

**No. 53**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**98th Legislature**  
**REGULAR SESSION OF 2016**

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House Chamber, Lansing, Tuesday, May 31, 2016.

10:00 a.m.

The House was called to order by Associate Speaker Pro Tempore Franz.

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—present	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—present	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—present
Garcia—present			

e/d/s = entered during session

Pastor Randy Wheeler, Pastor of Twin Oaks Christian Church in Woodhaven, offered the following invocation:

“Our heavenly Father, our wise Creator, Lord over all,

On this, another day of business in the Michigan House of Representatives, we pause for a moment to seek Your favor. We ask Your blessing on these men and women who give their time to serve this great state. It is often a thankless job. They carry the weight of many important decisions on their shoulders and so many times, Lord, the answers aren’t easy to find. But You promise in Your word that when we need wisdom we only need to seek You, and You will generously give it. May these representatives humble themselves before You and find in You the answers they need.

Father, in so many ways You have abundantly blessed this state – from the scenic beauty found shore to shore; the natural resources that provide crops and minerals and recreation; to the heart of our people who generously help those in need and tirelessly work to make a better Michigan and a better America. Father, we thank You for these blessings.

At the same time, Lord, our state faces many challenges. Please help these representatives and our people rise up to meet those challenges. May we come together as not just Democrats and Republicans and Independents, but rather as Michiganders – one people united for the common good; laying aside personal and party agendas to put the needs of others first. May You be honored in all that is said and done here today.

Father, bless this place today with Your presence and Your guidance. This we ask in the name of Your son, Jesus Christ, Amen.”

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The Speaker Pro Tempore assumed the Chair.

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

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The Speaker assumed the Chair.

### Motions and Resolutions

Reps. Darany, Plawecki, Chang, Cochran, Driskell, Faris, Greig, LaVoy, Liberati, Love, Singh and Wittenberg offered the following resolution:

**House Resolution No. 304.**

A resolution to offer best wishes to Muslims in Michigan and worldwide, a joyous and meaningful observance of Ramadan, a holy month of reflection and prayer.

Whereas, There are about 1.6 billion Muslims in the world, which equates to roughly 23 percent of the global population. Muslims are the fastest-growing religious group in the world and are one of the largest and most productive populations residing in Southeast Michigan; and

Whereas, The month of Ramadan is observed in dedication to the Islamic principles and in commemoration of the month in which the holy Quran was revealed to prophet Muhammad; and

Whereas, Muslims around the world will observe Ramadan by fasting, emphasizing self-discipline, worshipping, and reading the holy Quran in order to focus on values such as patience, humility, and spirituality. For 30 days, followers of Islam pray and refrain from eating, drinking, smoking, cursing, and impure thoughts; and

Whereas, Fasting and praying during Ramadan is meant to purify the body and spirit and bring the faith closer to God. During this month Muslims spend this time in reflection and prayer, while strengthening the bonds of family and friendship; and

Whereas, This month of sacrifice and contemplation begins on or about the evening of Sunday, June 5, and continues until on or about the evening of Tuesday, July 5, with Eid al-Fitr. Eid al-Fitr is the feast of fast-breaking and the celebration of Prophet Abraham’s sacrifice that embraces special prayers and meals; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body offer best wishes to Muslims in Michigan and worldwide, a joyous and meaningful observance of Ramadan, a holy month of reflection and prayer. We celebrate Eid al-Fitr, when we convey to our Muslim friends and neighbors Eid Mubarak!

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 153.

A resolution to encourage the United States Forest Service to issue the owners of privately held hunting camps on leased acres within the Ottawa National Forest special use authorization under the Recreation Residence Program.

(For text of resolution, see House Journal No. 75 of 2015, p. 1687.)

(The resolution was reported by the Committee on Tourism and Outdoor Recreation on May 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 5017, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," by amending the title and sections 102, 103, 202, 214, 304, 305, 342, 345, 353, 355, 357, 401, 408, 409, 423, 431, and 432 (MCL 490.102, 490.103, 490.202, 490.214, 490.304, 490.305, 490.342, 490.345, 490.353, 490.355, 490.357, 490.401, 490.408, 490.409, 490.423, 490.431, and 490.432), sections 102, 214, 304, 342, 345, 357, 401, and 423 as amended by 2004 PA 471.

(The bill was received from the Senate on May 18, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 48, p. 884.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 327

#### Yeas—109

Afendoulis	Garrett	LaFontaine	Price
Banks	Gay-Dagnogo	LaGrand	Pscholka
Barrett	Geiss	Lane	Rendon
Bizon	Gardon	Lauwers	Roberts, B.
Brinks	Glenn	LaVoy	Roberts, S.
Brunner	Goike	Leonard	Robinson
Bumstead	Graves	Leutheuser	Runestad
Byrd	Greig	Liberati	Rutledge
Callton	Greimel	Love	Santana
Canfield	Guerra	Lucido	Schor
Chang	Heise	Lyons	Sheppard
Chatfield	Hoadley	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	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Garcia			

**Nays—0**

In The Chair: Cotter

The House agreed to the full title.

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

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The Speaker called the Speaker Pro Tempore to the Chair.

The Speaker laid before the House

**House Bill No. 5018, entitled**

A bill to amend 2003 PA 215, entitled “Credit union act,” by amending sections 201, 210, 221, 303, 306, and 341 (MCL 490.201, 490.210, 490.221, 490.303, 490.306, and 490.341), sections 201 and 341 as amended by 2004 PA 471.

(The bill was received from the Senate on May 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 48, p. 884.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 328**

**Yeas—109**

Afendoulis	Garrett	LaFontaine	Price
Banks	Gay-Dagnogo	LaGrand	Pscholka
Barrett	Geiss	Lane	Rendon
Bizon	Gardon	Lauwers	Roberts, B.
Brinks	Glenn	LaVoy	Roberts, S.
Brunner	Goike	Leonard	Robinson
Bumstead	Graves	Leutheuser	Runestad
Byrd	Greig	Liberati	Rutledge
Callton	Greimel	Love	Santana
Canfield	Guerra	Lucido	Schor
Chang	Heise	Lyons	Sheppard
Chatfield	Hoadley	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	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Garcia			

**Nays—0**

In The Chair: Leonard

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5019, entitled**

A bill to amend 2003 PA 215, entitled "Credit union act," by amending section 407 (MCL 490.407), as amended by 2004 PA 471.

(The bill was received from the Senate on May 18, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 48, p. 885.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 329****Yeas—109**

Afendoulis	Garrett	LaFontaine	Price
Banks	Gay-Dagnogo	LaGrand	Pscholka
Barrett	Geiss	Lane	Rendon
Bizon	Gardon	Lauwers	Roberts, B.
Brinks	Glenn	LaVoy	Roberts, S.
Brunner	Goike	Leonard	Robinson
Bumstead	Graves	Leutheuser	Runestad
Byrd	Greig	Liberati	Rutledge
Callton	Greimel	Love	Santana
Canfield	Guerra	Lucido	Schor
Chang	Heise	Lyons	Sheppard
Chatfield	Hoadley	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	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Garcia			

**Nays—0**

In The Chair: Leonard

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5020, entitled**

A bill to amend 2003 PA 215, entitled "Credit union act," by amending section 207 (MCL 490.207).

(The bill was received from the Senate on May 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 48, p. 885.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 330****Yeas—109**

Afendoulis	Garrett	LaFontaine	Price
Banks	Gay-Dagnogo	LaGrand	Pscholka
Barrett	Geiss	Lane	Rendon
Bizon	Glardon	Lauwers	Roberts, B.
Brinks	Glenn	LaVoy	Roberts, S.
Brunner	Goike	Leonard	Robinson
Bumstead	Graves	Leutheuser	Runestad
Byrd	Greig	Liberati	Rutledge
Callton	Greimel	Love	Santana
Canfield	Guerra	Lucido	Schor
Chang	Heise	Lyons	Sheppard
Chatfield	Hoadley	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	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Garcia			

**Nays—0**

In The Chair: Leonard

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5021, entitled**

A bill to amend 2003 PA 215, entitled "Credit union act," by amending section 371 (MCL 490.371), as amended by 2004 PA 471.

(The bill was received from the Senate on May 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 48, p. 885.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 331**

**Yeas—109**

Afendoulis	Garrett	LaFontaine	Price
Banks	Gay-Dagnogo	LaGrand	Pscholka
Barrett	Geiss	Lane	Rendon
Bizon	Gardon	Lauwers	Roberts, B.
Brinks	Glenn	LaVoy	Roberts, S.
Brunner	Goike	Leonard	Robinson
Bumstead	Graves	Leutheuser	Runestad
Byrd	Greig	Liberati	Rutledge
Callton	Greimel	Love	Santana
Canfield	Guerra	Lucido	Schor
Chang	Heise	Lyons	Sheppard
Chatfield	Hoadley	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	Phelps	Wittenberg
Farrington	Kesto	Plawecki	Yanez
Forlini	Kivela	Poleski	Yonker
Franz	Kosowski	Potvin	Zemke
Garcia			

**Nays—0**

In The Chair: Leonard

The House agreed to the full title.

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

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

The Speaker laid before the House

**House Bill No. 5022, entitled**

A bill to amend 2003 PA 215, entitled "Credit union act," by amending section 411 (MCL 490.411).

(The bill was received from the Senate on May 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 48, p. 885.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 332**

**Yeas—107**

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

**Nays—2**

LaGrand

Robinson

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

**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 bill was received from the Senate on May 24, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 25, see House Journal No. 50, p. 927.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:



**Roll Call No. 333****Yeas—103**

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

**Nays—6**

Cochran	Gay-Dagnogo	Singh	Townsend
Garrett	Robinson		

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4344, entitled**

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending sections 2, 2a, 3, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30, 32, 33, 34a, 36, and 39 (MCL 257.1302, 257.1302a, 257.1303, 257.1307, 257.1309, 257.1310, 257.1311, 257.1312, 257.1313, 257.1314, 257.1315, 257.1316, 257.1317, 257.1318, 257.1319, 257.1320, 257.1321, 257.1322, 257.1330, 257.1332, 257.1333, 257.1334a, 257.1336, and 257.1339), sections 2, 18, 22, and 30 as amended and section 2a as added by 1988 PA 254, section 10 as amended by 2000 PA 366, and section 17 as amended by 2002 PA 464, and by adding sections 7a, 7b, 7c, 7d, 7e, 7f, 10a, 13a, 13b, and 32a.

(The bill was received from the Senate on May 17, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 18, see House Journal No. 47, p. 850.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Pettalia moved to amend the Senate substitute (S-4) as follows:

1. Amend page 23, following line 14, by inserting:

**"(D) A PART THAT DOES NOT MEET SUBDIVISION (A), (B), OR (C), IF THE FACILITY IS DIRECTED BY THE OWNER OF THE MOTOR VEHICLE IN WRITING TO INSTALL THAT PART."**

2. Amend page 48, line 25, after “**THE**” by striking out “**DIRECTOR**” and inserting “**ADMINISTRATOR**”.
3. Amend page 49, line 6, by striking out “**DIRECTOR**” and inserting “**ADMINISTRATOR**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor. The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 334****Yeas—86**

Banks	Forlini	LaFontaine	Plawecki
Barrett	Franz	LaGrand	Poleski
Bizon	Garrett	Lane	Potvin
Brinks	Gay-Dagnogo	Lauwers	Rendon
Brunner	Geiss	LaVoy	Roberts, B.
Bumstead	Gardon	Leonard	Roberts, S.
Byrd	Goike	Leutheuser	Rutledge
Callton	Graves	Liberati	Santana
Canfield	Greig	Love	Schor
Chang	Greimel	Lucido	Sheppard
Chirkun	Guerra	Maturen	Singh
Clemente	Heise	McBroom	Smiley
Cochran	Hoadley	McCready	Somerville
Cotter	Hovey-Wright	Moss	Talabi
Cox	Hughes	Muxlow	Tedder
Crawford	Iden	Neeley	Townsend
Darany	Inman	Nesbitt	Vaupel
Dianda	Jacobsen	Outman	Webber
Driskell	Jenkins	Pagan	Wittenberg
Durhal	Johnson	Pettalia	Yonker
Faris	Kivela	Phelps	Zemke
Farrington	Kosowski		

**Nays—23**

Afendoulis	Howell	Miller, A.	Theis
Chatfield	Howrylak	Pagel	VerHeulen
Cole	Irwin	Price	Victory
Garcia	Kelly	Pscholka	Whiteford
Glenn	Kesto	Robinson	Yanez
Hooker	Lyons	Runestad	

In The Chair: Franz

The House agreed to the title as amended.

**Third Reading of Bills****Senate Bill No. 481, entitled**

A bill to amend 2000 PA 321, entitled “Recreational authorities act,” by amending sections 3 and 11 (MCL 123.1133 and 123.1141), as amended by 2003 PA 135, and by adding section 12.

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

**Roll Call No. 335****Yeas—104**

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

**Nays—5**

Farrington	Lucido	Robinson	Theis
Glenn			

In The Chair: Franz

The question being on agreeing to the title of the bill,

Rep. Nesbitt moved to amend the title to read as follows:

A bill to amend 2000 PA 321, entitled “An act to provide for the establishment of recreational authorities; to provide powers and duties of an authority; to authorize the assessment of a fee, the levy of a property tax, and the issuance of bonds and notes by an authority; and to provide for the powers and duties of certain government officials,” by amending section 11 (MCL 123.1141), as amended by 2003 PA 135, and by adding section 12.

The motion prevailed.

The House agreed to the title as amended.

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

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

**House Bill No. 5532, entitled**

A bill to amend 2000 PA 92, entitled “Food law,” by amending section 6101 (MCL 289.6101), as amended by 2012 PA 178.

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

**Roll Call No. 336****Yeas—57**

Barrett	Glenn	Kesto	Pettalia
Bizon	Goike	LaFontaine	Potvin
Bumstead	Graves	Lauwers	Price
Callton	Heise	Leonard	Rendon
Canfield	Hooker	Leutheuser	Runestad
Chatfield	Howell	Lyons	Sheppard
Cole	Howrylak	Maturen	Somerville
Cotter	Hughes	McBroom	Tedder
Cox	Iden	McCready	Theis
Crawford	Inman	Miller, A.	Vaupel
Farrington	Jacobsen	Muxlow	VerHeulen
Forlini	Jenkins	Nesbitt	Victory
Franz	Johnson	Outman	Webber
Garcia	Kelly	Pagel	Whiteford
Gardon			

**Nays—52**

Afendoulis	Faris	Lane	Roberts, S.
Banks	Garrett	LaVoy	Robinson
Brinks	Gay-Dagnogo	Liberati	Rutledge
Brunner	Geiss	Love	Santana
Byrd	Greig	Lucido	Schor
Chang	Greimel	Moss	Singh
Chirkun	Guerra	Neeley	Smiley
Clemente	Hoadley	Pagan	Talabi
Cochran	Hovey-Wright	Phelps	Townsend
Darany	Irwin	Plawecki	Wittenberg
Dianda	Kivela	Poleski	Yanez
Driskell	Kosowski	Pscholka	Yonker
Durhal	LaGrand	Roberts, B.	Zemke

In The Chair: Franz

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.

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I believe it would be manifestly unwise for any responsible commercial purchaser of mushrooms to make such a purchase from someone who is not very thoroughly trained, responsible and certified to identify an edible mushroom.

No commercial user of mushrooms would risk their very substantial businesses by making a purchase of such a risky product in anything other than a very assured fashion.

Thank you, Mr. Speaker, for this opportunity to explain my vote on HB 5532.”

Rep. Driskell, having reserved the right to explain her protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I voted no on House Bill 5532 because it poses a great threat to our public health, and, as legislators, I believe it is our duty to protect the health and safety of our constituents and the citizens of Michigan.

Mushrooms that are mistaken as morel mushrooms can be poisonous to humans, causing not just sickness, but even death. Thousands of cases of mushroom poisoning are reported across the country every year, with Michigan being the leading state in the country for mushroom poisoning. During the 2014 morel season, 46 people were poisoned from eating what they thought were real morels, but were poisonous look-a-likes.

Given these statistics, I feel it is important to maintain our current certification system. This quick, relatively inexpensive process provides a basic training for those who wish to sell the mushrooms they pick, and the certification they receive is good for five years.

Public health is about prevention – preventing health issues before they happen. Our certification requirement can help continue to prevent sickness, and even death, from false morels, while promoting our local food and culinary movements.

For these reasons, I did not support the passage of House Bill 5532.”

### House Bill No. 4136, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1166 (MCL 380.1166).

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

### Roll Call No. 337

### Yeas—82

Afendoulis	Glardon	LaGrand	Poleski
Barrett	Glenn	Lane	Price
Brinks	Goike	Lauwers	Rendon
Callton	Graves	LaVoy	Roberts, B.
Canfield	Greimel	Leonard	Runestad
Chang	Guerra	Leutheuser	Santana
Chatfield	Heise	Lucido	Schor
Chirkun	Hoadley	Lyons	Sheppard
Cole	Hooker	Maturen	Smiley
Cotter	Howell	McBroom	Somerville
Cox	Howrylak	McCready	Tedder
Crawford	Hughes	Miller, A.	Theis
Dianda	Iden	Moss	Townsend
Driskell	Inman	Muxlow	Vaupel
Faris	Jacobsen	Nesbitt	VerHeulen
Farrington	Jenkins	Outman	Victory
Forlini	Johnson	Pagan	Webber
Franz	Kelly	Pettalia	Whiteford
Garcia	Kesto	Phelps	Yonker
Garrett	Kosowski	Plawecki	Zemke
Geiss	LaFontaine		

### Nays—27

Banks	Darany	Liberati	Robinson
Bizon	Durhal	Love	Rutledge
Brunner	Gay-Dagnogo	Neeley	Singh
Bumstead	Greig	Pagel	Talabi
Byrd	Hovey-Wright	Potvin	Wittenberg
Clemente	Irwin	Pscholka	Yanez
Cochran	Kivela	Roberts, S.	

In The Chair: Franz

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.

Rep. Yanez, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

While I fully support civics as part of a school curriculum and the use of that curriculum as path to matriculation, I firmly believe this bill sets the bar too low. Mandatory requirements for graduation are mandatory for a reason. They should be held in the highest regard and not relegated to a level of ‘barely good enough.’ Our children deserve better and our parents, teachers, administrators and certainly legislators should demand better.”

Rep. Greig, having reserved the right to explain here protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I voted no on HB4136, the Citizenship Exam requirement, for several reasons: If the purpose is to better educate kids on Civics topics, we should be incorporating more topics into the curriculum, not adding easy-to-pass tests as a requirement of graduation. A test that can be taken as many times as needed to pass, and only requires 60% to pass, and requires IT development and changes to report on the transcript, is not a solution. This bill wastes taxpayer dollars and will not produce better citizens.”

Rep. Singh, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I strongly support having a strong curriculum regarding civics in our schools. Unfortunately, HB 4136 doesn’t add to the current comprehensive curriculum for civics in our high schools. Local control already allows for school districts to utilize the US Citizenship test as part of the curriculum and testing if they so choose. Since students can take this test multiple times without consequence until they pass the test with passing only requiring 60% being accurate, it doesn’t show a student’s true mastering of the subject. If we are going to require teachers to teach toward this test we should ensure that the test has additional value to the current curriculum. In addition, passing a test should require more than 60% correct. The requirement to place this on a student’s transcript creates an undue burden on a school district for a test that doesn’t accurately test a student’s comprehension of American government and civics.”

#### **Senate Bill No. 844, entitled**

A bill to authorize the state administrative board to convey state-owned property in Ingham County; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

#### **Roll Call No. 338**

#### **Yeas—108**

Afendoulis	Garcia	Kosowski	Potvin
Banks	Garrett	LaFontaine	Price
Barrett	Gay-Dagnogo	LaGrand	Pscholka
Bizon	Geiss	Lane	Rendon
Brinks	Gardon	Lauwers	Roberts, B.
Brunner	Glenn	LaVoy	Roberts, S.
Bumstead	Goike	Leonard	Runestad
Byrd	Graves	Leutheuser	Rutledge
Callton	Greig	Liberati	Santana
Canfield	Greimel	Love	Schor
Chang	Guerra	Lucido	Sheppard
Chatfield	Heise	Lyons	Singh
Chirkun	Hoadley	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  
Farrington  
Forlini  
Franz

Johnson  
Kelly  
Kesto  
Kivela

Pettalia  
Phelps  
Plawecki  
Poleski

Wittenberg  
Yanez  
Yonker  
Zemke

### Nays—1

Robinson

In The Chair: Franz

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. 5463, 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.

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

### Roll Call No. 339

### Yeas—71

Afendoulis  
Barrett  
Bizon  
Brinks  
Brunner  
Bumstead  
Callton  
Canfield  
Chatfield  
Clemente  
Cole  
Cotter  
Cox  
Crawford  
Dianda  
Forlini  
Franz  
Garcia

Geiss  
Gardon  
Glenn  
Goike  
Graves  
Heise  
Hooker  
Howell  
Hughes  
Iden  
Inman  
Jacobsen  
Jenkins  
Johnson  
Kelly  
Kesto  
Kivela  
Kosowski

LaFontaine  
Lane  
Lauwers  
Leonard  
Leutheuser  
Lyons  
Maturen  
McBroom  
McCready  
Miller, A.  
Muxlow  
Nesbitt  
Outman  
Pagel  
Pettalia  
Phelps  
Potvin  
Price

Pscholka  
Rendon  
Roberts, B.  
Runestad  
Santana  
Schor  
Sheppard  
Somerville  
Tedder  
Theis  
Vaupel  
VerHeulen  
Victory  
Webber  
Whiteford  
Yanez  
Yonker

### Nays—38

Banks  
Byrd  
Chang  
Chirkun  
Cochran  
Darany  
Driskell

Garrett  
Gay-Dagnogo  
Greig  
Greimel  
Guerra  
Hoadley  
Hovey-Wright

LaVoy  
Liberati  
Love  
Lucido  
Moss  
Neeley  
Pagan

Roberts, S.  
Robinson  
Rutledge  
Singh  
Smiley  
Talabi  
Townsend

Durhal  
Faris  
Farrington

Howrylak  
Irwin  
LaGrand

Plawecki  
Poleski

Wittenberg  
Zemke

In The Chair: Franz

The House agreed to the title of the bill.

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

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

—————

Rep. Poleski, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

I understand the motivation of the sponsor to offer students more options. However, I believe our students benefit greatly from multi-lingual capability. I believe that to allow that requirement to be fulfilled with courses other than foreign languages is unwise in the long run.

When I mentioned this bill to a friend who is an Information Technology professional, he mentioned that he learned COBOL and FORTRAN while in high school. Those languages are deader than Latin. Let’s teach kids languages they can use for a lifetime.

Thank you, Mr. Speaker, for this opportunity to explain my no vote on HB 5463.”

### Second Reading of Bills

#### Senate Bill No. 428, entitled

A bill to establish the American Red Cross Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 429, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2013 PA 92.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Farrington moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) 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. 672, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5109 (MCL 700.5109), as added by 2011 PA 61.

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

The motion prevailed.



**Senate Bill No. 292, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 367 (MCL 18.1367), as amended by 1999 PA 8.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 610, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 67 (MCL 559.167), as amended by 2002 PA 283.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Local Government,

The substitute (H-1) 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.

**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).

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

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

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

The motion prevailed.

**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.

The bill was read a second time.

Rep. LaFontaine 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

**Motions and Resolutions**

Rep. Yonker moved that when the House adjourns today it stand adjourned until Wednesday, June 1, at 10:00 a.m.

The motion prevailed.

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

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, May 26:

**House Bill Nos. 5700 5701 5702 5703 5704 5705 5706 5707**

The Clerk announced that the following Senate bills had been received on Tuesday, May 31:

**Senate Bill Nos. 189 190 557 647 833 886 954**

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, May 31:

**Senate Bill Nos. 999 1000 1001 1002 1003 1004 1005 1006 1007 1008**

### Messages from the Senate

**House Bill No. 4578, entitled**

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 3 (MCL 123.1133), as amended by 2003 PA 135.

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.

### Messages from the Governor

Date: May 25, 2016

Time: 8:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5182 (Public Act No. 129, I.E.), being**

An act to amend 1893 PA 116, entitled "An act to provide for the maintenance, management and control, of the Michigan school for the deaf, and to repeal all laws inconsistent herewith," by amending section 1 (MCL 393.51).

(Filed with the Secretary of State May 26, 2016, at 10:50 a.m.)

Date: May 25, 2016

Time: 8:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5183 (Public Act No. 130, I.E.), being**

An act to amend 1937 PA 72, entitled "An act to establish the division on deafness and the advisory council on deafness within the department of labor; to prescribe the powers and duties of the department, the division, the council, and certain state officers; to establish a fund and provide for expenditures from that fund; and to provide for an appropriation," by amending section 3 (MCL 408.203), as amended by 1988 PA 434.

(Filed with the Secretary of State May 26, 2016, at 10:52 a.m.)

Date: May 25, 2016

Time: 8:54 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5184 (Public Act No. 131, I.E.), being**

An act to amend 1937 PA 72, entitled "An act to establish the division on deafness and the advisory council on deafness within the department of labor; to prescribe the powers and duties of the department, the division, the council, and certain state officers; to establish a fund and provide for expenditures from that fund; and to provide for an appropriation," by amending section 5 (MCL 408.205), as amended by 1988 PA 434.

(Filed with the Secretary of State May 26, 2016, at 10:54 a.m.)

Date: May 25, 2016

Time: 8:56 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5185 (Public Act No. 132, I.E.), being**

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 221 (MCL 750.221).

(Filed with the Secretary of State May 26, 2016, at 10:56 a.m.)

Date: May 25, 2016  
Time: 8:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5186 (Public Act No. 133, I.E.), being**

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1534 (MCL 380.1534).

(Filed with the Secretary of State May 26, 2016, at 10:58 a.m.)

Date: May 25, 2016  
Time: 9:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5187 (Public Act No. 134, I.E.), being**

An act to amend 1899 PA 44, entitled “An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies,” by amending section 34 (MCL 24.34).

(Filed with the Secretary of State May 26, 2016, at 11:00 a.m.)

Date: May 26, 2016  
Time: 9:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5188 (Public Act No. 135, I.E.), being**

An act to amend 1937 PA 72, entitled “An act to establish the division on deafness and the advisory council on deafness within the department of labor; to prescribe the powers and duties of the department, the division, the council, and certain state officers; to establish a fund and provide for expenditures from that fund; and to provide for an appropriation,” by amending section 4 (MCL 408.204), as amended by 1988 PA 434.

(Filed with the Secretary of State May 26, 2016, at 11:02 a.m.)

The following message from the Governor was received May 26, 2016 and read:

**EXECUTIVE ORDER  
No. 2016 - 11**

**MICHIGAN STATEWIDE INDEPENDENT LIVING COUNCIL  
EXECUTIVE OFFICE OF THE GOVERNOR**

**RESCISSION OF  
EXECUTIVE ORDERS 2007-49 AND 2012-15**

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 the Governor shall take care that the laws be faithfully executed; and

WHEREAS, many Michigan residents have one or more disabilities; and

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

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

WHEREAS, under Section 705 of the Rehabilitation Act of 1973, as amended, 29 USC § 796d(a), to be eligible to receive federal assistance under Title VII of the Rehabilitation Act of 1973, as amended, a state must establish a statewide independent living council, which may not be established as an entity within a state agency; and

WHEREAS, Sections 474 and 475 of the Workforce Innovation and Opportunity Act, Public Law 113-128, have amended the Rehabilitation Act of 1973 to alter and expand the responsibilities of statewide independent living councils; and

WHEREAS, reestablishment of the Michigan Statewide Independent Living Council, organized under Executive Order 1994-23, then reestablished by Executive Order 2007-49, and amended by Executive Order 2012-15, is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law; and

WHEREAS, reestablishment of the Michigan Statewide Independent Living Council will improve working relationships among entities providing services to individuals with disabilities, centers for independent living and the Michigan Statewide Independent Living Council;

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**

A. "Center for independent living" means that phrase as defined under Section 702 of the Rehabilitation Act of 1973, as amended, 29 USC § 796a(2).

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

C. "Disability" means that term as defined under Section 7 of the Rehabilitation Act of 1973, as amended, 29 USC § 705(9).

D. "Designated State Entity" means that term as defined under Section 704 of the Rehabilitation Act of 1973, as amended, 29 USC § 796c(c). Until otherwise designated in the State Plan, Designated State Entity responsibilities in Michigan will lie with Michigan Rehabilitative Services and the Bureau of Services for Blind Persons.

E. "Independent living services" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, as amended, 29 USC § 705(18).

F. "Individual with a disability" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, as amended, 29 USC § 705(20).

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

H. "Bureau of Services for Blind Persons" means the bureau created as a Type II agency within the Department of Licensing and Regulatory Affairs by Executive Order 2012-5, MCL 445.2033.

I. "Personal assistance services" means that phrase as defined under Section 7 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC § 705(28).

J. "State Plan" means the state plan for independent living jointly developed by the Council and centers for independent living as required by Section 704 of the Rehabilitation Act of 1973, as amended, 29 USC § 796c.

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

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

B. The Council shall include sixteen (16) members that provide statewide representation, represent a broad range of individuals with disabilities from diverse backgrounds and are knowledgeable about centers for independent living and independent living services.

C. The Council shall include the following eleven (11) voting members appointed by the Governor after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities:

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

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

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

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

5. Seven other residents of this state including residents who represent the underserved or tribal communities.

D. In addition to the voting members of the Council appointed under Section II.C., the Council shall include the following five (5) non-voting ex officio members:

1. The Director or designee of Michigan Rehabilitation Services.
2. The Director or designee of the Bureau of Services for Blind Persons.
3. A representative from the Michigan Department of Civil Rights, designated by the Director of the Michigan Department of Civil Rights, who works in the Division on Deaf, Deafblind and Hard of Hearing.
4. A representative from the Michigan Department Education, designated by the Superintendent of Public Instruction, who works in the Office of Special Education.
5. A representative from the Department of Health and Human Services, designated by the Director of the Department of Health and Human Services, with knowledge of all programs within the Department of Health and Human Services impacting individuals with disabilities.

E. Of the voting members of the Council initially appointed by the Governor under Section II.C., three (3) members shall be appointed for a term expiring on December 31, 2017, four (4) members shall be appointed for a term expiring on December 31, 2018, and the remaining four (4) members shall be appointed for a term expiring on December 31, 2019. After the initial appointments, members shall be appointed for terms of three (3) years.

F. A majority of the voting members of the Council must be individuals with disabilities, as defined by 34 CFR Part 364, and not employed by any state agency or center for independent living.

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

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

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

A. The Council shall do all of the following:

1. Jointly develop and sign, in conjunction with the centers for independent living, along with Michigan Rehabilitation Services and Bureau of Services for Blind Persons acting as the Designated State Entities for the resource plan, the State Plan in compliance with Section 704 of the Rehabilitation Act of 1973, as amended, 29 USC § 796c.
2. Monitor, review, and evaluate the implementation of the State Plan.
3. Ensure that all regularly scheduled meetings of the Council are open to the public and that sufficient advance notice is provided.
4. Work with centers for independent living to coordinate services with public and private entities to improve services provided to individuals with disabilities.
5. Conduct resource development activities to support the Council and the provision of independent living services by centers for independent living.
6. Submit reports to the United States Department of Health and Human Services as the Administrator of the Administration for Community Living may reasonably request. Keep records, and provide access to the records, as the Administrator finds necessary to verify the reports. Copies of any reports submitted under this paragraph shall be transmitted to the Governor and the members of the Council.
7. Perform other functions, consistent with the mission of the Council and state and federal law.

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

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

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

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

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

E. The Council shall prepare, in conjunction with the Designated State Entities, a resource plan for the provision of resources, including staff and personnel, as may be necessary and sufficient to carry out the State Plan, with funds made available under Title VII of the Rehabilitation Act of 1973, as amended, and under Section 110 of Rehabilitation Act of 1973, 29 USC § 730, consistent with Section 101(a)(18) of the Rehabilitation Act of 1973, 29 USC § 721(a)(18), and from other public and private sources. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the resource plan.

F. The Council shall supervise and evaluate staff and personnel performing duties for the Council under the resource plan adopted under Section IV.E. as may be necessary to carry out the functions of the Council under this Order.

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



H. In accordance with federal law, the Council may use resources available under the resource plan adopted under Section IV.H. to (1) reimburse members of the Council for reasonable and necessary expenses of attending Council meetings or (2) pay compensation to a member of the Council, if such member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing Council duties.

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

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

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

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

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

#### V. MISCELLANEOUS

A. Executive Order 2012-15 is rescinded. Executive Order 2007-49 is rescinded. Executive Order 1994-23, which was rescinded by Executive Order 2007-49, remains rescinded. Executive Order 1994-21, which was rescinded by Executive Order 1994-23, remains rescinded.

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

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

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

This Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 26th 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.

#### Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing  
Administrative Rules

May 19, 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 #2011-002-LR (Secretary of State Filing #16-05-02) on this date at 3:52 P.M. for the Department of Licensing and Regulatory Affairs entitled, "New and Existing School, College, and University Fire Safety."

These rules become effective 30 days after filing with the Secretary of State.

May 19, 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 #2015-011-LR (Secretary of State Filing #16-05-03) on this date at 3:51 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Land corner Recordation – General Rules".

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.

May 19, 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 #2015-077-HS (Secretary of State Filing #16-05-04) on this date at 3:51 P.M. for the Department of Health and Human Services entitled, "MSA Provider Hearings".

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.

May 24, 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 #2015-048-LR (Secretary of State Filing #16-05-05) on this date at 3:23 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Basic Local Exchange Service Customer Migration".

These rules become effective June 17, 2016.

May 25, 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 #2013-107-LR (Secretary of State Filing #16-05-06) on this date at 2:42 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Ionizing Radiation Rules Governing the Use of Radiation Machines".

These rules take effect upon filing with the Secretary of State of Michigan.

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

The communications were referred to the Clerk.

### Introduction of Bills

Rep. Plawecki introduced

**House Bill No. 5708, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2015 PA 139, and by adding section 22m.

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

Reps. Yanez, LaGrand, Cochran, Sarah Roberts, Liberati, Gay-Dagnogo, Wittenberg, Pagan, Darany and Chang introduced

**House Bill No. 5709, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 697 and 699 (MCL 168.697 and 168.699), section 699 as amended by 2012 PA 523, and by adding section 696a; and to repeal acts and parts of acts.

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

Reps. Greig, LaGrand, Vaupel, Graves, Irwin, Yanez, Townsend, LaVoy, Lucido, Yonker, Plawecki, Chang, Garrett, Pagan, Wittenberg, Zemke, Cochran, Liberati, Brinks, Canfield, Pagel and Love introduced

**House Bill No. 5710, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," (MCL 450.1101 to 450.2098) by adding

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

Reps. Vaupel, LaGrand, Graves, Irwin, Yanez, Greig, Townsend, LaVoy, Lucido, Yonker, Plawecki, Chang, Garrett, Pagan, Wittenberg, Zemke, Cochran, Liberati, Brinks, Canfield, Pagel, Iden and Love introduced

**House Bill No. 5711, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," (MCL 450.1101 to 450.2098) by adding section 961 to chapter 9A.

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

Reps. LaGrand, Greig, Vaupel, Graves, Irwin, Yanez, Townsend, LaVoy, Lucido, Yonker, Plawecki, Chang, Garrett, Pagan, Wittenberg, Zemke, Cochran, Liberati, Brinks, Canfield, Pagel and Love introduced

**House Bill No. 5712, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 105, 106, 131, 202, 211, 745, 746, and 762 (MCL 450.1105, 450.1106, 450.1131, 450.1202, 450.1211, 450.1745, 450.1746, and 450.1762), sections 105, 106, 202, 211, and 762 as amended by 2012 PA 569 and section 131 as amended and sections 745 and 746 as added by 2008 PA 402.

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

Reps. Graves, LaGrand, Vaupel, Irwin, Yanez, Greig, Townsend, LaVoy, Lucido, Yonker, Plawecki, Chang, Garrett, Pagan, Wittenberg, Zemke, Cochran, Liberati, Brinks, Canfield, Pagel and Love introduced

**House Bill No. 5713, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 911 (MCL 450.1911), as amended by 2012 PA 569.

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

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Rep. Lyons moved that the House adjourn.  
The motion prevailed, the time being 4:15 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Wednesday, June 1, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives