bill as follows:

1. Amend page 1, line 7, after the first “the” by inserting “sole”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Yonker moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 901, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 517a (MCL 436.1517a), as added by 2004 PA 170.

The bill was read a second time.

Rep. Nesbitt moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

Senate Bill No. 858, entitled

A bill to amend 2012 PA 159, entitled “Revocation of paternity act,” by amending sections 13 and 15 (MCL 722.1443 and 722.1445), section 13 as amended by 2014 PA 374.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

Second Reading of Bills**Senate Bill No. 858, entitled**

A bill to amend 2012 PA 159, entitled “Revocation of paternity act,” by amending sections 13 and 15 (MCL 722.1443 and 722.1445), section 13 as amended by 2014 PA 374.

The bill was read a second time.

Rep. Nesbitt moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Nesbitt moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Thursday, May 19:

House Bill Nos. 5667 5668 5669 5670 5671 5672 5673 5674 5675 5676 5677
House Joint Resolution MM

The Clerk announced the enrollment printing and presentation to the Governor on Monday, May 23, for his approval of the following bills:

Enrolled House Bill No. 5182 at 2:42 p.m.
Enrolled House Bill No. 5183 at 2:44 p.m.
Enrolled House Bill No. 5184 at 2:46 p.m.
Enrolled House Bill No. 5185 at 2:48 p.m.
Enrolled House Bill No. 5186 at 2:50 p.m.
Enrolled House Bill No. 5187 at 2:52 p.m.
Enrolled House Bill No. 5188 at 2:54 p.m.

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

Senate Bill Nos. 706 707 708 899 900

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, May 24, 2016:

Senate Bill Nos. 979 980 981 982 983 984 985 986 987 988 989 990

Reports of Standing Committees

The Committee on Health Policy, by Rep. Callton, Chair, reported

Senate Bill No. 690, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending subheading E of article 3 and section 315 (MCL 484.2315), as amended by 2011 PA 58.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

Senate Bill No. 691, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17601 (MCL 333.17601), as added by 2008 PA 524.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

Senate Bill No. 692, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 939 (MCL 330.1939), as amended by 1990 PA 263.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

Senate Bill No. 693, entitled

A bill to amend 1937 PA 72, entitled "Division on deafness act," by amending the title and section 1 (MCL 408.201), as amended by 1988 PA 434.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

Senate Bill No. 694, entitled

A bill to amend 1937 PA 72, entitled "Division on deafness act," by amending section 2 (MCL 408.202), as amended by 1988 PA 434.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Callton, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, May 24, 2016

Present: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Absent: Reps. Phelps and Wittenberg

Excused: Reps. Phelps and Wittenberg

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 5103, entitled

A bill to prohibit aggressive solicitation; and to provide for remedies and penalties.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Howrylak, Lucido and Howell

Nays: Reps. Guerra, Hovey-Wright and Chang

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 5104, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 167 (MCL 750.167), as amended by 2014 PA 199.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Howrylak, Lucido and Howell

Nays: Reps. Guerra, Hovey-Wright and Chang

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Heise, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Tuesday, May 24, 2016

Present: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright and Chang

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 5429, entitled

A bill to amend 1998 PA 362, entitled "Michigan marina and boatyard storage lien act," by amending sections 2, 3, 4, 5, and 6 (MCL 570.372, 570.373, 570.374, 570.375, and 570.376).

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela, Smiley and Plawecki

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 5599, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21502, 21503, 21508, 21510, 21510a, 21510c, 21515, 21516, 21521, and 21526 (MCL 324.21502, 324.21503, 324.21508, 324.21510, 324.21510a, 324.21510c, 324.21515, 324.21516, 324.21521, and 324.21526), sections 21502, 21503, 21508, 21510, 21515, 21516, 21521, and 21526 as amended and sections 21510a and 21510c as added by 2014 PA 416, and by adding section 21510d.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela, Smiley and Plawecki

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 591, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63201 (MCL 324.63201), as added by 2004 PA 449, and by adding part 634.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela and Smiley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:

Meeting held on: Tuesday, May 24, 2016

Present: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela, Smiley and Plawecki

The Committee on Transportation and Infrastructure, by Rep. Pettalia, Chair, reported

House Bill No. 5572, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 154 (MCL 207.1154), as amended by 2015 PA 176.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Pettalia, Glardon, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Lane, Rutledge, Smiley, Dianda, Neeley and LaGrand

Nays: Reps. Farrington and Maturen

The Committee on Transportation and Infrastructure, by Rep. Pettalia, Chair, 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 substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Dianda, Neeley and LaGrand

Nays: None

The Committee on Transportation and Infrastructure, by Rep. Pettalia, Chair, 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 substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Dianda, Neeley and LaGrand

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pettalia, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Tuesday, May 24, 2016

Present: Reps. Pettalia, Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Lane, Rutledge, Smiley, Dianda, Neeley and LaGrand

The Committee on Communications and Technology, by Rep. Jacobsen, Chair, reported

House Bill No. 5641, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2950n.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Jacobsen, Iden, Franz, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Driskell, Chirkun, Greig and Guerra

Nays: None

The Committee on Communications and Technology, by Rep. Jacobsen, Chair, reported

House Bill No. 5642, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2950o.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Jacobsen, Iden, Franz, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Driskell, Chirkun, Greig and Guerra

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Jacobsen, Chair, of the Committee on Communications and Technology, was received and read:

Meeting held on: Tuesday, May 24, 2016

Present: Reps. Jacobsen, Iden, Franz, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Driskell, Chirkun, Greig and Guerra

Absent: Rep. Phelps

Excused: Rep. Phelps

The Committee on Judiciary, by Rep. Kesto, Chair, reported

House Bill No. 5503, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 1303 (MCL 700.1303), as amended by 2000 PA 54.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Irwin, Chang and Guerra

Nays: None

The Committee on Judiciary, by Rep. Kesto, Chair, reported

Senate Bill No. 251, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 11 of chapter XIIA (MCL 712A.11), as amended by 1996 PA 409, and by adding section 2f to chapter XIIA.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Irwin, Robinson, Chang and Guerra

Nays: Rep. Runestad

The Committee on Judiciary, by Rep. Kesto, Chair, reported

Senate Bill No. 632, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 308, 846, 866, and 867 (MCL 600.308, 600.846, 600.866, and 600.867), section 308 as amended by 2013 PA 164 and section 846 as amended by 1989 PA 70; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Chang and Guerra

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kesto, Chair, of the Committee on Judiciary, was received and read:
Meeting held on: Tuesday, May 24, 2016

Present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang and Guerra

Messages from the Senate**House Bill No. 4634, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2015 PA 174.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4984, entitled

A bill to amend 2003 PA 260, entitled "Tax reverted clean title act," by amending section 5 (MCL 211.1025), as amended by 2012 PA 222.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5247, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 2012 PA 262.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5256, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Nofs, Colbeck and Knezek as conferees to join with Representatives Inman, Jenkins and Yanez.

The bill was referred to the Conference Committee.

House Bill No. 5263, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Nofs, Colbeck and Knezek as conferees to join with Representatives Aaron Miller, Jenkins and Irwin.

The bill was referred to the Conference Committee.

House Bill No. 5268, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Green, Stamas and Hopgood as conferees to join with Representatives Jenkins, Victory and Hoadley.

The bill was referred to the Conference Committee.

House Bill No. 5272, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Proos, Knollenberg and Gregory as conferees to join with Representatives Pagel, Afendoulis and Irwin.

The bill was referred to the Conference Committee.

House Bill No. 5274, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Marleau, MacGregor and Hertel as conferees to join with Representatives VerHeulen, Poleski and Santana.

The bill was referred to the Conference Committee.

House Bill No. 5276, entitled

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain state purposes related thereto for the fiscal year ending September 30, 2017; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

The Senate has appointed Senators Stamas, Nofs and Young as conferees to join with Representatives Cox, Poleski and Durhal.

The bill was referred to the Conference Committee.

House Bill No. 5294, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2017 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Hildenbrand, Meekhof and Gregory as conferees to join with Representatives Pscholka, Bumstead and Santana.

The bill was referred to the Conference Committee.

House Bill No. 5306, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Knollenberg, Marleau and Young as conferees to join with Representatives Afendoulis, McCready and Faris.

The bill was referred to the Conference Committee.

House Bill No. 5329, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Hansen, Colbeck and Young as conferees to join with Representatives Canfield, Victory and Banks.

The bill was referred to the Conference Committee.

Senate Bill No. 784, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 201a (MCL 388.1801 and 388.1801a), as amended by 2015 PA 85.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Booher, Schuitmaker and Knezek as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 786, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Hansen, Pavlov and Hopgood as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 787, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Green, MacGregor and Hopgood as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 790, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 236a (MCL 388.1836 and 388.1836a), as amended by 2015 PA 85.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Schuitmaker, MacGregor and Hertel as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 792, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Proos, Schuitmaker and Young as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 793, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Knollenberg, Marleau and Young as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 795, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Green, Booher and Hopgood as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 796, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2015 PA 139 and section 17b as amended by 2007 PA 137.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Hansen, Pavlov and Hopgood as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 801, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25e, 25f, 25g, 26a, 26b, 26c, 31a, 31d, 31f, 31h, 32d, 32p, 35, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 55, 56, 61a, 61b, 62, 64b, 65, 67, 74, 81, 94, 94a, 95a, 98, 99c, 99h, 99s, 101, 102d, 104, 104b, 104c, 104d, 107, 147, 147a, 147c, 152a, 166b, 201, 201a, 202a, 203, 206,

207, 207a, 207b, 207c, 209, 210b, 212, 217, 219, 220, 222, 224, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 237b, 238, 241, 246, 251, 252, 254, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 289, and 290 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622g, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1631h, 388.1632d, 388.1632p, 388.1635, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1662, 388.1664b, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695a, 388.1698, 388.1699c, 388.1699h, 388.1699s, 388.1701, 388.1702d, 388.1704, 388.1704b, 388.1704c, 388.1704d, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1766b, 388.1801, 388.1801a, 388.1802a, 388.1803, 388.1806, 388.1807, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1812, 388.1817, 388.1819, 388.1820, 388.1822, 388.1824, 388.1825, 388.1826, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1846, 388.1851, 388.1852, 388.1854, 388.1856, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1889, and 388.1890), sections 3, 203, 207, 212, 219, 220, 238, 251, and 254 as amended and section 237b as added by 2012 PA 201, sections 4, 6, 98, 107, 230, and 256 as amended by 2016 PA 56, sections 11, 21f, 31a, and 32d as amended by 2015 PA 139, sections 11a, 11j, 11k, 11m, 15, 20, 20d, 20f, 20g, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31d, 31f, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 95a, 99h, 101, 104, 104b, 104c, 147, 147a, 147c, 152a, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 222, 225, 226, 229a, 236, 236a, 236b, 236c, 241, 246, 252, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, 281, 282, 283, and 284 as amended and sections 25g, 31h, 35, 35a, 55, 61b, 65, 67, 99c, 99s, 102d, 104d, and 274c as added by 2015 PA 85, section 18 as amended by 2015 PA 114, sections 19, 202a, 224, and 275 as amended by 2014 PA 196, section 166b as amended by 2015 PA 222, and sections 289 and 290 as amended by 2013 PA 60, and by adding sections 11s, 21, 31j, 32q, 54b, 59, 61c, 61d, 61e, 63, 99t, 152b, 210e, and 286a; and to repeal acts and parts of acts.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Hildenbrand, Meekhof and Hopgood as conferees.

The message was referred to the Clerk for record.

House Bill No. 5395, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 5204e (MCL 324.5204e), as added by 2012 PA 511.

The Senate has substituted (S-1) the bill.

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 706, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 725 (MCL 257.725), as amended by 1998 PA 247.

The Senate has passed the bill.

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

Senate Bill No. 707, entitled

A bill to amend 1969 PA 201, entitled “An act to regulate driveways, banners, events, and parades upon and over highways; to provide for the promulgation of rules; to prescribe requirements for the issuance of permits; and to provide for the issuance of those permits,” by amending section 7 (MCL 247.327).

The Senate has passed the bill.

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

Senate Bill No. 708, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of

state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 19b of chapter IV (MCL 224.19b), as added by 1980 PA 212.

The Senate has passed the bill.

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

Senate Bill No. 899, entitled

A bill to amend 1939 PA 141, entitled “Grain dealers act,” by amending sections 3 and 9 (MCL 285.63 and 285.69), as amended by 2002 PA 80, and by adding section 26a; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 900, entitled

A bill to amend 2003 PA 198, entitled “Farm produce insurance act,” by amending sections 7, 9, 11, and 15 (MCL 285.317, 285.319, 285.321, and 285.325), as amended by 2012 PA 149.

The Senate has passed the bill.

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

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 784**, Reps. Muxlow, Bizon and Yanez.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 786**, Reps. Potvin, Kelly and Pagan.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 787**, Reps. Victory, Aaron Miller and Sarah Roberts.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 790**, Reps. McCready, Muxlow and Singh.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 792**, Reps. Poleski, Cox and Hoadley.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 793**, Reps. Afendoulis, McCready and Faris.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 795**, Reps. Bumstead, Inman and Sarah Roberts.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 796**, Reps. Kelly, Potvin and Sarah Roberts.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 801**, Reps. Pscholka, Kelly and Santana.

Messages from the Governor

Date: May 19, 2016
Time: 8:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4990 (Public Act No. 119, I.E.), being

An act to amend 1909 PA 279, entitled “An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,” by amending section 5f (MCL 117.5f), as amended by 2002 PA 201.

(Filed with the Secretary of State May 19, 2016, at 9:30 a.m.)

Date: May 19, 2016
Time: 8:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4991 (Public Act No. 120, I.E.), being

An act to amend 1895 PA 3, entitled “An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies,” by amending section 36 (MCL 68.36), as amended by 2002 PA 276.

(Filed with the Secretary of State May 19, 2016, at 9:32 a.m.)

Date: May 19, 2016
Time: 8:19 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4992 (Public Act No. 121, I.E.), being

An act to amend 1909 PA 278, entitled “An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies,” by amending section 24b (MCL 78.24b), as amended by 2002 PA 277.

(Filed with the Secretary of State May 19, 2016, at 9:34 a.m.)

Date: May 19, 2016
Time: 8:21 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4993 (Public Act No. 122, I.E.), being

An act to amend 1846 RS 16, entitled “Of the powers and duties of townships, the election and duties of township officers, and the division of townships,” by amending section 75b (MCL 41.75b), as amended by 2002 PA 226.

(Filed with the Secretary of State May 19, 2016, at 9:36 a.m.)

Date: May 19, 2016
Time: 8:23 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4994 (Public Act No. 123, I.E.), being

An act to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 11c (MCL 46.11c), as amended by 2002 PA 275.

(Filed with the Secretary of State May 19, 2016, at 9:38 a.m.)

Date: May 19, 2016
Time: 8:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5176 (Public Act No. 124, I.E.), being

An act to amend 2014 PA 86, entitled “An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; and to repeal acts and parts of acts,” by amending sections 14, 17, and 21 (MCL 123.1354, 123.1357, and 123.1361), sections 14 and 17 as amended by 2015 PA 122; and to repeal acts and parts of acts.

(Filed with the Secretary of State May 19, 2016, at 9:40 a.m.)

The following message from the Governor was received May 20, 2016 and read:

EXECUTIVE ORDER
No. 2016 - 9

**CREATION OF THE CHILD LEAD POISONING
ELIMINATION BOARD**

EXECUTIVE OFFICE OF THE GOVERNOR

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power 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, the issue of child lead poisoning in Flint has highlighted the prevalence of child lead poisoning throughout the state of Michigan; and

WHEREAS, there exists a need in state government for a coordinated effort to design a long term strategy for eliminating child lead poisoning in the state of Michigan, including a statewide assessment of old housing stock with lead hazards and areas with high incidence of child lead poisoning, analysis of current research on the incidence and impacts of lead paint in old homes, and a survey of current law, resources, and policy related to lead abatement and remediation;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. CREATION OF THE MICHIGAN CHILD LEAD POISONING ELIMINATION BOARD

A. The Child Lead Poisoning Elimination Board (the "Board") is created as a temporary commission pursuant to Article V, Section 4 of the Constitution of the state of Michigan of 1963 and shall serve as an advisory body within the Executive Office of the Governor.

B. The Board 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 twelve (12) members appointed as follows:

1. The Lieutenant Governor.
2. The Governor shall appoint seven (7) members serving at the pleasure of the Governor.
3. The following four (4) department or authority directors, or their designee, from within their respective department or authority:
 - The Department of Environmental Quality;
 - The Department of Health and Human Services;
 - The Department of Licensing and Regulatory Affairs; and
 - The Michigan State Housing Development Authority.

C. A vacancy on the Board shall be filled in the same manner as the original appointment.

D. The Board shall include individuals with particular expertise in prevention and mitigation of child lead poisoning and may include representatives from pediatric hospitals, local units of government, relevant nonprofit agencies, local health departments, and education.

II. CHARGE TO THE BOARD

A. The Board shall act in an advisory capacity to the Governor and the state of Michigan, and make recommendations to the Governor concerning testing of children for elevated blood lead; follow-up monitoring and services, including case management; environmental lead investigations; remediation and abatement; and dashboards and reporting, including but not limited to the following:

1. Recommend changes to improve the blood lead testing rate of children in Michigan, especially in high-risk areas and for children under the age of six (6) years old.
2. Recommend changes to improve the percentage of families utilizing follow-up services when a child tests positive for elevated blood lead and ensure the adequacy of those services.
3. Recommend changes to improve the availability of environmental lead investigations to families when a child tests positive for elevated blood lead, particularly with respect to children under the age of six (6) years old, and ensure the adequacy of such investigations.

4. Recommend achievable improvements to current remediation and abatement efforts aimed at reducing child lead poisoning dangers throughout Michigan and in particular hotspots, including individual homes.

5. Recommend improvements to existing collection, maintenance, sharing, and reporting efforts regarding child lead poisoning data, including recommendations for the implementation of dashboards, websites, apps, and other means of conveying information.

B. The Board shall also inventory existing resources and programs that touch the above areas and make recommendations regarding coordination and supplementation where appropriate.

C. By November 4, 2016, the Board shall provide to the Governor a full, written report on its recommendations for items in Section II.A. and II.B. of this Order.

III. OPERATIONS OF THE BOARD

A. The Board shall be staffed by personnel from and assisted by state departments and agencies as directed by the Governor's Office.

B. The Lieutenant Governor shall serve as the Chairperson. The Lieutenant Governor may select from among the Board's members a Vice Chairperson to act as Chair in his absence.

C. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board. Meetings of the Board may be held anywhere within the state of Michigan.

D. The Board may establish workgroups or committees assigning Board members to and inviting public participation on these workgroups or committees as the Board deems necessary.

E. The Board may adopt, reject, or modify recommendations made by the workgroups or committees.

F. A majority of the voting members of the Board serving constitutes a quorum for the transaction of the Board's business notwithstanding the existence of one (1) or more vacancies. The Board shall act by majority vote of its present and voting members for the purpose of making recommendations to the Governor.

G. The Board may adopt procedures consistent with Michigan law and this Order governing its organization and operations.

H. The Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. Subject to the Governor's approval, the Board may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, government agencies, and the nonprofit sector.

I. Members of the Board shall serve without compensation. Subject to the Governor's approval and available funding, members of the Board may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Michigan Civil Service Commission and the Department of Technology, Management and Budget.

J. The 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 Board and the performance of its duties, as the Governor deems advisable and necessary in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Technology, Management and Budget.

K. The Board may accept grants of funds, donations of funds, property, labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

L. Members of the Board, staff, or contractors shall refer all legal, legislative, and media contacts relating to Board actions or activities to the Office of the Governor.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Board, or to any member or representative of the Board, any necessary assistance required by the Board or any member or representative of the Board, in the performance of the duties of the Board so far as is compatible with its, his, or her duties.

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

C. Nothing in this Order shall be construed to change the organization of the executive branch of state government or the assignment of functions among its units in a manner requiring the force of law.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

E. The Board shall dissolve two years after the effective date of this Order.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 20th day of May, in the Year of our Lord Two Thousand Sixteen.

RICHARD D. SNYDER
GOVERNOR
BY THE GOVERNOR:
RUTH A. JOHNSON
SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received May 24, 2016 and read:

EXECUTIVE ORDER
No. 2016 - 10

STATE OF ENERGY EMERGENCY
WAIVER OF REGULATIONS RELATING TO MOTOR CARRIERS AND DRIVERS
TRANSPORTING PETROLEUM PRODUCTS

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 3 of 1982 PA 191, MCL 10.83, and Executive Order No. 2015-10 (Section VIII) authorizes the Governor to declare a State of Energy Emergency upon notification of an impending energy emergency by the Executive Director of the Michigan Agency for Energy, or upon the Governor's own initiative, if the Governor finds that an energy emergency exists or is imminent; and

WHEREAS, the West Shore pipeline – a common carrier petroleum pipeline – from Milwaukee to Green Bay, Wisconsin has been shut down since March 10, 2016 for emergency repairs. This pipeline transports petroleum products to six Green Bay terminals where it is then loaded on tanker trucks and transported to fueling stations in the Upper Peninsula of Michigan. The shutdown of the pipeline has resulted in longer driving distances, wait times, and working hours for gasoline and other motor fuels transporters, causing drivers to reach maximum weekly driving and on-duty limits more quickly than normal; and

WHEREAS, this pipeline shutdown is affecting the availability of gasoline and other motor fuel supplies in most of the Upper Peninsula, creating temporary shortages and shipment delays that may potentially impact the health, safety, and economic well-being of the citizens of Michigan who depend on these products, and the ability of transporters to supply the products in accordance with federal motor carrier regulations and requirements; and

WHEREAS, additional infrastructure outages such as the temporary Marathon Refinery shutdown and the Alberta wildfires are aligning to cause tightening in the petroleum supply markets resulting in longer driving distances, crowded petroleum terminals, and extended wait times for motor fuels transporters in the Lower Peninsula; and

WHEREAS, it is in the best interests of the state of Michigan to provide for the safe transportation of gasoline and other motor fuels within this state, and that appropriate measures be taken in response to an imminent energy emergency to assure that gasoline and other motor fuels supplies will remain sufficient to protect the health, safety, and welfare of Michigan residents and visitors; and

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency, the Governor may, by executive order, suspend a statute, order, rule of a state agency, or specific provision of a statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency; and

WHEREAS, Federal Motor Carrier Safety Administration regulations found at 49 CFR 390.23, and Michigan Public Act 181 of 1963, MCL 480.11a, provide the Governor with the authority to exempt motor carriers and drivers transporting gasoline and other motor fuels within Michigan from the hours-of-service regulations and requirements specified in 49 CFR Part 395 and MCL 480.11a, to address transportation needs arising from the impact of this energy emergency;

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 1982 PA 191, MCL 10.81 to 10.87, order the following:

1. A State of Energy Emergency is declared in the state of Michigan.
2. Motor carriers and drivers transporting gasoline and other motor fuels to address the transportation and supply needs arising from the current emergency, are exempt from compliance with MCL 480.11a and any other applicable state statute, order, or rule substantially similar to MCL 480.11a, and 49 CFR Part 395. Any such provision of a state statute, order, or rule is suspended. This exemption and suspension applies to all highways in Michigan, including the national system of interstate and defense highways.
3. This Order applies only to gasoline and other transportation fuels. No other petroleum products are covered by the exemption and suspension under this Order.
4. No motor carrier or driver operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to work.
5. Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements (49 CFR Part 382 and any similar state statute, order, or rule), the commercial driver's license requirements (49 CFR Part 383 and any similar state statute, order, or rule), the financial responsibility requirements (49 CFR Part 387 and any similar state statute, order, or rule), applicable size and weight requirements, or any portion of federal and state regulations not specifically identified.

6. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.
7. The Michigan Department of State Police requires that drivers for motor carriers operating under the Declaration of Energy Emergency must have a copy of the Declaration of Energy Emergency in their possession.
8. The Commercial Vehicle Enforcement Division of the Michigan Department of State Police shall coordinate state compliance with this Order.

This Order is effective upon filing and remains in effect until it is rescinded or 11:59:59 p.m. EDT, June 6, 2016, whichever first occurs.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 24th day of May, in the Year of our Lord Two Thousand Sixteen.

RICHARD D. SNYDER

GOVERNOR

BY THE GOVERNOR:

RUTH A. JOHNSON

SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Reps. Brinks, Victory, Afendoulis, VerHeulen, Whiteford, Hooker, Price, Crawford, Pagel, LaGrand, Geiss, Pagan, Phelps, Rutledge, Yonker, Townsend, Gay-Dagnogo, Garcia, Plawecki, Greig, Hoadley, Kivela, Moss, Wittenberg and Kosowski introduced

House Bill No. 5678, entitled

A bill to amend 1997 PA 55, entitled "Electric patrol vehicle act," by amending sections 2, 4, 5, and 6 (MCL 257.1572, 257.1574, 257.1575, and 257.1576).

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

Rep. Glenn introduced

House Bill No. 5679, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2010 PA 195, and by adding section 3j.

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

Rep. Glenn introduced

House Bill No. 5680, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending sections 4c and 13c (MCL 125.1504c and 125.1513c), section 4c as added by 2004 PA 65 and section 13c as added by 1994 PA 106.

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

Rep. Glenn introduced

House Bill No. 5681, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 82a (MCL 125.482a), as added by 2004 PA 64.

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

Rep. Glenn introduced

House Bill No. 5682, entitled

A bill to amend 2000 PA 190, entitled "Privately owned cervidae producers marketing act," by amending section 6 (MCL 287.956), as amended by 2006 PA 561.

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

Rep. Glenn introduced

House Bill No. 5683, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 42702 (MCL 324.42702), as amended by 2008 PA 569.

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

Reps. Howell, Hooker, Muxlow, Goike, Pettalia, Brett Roberts and Johnson introduced

House Bill No. 5684, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2015 PA 186.

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

Rep. Forlini introduced

House Bill No. 5685, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 51 and 51d (MCL 206.51 and 206.51d), section 51 as amended by 2015 PA 180 and section 51d as added by 2015 PA 179.

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

Reps. Yanez, Darany, Banks, Pagan, Byrd, Greig, Cochran, Garrett, Smiley, Brunner, Talabi, Rutledge, Plawecki, Hoadley, Brinks, LaGrand, Robinson, Hovey-Wright, Moss, Phelps and Wittenberg introduced

House Bill No. 5686, entitled

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending section 4 (MCL 722.644), as amended by 2006 PA 236, and by adding section 2b.

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

Reps. Yanez, Moss, Darany, Plawecki, Greig, Liberati, Cochran, Hovey-Wright, Love, Faris and Wittenberg introduced

House Bill No. 5687, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 2, 7, 11, and 12 (MCL 205.422, 205.427, 205.431, and 205.432), section 2 as amended by 2012 PA 188, sections 7 and 11 as amended by 2016 PA 86, and section 12 as amended by 2014 PA 272.

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

Reps. Yanez, Moss, Darany, Plawecki, Greig, Liberati, Cochran, Hovey-Wright, Love, Faris and Wittenberg introduced

House Bill No. 5688, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 470 and 473 (MCL 750.470 and 750.473), section 470 as amended by 1998 PA 38 and section 473 as added by 1993 PA 140.

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

Rep. Cox introduced

House Bill No. 5689, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 710d and 710e (MCL 257.710d and 257.710e), section 710d as amended by 2009 PA 57 and section 710e as amended by 2008 PA 43.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Rep. McCready moved that the House adjourn.

The motion prevailed, the time being 3:25 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Wednesday, May 25, at 1:30 p.m.