

No. 59
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2019

House Chamber, Lansing, Tuesday, June 11, 2019.

1:30 p.m.

The House was called to order by the Speaker.

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

Afendoulis—present	Filler—present	Kahle—present	Reilly—present
Albert—present	Frederick—present	Kennedy—present	Rendon—present
Alexander—present	Garrett—present	Koleszar—present	Robinson—present
Allor—present	Garza—present	Kuppa—present	Sabo—present
Anthony—present	Gay-Dagnogo—present	LaFave—present	Schroeder—present
Bellino—present	Glenn—present	LaGrand—present	Shannon—present
Berman—present	Green—present	Lasinski—present	Sheppard—present
Bolden—present	Greig—present	Leutheuser—present	Slagh—present
Bollin—present	Griffin—present	Liberati—present	Sneller—present
Brann—present	Guerra—present	Lightner—present	Sowerby—present
Brixie—present	Haadsma—present	Lilly—present	Stone—present
Byrd—present	Hall—present	Love—present	Tate—present
Calley—present	Hammoud—present	Lower—present	VanSingel—present
Cambensy—present	Hauck—present	Maddock—present	VanWoerkom—present
Camilleri—present	Hernandez—present	Manoogian—present	Vaupel—present
Carter, B.—present	Hertel—excused	Marino—present	Wakeman—present
Carter, T.—present	Hoadley—present	Markkanen—present	Warren—present
Chatfield—present	Hoitenga—present	Meerman—present	Webber—present
Cherry—present	Hood—present	Miller—present	Wendzel—present
Chirkun—present	Hope—present	Mueller—present	Wentworth—present
Clemente—present	Hornberger—present	Neeley—present	Whiteford—present
Cole—present	Howell—present	O'Malley—present	Whitsett—excused
Coleman—present	Huizenga—present	Pagan—present	Wittenberg—present
Crawford—present	Iden—present	Paquette—present	Witwer—present
Eisen—present	Inman—excused	Peterson—present	Wozniak—present
Elder—present	Johnson, C.—present	Pohutsky—present	Yancey—present
Ellison—present	Johnson, S.—present	Rabhi—present	Yaroch—present
Farrington—present	Jones—present		

e/d/s = entered during session

Rev. Charlotte H. Sommers, Pastor of Northminister Presbyterian Church in Troy, offered the following invocation:

“God of all people, although we address You with different names, the truth behind them all is Who You are. You are powerful in steadfast love. You level the ground with Your mercy. You open the door and welcome all to Your banquet of life.

We have much for which we are grateful. Thank You for creating us with bodies, minds and souls—not one like another, yet each one is beautiful and perfect. Thank You for human love and friendships, good work to do, and the rhythms of our days and seasons. Thank You for this one precious life we have to enjoy. May we never take it for granted.

As we do our best to follow in the footsteps of Your goodness, we confess that more often than not, we get distracted and lose our way. But You always seem to find us, and we pray return us to the path which is true and honorable.

As we begin this meeting today, awaken us from our waking sleep – from any negativity, cynicism, or complacency. Be our light, our solid foundation, our clear vision, and our voice. Love us lavishly, so we will love others. Shelter us, so we will be a shelter for the shattered and vulnerable. Bless the time and talents You have given us to contribute to the good of our communities, our state, our nation and Your world.

God, now grant that Your loving and wise Spirit, may overflow in every human heart, so that which divides may crumble, our suspicions may disappear, our hatreds may cease and we may be healed to live in peace. We believe this is Your dream for us and for all people, and so we promise to work this day and always for justice and peace, shanti, shalom, salaam. In Your holy name, may it be so. Amen.”

Rep. Rabhi moved that Reps. Hertel and Whitsett be excused from today’s session.
The motion prevailed.

Rep. Whiteford moved that Rep. Inman be excused from today’s session.
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

Motions and Resolutions

Reps. Tate, Calley, Clemente, Crawford, Garza, Hope, Love, Sabo, Sneller, Sowerby, Stone, Wittenberg and Witwer offered the following resolution:

House Resolution No. 122.

A resolution to declare June 12, 2019, as Women Veterans Recognition Day in the state of Michigan.

Whereas, Women have proudly served their country throughout all periods of the history of the United States, whether disguised as male soldiers during the American Revolution and Civil War, as nurses in World War I, or as combat helicopter pilots in Afghanistan; and

Whereas, Women have formally been a part of the United States Armed Forces since the inception of the Army Nurse Corps in 1901, but have informally served since the inception of our nation’s military; and

Whereas, During the American Revolution, women served on the battlefield alongside the men, mainly as nurses, water bearers, often called “Molly Pitchers,” cooks, laundresses, and saboteurs. Despite Army regulations that only men could enlist, women who wanted to join in the fighting circumvented the rules by masquerading as young men or boys; and

Whereas, In 1917, the Navy announced it would open enlistment to women. About 12,000 female yeomen entered the Navy and filled a variety of jobs, including draftsmen, interpreters, couriers, and translators; and

Whereas, Three hundred seven women enlisted in the Marine Corps during World War I. Like their sisters in the Navy, they were limited to the enlisted ranks and worked mainly in Washington, D.C., doing various administrative jobs. Women’s service contributions in World War I showed that they either had, or could quickly learn, nontraditional skills needed by the military; and

Whereas, Following Pearl Harbor, Congress authorized new women’s components for each of the services and increased the number of active duty positions in the Army and Navy Nurse Corps. In May 1942, the

Army was given the authority to establish the Women’s Army Auxiliary Corps, also known as the WAACs. The Navy, Coast Guard, and Marine Corps followed suit, but rather than making women an auxiliary component, they opted to enroll them in the reserves on the same basis as their male counterparts, while the Army Air Forces enlisted nearly 1,100 female civilian volunteers who earned their silver wings as Women Airforce Service Pilots (WASP); and

Whereas, At the end of World War II in 1945, of the approximately 12 million people remaining in the Armed Forces, about 280,000 were women; and

Whereas, With the passage of the Women’s Armed Services Integration Act of 1948, women became a permanent part of the United States military, but women continued to be restricted to 2 percent of the military population. That restriction was finally lifted in 1967 with the amendment of the Women’s Armed Services Integration Act, which also opened senior officer ranks to women; and

Whereas, The early 1990s were a historic time for women in the military with over 40,000 women deploying in support of the Persian Gulf War, making women service members more visible in the eyes of the public. In addition, the Defense Authorization Act in 1992 repealed combat exclusion laws that had prevented women from flying combat aircrafts; and

Whereas, Women who have served in the United States military are often referred to as “invisible veterans” because their service contributions, until the 1970s, went largely unrecognized by politicians, the media, academia, and the general public; and

Whereas, Even though women have been officially serving in the military since the creation of the Army Nurse Corps in 1901, they have not always been considered qualified for veteran status for the purpose of receiving benefits from the Department of Veterans Affairs. Even after women were granted veteran status, issues of access, exclusion, and improper management of their health care still remained; and

Whereas, It was not until well after World War II that women who served in the military began to officially be recognized as veterans; and

Whereas, In the late 1970s and early 1980s, many of the contributions made by women in World War II were formally recognized through laws that granted these women with veteran status for their time in service. This opened the doors for women to take advantage of programs, opportunities, and benefits from the federal and state governments, the Department of Veterans Affairs, and other veteran service organizations; and

Whereas, The 1980 decennial census marked the first time that information on women veterans was ever captured in a large national survey. At the time of the 1980 decennial census, women made up just over 2 percent of the veteran population. Today, that proportion has increased to almost 8 percent; and

Whereas, Over the past 20 years, the Veterans Health Administration (VHA) has introduced initiatives designed to improve health care access and quality of care for women veterans; and

Whereas, In 2008, VHA’s Women Veterans Health Strategic Health Care Group began a five-year plan to redesign the nation’s health care delivery system for women. A fundamental component of this plan was to ensure that all women veterans had access to comprehensive primary care from skilled women’s health providers; and

Whereas, There are currently over 2 million women veterans living in the United States and Puerto Rico. Of this number, nearly 44,000 make Michigan their home; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 12, 2019, as Women Veterans Recognition Day in the state of Michigan. We urge all Michiganders to honor women veterans on this momentous occasion.

The question being on the adoption of the resolution,
The resolution was adopted.

Third Reading of Bills

Senate Bill No. 112, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2918 (MCL 600.2918), as amended by 2014 PA 223.

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

Roll Call No. 111

Yeas—107

Afendoulis	Farrington	Kahle	Reilly
Albert	Filler	Kennedy	Rendon
Alexander	Frederick	Koleszar	Robinson
Allor	Garrett	Kuppa	Sabo

Anthony	Garza	LaFave	Schroeder
Bellino	Gay-Dagnogo	LaGrand	Shannon
Berman	Glenn	Lasinski	Sheppard
Bolden	Green	Leutheuser	Slagh
Bollin	Greig	Liberati	Sneller
Brann	Griffin	Lightner	Sowerby
Brixie	Guerra	Lilly	Stone
Byrd	Haadsma	Love	Tate
Calley	Hall	Lower	VanSingel
Cambensy	Hammoud	Maddock	VanWoerkom
Camilleri	Hauck	Manoogian	Vaupel
Carter, B.	Hernandez	Marino	Wakeman
Carter, T.	Hoadley	Markkanen	Warren
Chatfield	Hoitenga	Meerman	Webber
Cherry	Hood	Miller	Wendzel
Chirkun	Hope	Mueller	Wentworth
Clemente	Hornberger	Neeley	Whiteford
Cole	Howell	O'Malley	Wittenberg
Coleman	Huizenga	Pagan	Witwer
Crawford	Iden	Paquette	Wozniak
Eisen	Johnson, C.	Peterson	Yancey
Elder	Johnson, S.	Pohutsky	Yaroch
Ellison	Jones	Rabhi	

Nays—0

In The Chair: Wentworth

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 4229, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Brixie moved to amend the bill as follows:

1. Amend page 3, line 19, by striking out “\$589,500” and inserting “\$596,700”.
2. Amend page 3, line 22, by striking out all of line 22 and inserting:
“Emergency management--5.0 FTE positions 1,301,300”.
3. Amend page 3, line 23, by striking out “\$2,932,300” and inserting “\$2,958,700”.

4. Amend page 4, line 12, by striking out "\$1,407,300" and inserting "\$1,812,800".
5. Amend page 4, line 27, by striking out "\$16,690,100" and inserting "\$16,824,500".
6. Amend page 5, line 1, by striking out "\$5,460,300" and inserting "\$5,510,700".
7. Amend page 5, line 16, by striking out "\$9,379,700" and inserting "\$9,465,100".
8. Amend page 6, line 5, by striking out "\$14,238,900" and inserting "\$14,512,100".
9. Amend page 6, line 26, by striking out "\$10,309,700" and inserting "\$10,344,700".
10. Amend page 7, line 1, by striking out "\$1,552,600" and inserting "\$1,566,600".
11. Amend page 7, line 2, by striking out "\$813,600" and inserting "\$822,000".
12. Amend page 7, line 3, by striking out "\$1,286,000" and inserting "\$1,298,600".
13. Amend page 7, line 4, by striking out "\$2,668,500" and inserting "\$2,681,100".
14. Amend page 7, line 5, by striking out "\$965,600" and inserting "\$974,700".
15. Amend page 7, line 24, by striking out "\$1,336,600" and inserting "\$1,355,600".
16. Amend page 7, line 25, by striking out "\$6,811,300" and inserting "\$6,868,300".
17. Amend page 7, line 26, by striking out "\$7,169,900" and inserting "\$7,226,900".
18. Amend page 8, line 24, by striking out "\$4,305,700" and inserting "\$4,323,900" and adjusting the subtotals, totals, and section 201 accordingly.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4229, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Roll Call No. 112

Yeas—58

Afendoulis	Frederick	LaFave	Rendon
Albert	Glenn	Leutheuser	Schroeder
Alexander	Green	Lightner	Sheppard
Allor	Griffin	Lilly	Slagh
Bellino	Hall	Lower	VanSingel
Berman	Hauck	Maddock	VanWoerkom
Bollin	Hernandez	Marino	Vaupel
Brann	Hoitenga	Markkanen	Wakeman
Calley	Hornberger	Meerman	Webber
Chatfield	Howell	Miller	Wendzel
Cole	Huizenga	Mueller	Wentworth
Crawford	Iden	O'Malley	Whiteford
Eisen	Johnson, S.	Paquette	Wozniak
Farrington	Kahle	Reilly	Yaroch
Filler	Kennedy		

Nays—49

Anthony	Ellison	Jones	Rabhi
Bolden	Garrett	Koleszar	Robinson
Brixie	Garza	Kuppa	Sabo
Byrd	Gay-Dagnogo	LaGrand	Shannon

Cambensy	Greig	Lasinski	Sneller
Camilleri	Guerra	Liberati	Sowerby
Carter, B.	Haadsma	Love	Stone
Carter, T.	Hammoud	Manoogian	Tate
Cherry	Hoadley	Neeley	Warren
Chirkun	Hood	Pagan	Wittenberg
Clemente	Hope	Peterson	Witwer
Coleman	Johnson, C.	Pohutsky	Yancey
Elder			

In The Chair: Wentworth

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4238, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Kennedy moved to amend the bill as follows:

1. Amend page 2, line 12, by striking out “3,271,600” and inserting “3,276,700”.
2. Amend page 2, line 14, by striking out “6,505,300” and inserting “6,579,500”.
3. Amend page 2, line 16, by striking out “1,325,600” and inserting “1,342,500”.
4. Amend page 2, line 17, by striking out “4,298,600” and inserting “4,818,000”.
5. Amend page 2, line 18, by striking out “1,854,600” and inserting “1,876,500”.
6. Amend page 2, line 20, by striking out “5,466,800” and inserting “5,468,500”.
7. Amend page 2, line 23, by striking out “11,466,600” and inserting “11,574,500”.
8. Amend page 2, line 24, by striking out “14,224,100” and inserting “14,379,200”.
9. Amend page 3, line 15, by striking out “6,505,300” and inserting “6,579,500”.
10. Amend page 4, line 2, by striking out “24,835,200” and inserting “25,130,300”.
11. Amend page 4, line 8, by striking out “8,952,400” and inserting “8,959,100”.
12. Amend page 5, line 7, by striking out “1,264,200” and inserting “1,276,000”.
13. Amend page 5, line 13, by striking out “8,227,900” and inserting “8,332,400”.
14. Amend page 6, line 8, by striking out “6,602,900” and inserting “6,604,600”.
15. Amend page 6, line 9, by striking out “10,191,600” and inserting “10,200,000”.
16. Amend page 6, line 16, by striking out “10,191,600” and inserting “10,200,000”.
17. Amend page 6, line 18, by striking out “6,602,900” and inserting “6,604,600” and adjusting the subtotals, totals, and section 201 accordingly.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4238, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Roll Call No. 113**Yeas—58**

Afendoulis	Frederick	Leutheuser	Schroeder
Albert	Glenn	Lightner	Sheppard
Alexander	Green	Lilly	Slagh
Allor	Griffin	Lower	Sowerby
Bellino	Hall	Maddock	VanSingel
Berman	Hauck	Marino	VanWoerkom
Bollin	Hernandez	Markkanen	Vaapel
Brann	Hoitenga	Meerman	Wakeman
Calley	Hornberger	Miller	Webber
Chatfield	Howell	Mueller	Wendzel
Cole	Huizenga	O'Malley	Wentworth
Crawford	Iden	Paquette	Whiteford
Eisen	Johnson, S.	Reilly	Wozniak
Farrington	Kahle	Rendon	Yaroch
Filler	LaFave		

Nays—49

Anthony	Ellison	Jones	Pohutsky
Bolden	Garrett	Kennedy	Rabhi
Brixie	Garza	Koleszar	Robinson
Byrd	Gay-Dagnogo	Kuppa	Sabo
Cambensy	Greig	LaGrand	Shannon
Camilleri	Guerra	Lasinski	Sneller
Carter, B.	Haadsma	Liberati	Stone
Carter, T.	Hammoud	Love	Tate
Cherry	Hoadley	Manoogian	Warren
Chirkun	Hood	Neeley	Wittenberg
Clemente	Hope	Pagan	Witwer
Coleman	Johnson, C.	Peterson	Yancey
Elder			

In The Chair: Wentworth

The House agreed to the title of the bill.

Second Reading of Bills**House Bill No. 4616, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

The bill was read a second time.

Rep. Hernandez moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4616, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Roll Call No. 114

Yeas—58

Afendoulis	Frederick	LaFave	Rendon
Albert	Glenn	Leutheuser	Schroeder
Alexander	Green	Lightner	Sheppard
Allor	Griffin	Lilly	Slagh
Bellino	Hall	Lower	VanSingel
Berman	Hauck	Maddock	VanWoerkom
Bollin	Hernandez	Marino	Vaupel
Brann	Hoitenga	Markkanen	Wakeman
Calley	Hood	Meerman	Webber
Chatfield	Hornberger	Miller	Wendzel
Cole	Howell	Mueller	Wentworth
Crawford	Huizenga	O'Malley	Whiteford
Eisen	Iden	Paquette	Wozniak
Farrington	Johnson, S.	Reilly	Yaroch
Filler	Kahle		

Nays—49

Anthony	Ellison	Kennedy	Rabhi
Bolden	Garrett	Koleszar	Robinson
Brixie	Garza	Kuppa	Sabo
Byrd	Gay-Dagnogo	LaGrand	Shannon
Cambensy	Greig	Lasinski	Sneller
Camilleri	Guerra	Liberati	Sowerby
Carter, B.	Haadsma	Love	Stone
Carter, T.	Hammoud	Manoogian	Tate
Cherry	Hoadley	Neeley	Warren
Chirkun	Hope	Pagan	Wittenberg
Clemente	Johnson, C.	Peterson	Witwer
Coleman	Jones	Pohutsky	Yancey
Elder			

In The Chair: Wentworth

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4615, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

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

Rep. Love moved to amend the bill as follows:

1. Amend page 21, following line 11, by inserting:

“Sec. 227. (1) The department shall work to increase the diversity of its ranks, with a focus on recruitment activities and public outreach.

(2) By September 30, 2020, the department shall submit a report to the subcommittees and the senate and house fiscal agencies detailing activities that the department conducted in fiscal year 2019-2020 to recruit individuals that will enhance the department’s diversity.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Tate moved to amend the bill as follows:

1. Amend page 2, line 24, by striking out “38,457,000” and inserting “38,540,700”.
2. Amend page 2, line 26, by striking out “53,865,100” and inserting “53,948,800”.
3. Amend page 4, line 19, by striking out “49,922,300” and inserting “50,006,000”.
4. Amend page 7, line 7, by striking out “2,289.0” and inserting “2,314.0”.
5. Amend page 7, line 9, by striking out “2,088.5” and inserting “2,113.5”.
6. Amend page 7, line 9, by striking out “326,286,600” and inserting “328,147,800”.
7. Amend page 7, line 11, by striking out “367,342,400” and inserting “369,203,600”.
8. Amend page 8, line 13, by striking out “301,157,100” and inserting “303,018,300”.
9. Amend page 10, line 2, by striking out “21,329,500” and inserting “21,338,200”.
10. Amend page 10, line 3, by striking out “21,329,500” and inserting “21,338,200”.
11. Amend page 11, line 15, by striking out “10,458,700” and inserting “10,467,400”.
12. Amend page 11, line 20, by striking out “2,368,800” and inserting “4,737,600”.
13. Amend page 11, line 21, by striking out “3,735,500” and inserting “6,104,300”.
14. Amend page 11, line 23, by striking out “3,735,500” and inserting “6,104,300” and adjusting the subtotals, totals, and section 201 accordingly.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4615, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Roll Call No. 115

Yeas—57

Afendoulis	Frederick	LaFave	Rendon
Albert	Glenn	Leutheuser	Schroeder
Alexander	Green	Lightner	Sheppard
Allor	Griffin	Lilly	Slagh
Bellino	Hall	Lower	VanSingel
Berman	Hauck	Maddock	VanWoerkom
Bollin	Hernandez	Marino	Vaupel
Brann	Hoitenga	Markkanen	Wakeman
Calley	Hornberger	Meerman	Webber
Chatfield	Howell	Miller	Wendzel
Cole	Huizenga	Mueller	Wentworth

Crawford	Iden	O'Malley	Whiteford
Eisen	Johnson, S.	Paquette	Wozniak
Farrington	Kahle	Reilly	Yaroch
Filler			

Nays—50

Anthony	Ellison	Kennedy	Rabhi
Bolden	Garrett	Koleszar	Robinson
Brixie	Garza	Kuppa	Sabo
Byrd	Gay-Dagnogo	LaGrand	Shannon
Cambensy	Greig	Lasinski	Sneller
Camilleri	Guerra	Liberati	Sowerby
Carter, B.	Haadsma	Love	Stone
Carter, T.	Hammoud	Manoogian	Tate
Cherry	Hoadley	Neeley	Warren
Chirkun	Hood	Pagan	Wittenberg
Clemente	Hope	Peterson	Witwer
Coleman	Johnson, C.	Pohutsky	Yancey
Elder	Jones		

In The Chair: Wentworth

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4231, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Markkanen moved to amend the bill as follows:

1. Amend page 20, line 20, after "enhancements," by striking out "Ojibway Correctional Facility closure costs and site maintenance,".

2. Amend page 21, line 9, after "(g)" by striking out the balance of the subsection and inserting "\$250,000.00 for retrofitting parts or all of the former Ojibway Correctional Facility to be used as a training academy for corrections officers.".

3. Amend page 22, line 2, after "(vii)" by striking out the balance of the subparagraph and inserting "To provide a new training academy for corrections officers.".

4. Amend page 22, line 7, by striking out "\$14,460,500.00" and inserting "\$14,610,500.00".

5. Amend page 22, line 9, after "(1)" by striking out the balance of the section and inserting "From the repurposed work project appropriation of \$250,000.00 for retrofitting parts or all of the former Ojibway Correctional Facility, funding shall be used by the department to retrofit parts or all of the former Ojibway Correctional Facility to be used as a training academy for corrections officers. The new training academy must have classrooms, administrative offices, a gymnasium, a cafeteria, lodging facilities, an outdoor training area, and a firearm range.

(2) If costs of retrofitting parts or all of the former Ojibway Correctional Facility exceed \$250,000.00, the department shall notify the senate and house appropriations committees, the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget office of the amount of funding needed to complete the retrofitting project. It is the intent of the legislature that the department utilize an amount of unexpended and unencumbered work project account balances sufficient to cover the costs of completing the retrofitting project.".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Albert moved to amend the bill as follows:

- 1. Amend page 36, following line 12, by inserting:

“Sec. 413. (1) From the funds appropriated in part 1 for public safety initiative, the county sheriff of the county receiving the funding under part 1 shall report a detailed listing of expenditures made for the prior three fiscal years. The report must be submitted by February 1 to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office and must include the purpose for which the expenditures were made, the amounts of expenditures by purpose, specific services that were provided, and number of individuals served.

(2) If requested by the senate and house of representatives appropriations subcommittees on corrections, the county sheriff of the county receiving the funding under part 1 shall appear before the subcommittees to discuss the expenditure report required under subsection (1). The subcommittees will work with the county sheriff to determine when the meeting will occur.”.

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

Rep. Mueller moved to amend the bill as follows:

- 1. Amend page 3, following line 26, by inserting:

“Public safety initiative 4,000,000”
 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Markkanen moved to amend the bill as follows:

- 1. Amend page 22, line 14, after “minimum” by striking out “3” and inserting “4”.
- 2. Amend page 22, line 14, after “and” by striking out “1 location” and inserting “2 locations”.
- 3. Amend page 22, line 15, after “Facility” by inserting “and the former Ojibway Correctional Facility”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Hoadley moved to amend the bill as follows:

- 1. Amend page 45, following line 5, by inserting:

“Sec. 602. (1) From the funds appropriated in part 1 to field operations, the department shall conduct or contract for a study of parole and probation agent workloads. The study must analyze parole and probation agent workloads, caseloads, and responsibilities and provide recommendations for changes to workload computations and offender-to-agent workloads or caseload ratios.

(2) By April 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the progress of the study, including a status of study timelines, objectives, and methodologies.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Anthony moved to amend the bill as follows:

- 1. Amend page 28, following line 11, by inserting:

“(3) It is the intent of the legislature that the department resume staff line-ups, which require corrections officers to report not less than 6 minutes before start time for a shift so that custody supervisors can share relevant information about the preceding shift, including security, safety, drug, or violence issues, and can evaluate the mental, emotional, and physical fitness of corrections officers reporting to assume duties of the shift.” and renumbering the remaining subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Love moved to amend the bill as follows:

- 1. Amend page 3, following line 22, by inserting:

“Goodwill Flip the Script..... 1,500,000”
 and adjusting the subtotals, totals, and section 201 accordingly.

- 2. Amend page 45, following line 4, by inserting:

“Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip the Script shall be distributed to a Michigan-chartered 501(c)(3) nonprofit corporation operating in a county with greater than 1,500,000 people for administration and expansion of a program which serves a population of persons aged 16 to 39. The program shall target those who are entering the criminal justice system for the first or second time and shall assist those individuals through the following program types:

- (a) Alternative sentencing programs in partnership with a local district or circuit court.
- (b) Educational recovery for special adult populations with high rates of illiteracy.
- (c) Career development and continuing education for women.

(2) The program selected shall report by March 30 to the department, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report shall include program performance measurements, the number of individuals diverted from incarceration, the number of individuals served, and outcomes of participants who complete the program.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4231, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Roll Call No. 116

Yeas—56

Afendoulis	Filler	LaFave	Rendon
Albert	Frederick	Leutheuser	Schroeder
Alexander	Glenn	Lightner	Sheppard
Allor	Green	Lilly	Slagh
Bellino	Griffin	Lower	VanSingel
Berman	Hauck	Maddock	VanWoerkom
Bollin	Hernandez	Marino	Vaupel
Brann	Hoitenga	Markkanen	Wakeman
Calley	Hornberger	Meerman	Webber
Chatfield	Howell	Miller	Wendzel
Cole	Huizenga	Mueller	Wentworth
Crawford	Iden	O'Malley	Whiteford
Eisen	Johnson, S.	Paquette	Wozniak
Farrington	Kahle	Reilly	Yaroch

Nays—51

Anthony	Ellison	Jones	Rabhi
Bolden	Garrett	Kennedy	Robinson
Brixie	Garza	Koleszar	Sabo
Byrd	Gay-Dagnogo	Kuppa	Shannon
Cambensy	Greig	LaGrand	Sneller
Camilleri	Guerra	Lasinski	Sowerby
Carter, B.	Haadsma	Liberati	Stone
Carter, T.	Hall	Love	Tate
Cherry	Hammoud	Manoogian	Warren
Chirkun	Hoadley	Neeley	Wittenberg
Clemente	Hood	Pagan	Witwer
Coleman	Hope	Peterson	Yancey
Elder	Johnson, C.	Pohutsky	

In The Chair: Wentworth

The House agreed to the title of the bill.

Second Reading of Bills

Pending the Second Reading of
House Bill No. 4240, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

Rep. Cole moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.



Rep. Cole 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 bill had been reproduced and made available electronically on Thursday, June 6:

House Bill No. 4694

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, June 11:

Senate Bill Nos. 365 366 367

Messages from the Senate

House Bill No. 4304, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2, 5a, and 26 (MCL 552.602, 552.605a, and 552.626), section 2 as amended by 2015 PA 256 and sections 5a and 26 as amended by 2002 PA 572.

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. 4305, entitled

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending sections 2, 2a, 17, and 19 (MCL 552.502, 552.502a, 552.517, and 552.519), section 2 as amended by 2015 PA 253 and sections 2a, 17, and 19 as amended by 2009 PA 233.

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.

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Transportation, by Rep. O’Malley, Chair, referred

House Bill No. 4570, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 32 (MCL 250.1032).

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma and Shannon

Nays: None

The bill was referred to the Committee on Ways and Means.

The Committee on Transportation, by Rep. O'Malley, Chair, referred

House Bill No. 4572, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2081) by adding section 1091.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma and Shannon

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Transportation, by Rep. O'Malley, Chair, referred

House Bill No. 4611, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2081) by adding section 1089.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma and Shannon

Nays: None

The bill was referred to the Committee on Ways and Means.

The Committee on Transportation, by Rep. O'Malley, Chair, referred

Senate Bill No. 169, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1084.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma and Shannon

Nays: None

The bill was referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. O'Malley, Chair, of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma and Shannon

The Committee on Regulatory Reform, by Rep. Webber, Chair, referred

House Bill No. 4548, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 13h.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Cambensy, Jones and Garza

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Regulatory Reform, by Rep. Webber, Chair, referred

Senate Bill No. 294, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 13h.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Cambensy, Jones and Garza

Nays: Rep. Liberati

The bill and substitute were referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Webber, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza and Robinson

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred

House Bill No. 4389, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by amending the heading of subpart 1 of part 147 and by adding sections 14701, 14703, 14705, and 14707.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Howell, Wakeman, Calley, Rendon, Eisen, Sowerby, Cambensy and Pohutsky

Nays: Rep. Reilly

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred

House Bill No. 4390, entitled

A bill to amend 1966 PA 291, entitled “Firefighters training council act,” by amending sections 2 and 9 (MCL 29.362 and 29.369), as amended by 2017 PA 144, and by adding section 9c.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Howell, Wakeman, Calley, Rendon, Eisen, Sowerby, Cambensy and Pohutsky

Nays: Rep. Reilly

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred

House Bill No. 4391, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 14 (MCL 408.1014), as amended by 2012 PA 415, and by adding section 14r.

to the Committee on Ways and Means with the recommendation that the substitute (H-2) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Howell, Wakeman, Calley, Eisen, Sowerby, Cambensy and Pohutsky

Nays: Reps. Reilly and Rendon

The bill and substitute were referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 11, 2019

Present: Reps. Howell, Wakeman, Calley, Reilly, Rendon, Eisen, Sowerby, Cambensy and Pohutsky

The Committee on Government Operations, by Rep. Sheppard, Chair, reported

House Bill No. 4694, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2018 PA 482.

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. Sheppard, Cole, Lilly and Rabhi

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheppard, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. Sheppard, Cole, Lilly and Rabhi

Absent: Rep. Greig

Excused: Rep. Greig

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

House Bill No. 4374, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

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. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

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

House Bill No. 4376, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2016 PA 35.

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. Filler, LaFave, Farrington, Howell, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: Rep. Steven Johnson

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

House Bill No. 4377, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 3b. 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. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

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

House Bill No. 4383, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 478b.

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. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Filler, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

The Committee on Ways and Means, by Rep. Iden, Chair, reported

House Bill No. 4336, entitled

A bill to amend 2003 PA 1, entitled "An act to provide for the audit and examination of this state and state funds; to provide for the audit and examination of the books and accounts of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions of this state; to prescribe powers and duties of certain state officers and employees; to provide for access to certain records; to provide for the subpoena of witnesses and production of documents and records; to prescribe penalties; and to provide for the administration of this act," by amending the title and section 1 (MCL 13.101).

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd and Neeley

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

House Bill No. 4408, entitled

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 27 (MCL 123.1157).

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd and Neeley

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

House Bill No. 4574, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," (MCL 8.1 to 8.9) by adding section 6a.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd and Neeley

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

Senate Bill No. 192, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2015 PA 11.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd and Neeley

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

Senate Bill No. 193, entitled

A bill to amend 2006 PA 384, entitled “Driver education provider and instructor act,” by amending section 39 (MCL 256.659), as amended by 2010 PA 16.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd and Neeley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Iden, Chair, of the Committee on Ways and Means, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd and Neeley

Absent: Rep. Hertel

Excused: Rep. Hertel

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hornberger, Chair, of the Committee on Education, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O’Malley, Wakeman, Camilleri, Sowerby, Brenda Carter, Tyrone Carter, Koleszar and Stone

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFave, Chair, of the Committee on Military, Veterans and Homeland Security, was received and read:

Meeting held on: Tuesday, June 11, 2019

Present: Reps. LaFave, Mueller, Marino, Afendoulis, Markkanen, Jones, Chirkun, Tyrone Carter and Manoogian

Notices

June 6, 2019

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
PO Box 30014
Lansing, MI 48909

Dear Mr. Clerk,

Pursuant to Public Act 549 of 2008, I am appointing the following individual to the Benton Harbor Promise Zone Authority for a four year term beginning June 6, 2019.

Mr. Jerry Price
575 East Britain Ave.
Benton Harbor, Michigan 49022
(269) 277-0436

If you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,
Lee Chatfield
Speaker
Michigan House of Representatives

June 10, 2019

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
PO Box 30014
Lansing, MI 48909

Dear Mr. Clerk,

Pursuant to Public Act 549 of 2008, I am appointing the following individual to the Grand Rapids Promise Zone Authority for a four year term beginning June 10, 2019.

Mr. J.C. Huizenga

If you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,
Lee Chatfield
Speaker
Michigan House of Representatives

Messages from the Governor

Date: June 7, 2019
Time: 9:21 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4066 (Public Act No. 19, I.E.), being

An act to amend 1941 PA 207, entitled “An act to provide for the prevention of fires and the protection of persons and property from exposure to the dangers of fire or explosion; to authorize the investigation of fires and the discovery of crime or other offenses in relation thereto; to require the razing, repair, or alteration of buildings, and the clearing and improvement of premises which constitute a fire hazard or a menace to the peace, security, or safety of persons or property; to control the construction, use, and occupancy of buildings and premises in relation to safety, including fire safety; to provide for the certification of fire inspectors and the delegation of certain powers to those certified fire inspectors; to provide for the regulation of the storage and transportation of hazardous material; to provide for the issuance of certificates; to prohibit the use of certain fire extinguishers and fire extinguishing agents; to provide immunity from liability for certain persons; to provide for the administration and enforcement of this act; to prescribe penalties; to provide for the promulgation of rules; to provide for the assessment of fees; and to repeal acts and parts of acts,” (MCL 29.1 to 29.33) by adding section 3d.

(Filed with the Secretary of State June 7, 2019, at 10:06 a.m.)

Date: June 7, 2019
Time: 9:23 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4067 (Public Act No. 20, I.E.), being

An act to amend 1972 PA 230, entitled “An act to create a construction code commission and prescribe its functions; to authorize the director to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings and structures affected by the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish penalties, remedies, and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation,” (MCL 125.1501 to 125.1531) by adding section 4h.

(Filed with the Secretary of State June 7, 2019, at 10:08 a.m.)

Date: June 11, 2019
Time: 2:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4397 (Public Act No. 22, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety

companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending sections 3009, 3109a, 3111, 3116, 3135, and 3151 (MCL 500.3009, 500.3109a, 500.3111, 500.3116, 500.3135, and 500.3151), section 3009 as amended by 2016 PA 346, section 3109a as amended by 2012 PA 454, and section 3135 as amended by 2012 PA 158, and by adding sections 2111f, 3107c, and 3107d.

(Filed with the Secretary of State June 11, 2019, at 3:24 p.m.)

The following message from the Governor was received June 6, 2019 and read:

EXECUTIVE ORDER

No. 2019-13

**Department of Education
 Department of Health and Human Services
 Department of Licensing and Regulatory Affairs
 Department of Talent and Economic Development
 Department of Technology, Management and Budget
 Department of Treasury**

Department of Labor and Economic Opportunity

Executive Reorganization

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 2 of article 5 of the Michigan Constitution of 1963 empowers the governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the governor considers necessary for efficient administration.

A strong economy requires a concentration of talent. State government must ensure that every Michigander has opportunity through a path to skills that lead to a good job.

Michigan needs increased focus on providing resources and supporting efforts to increase the skill levels of Michigan workers as the skills needed to compete for well-paying jobs are rapidly changing.

As workplaces evolve, many Michiganders will need to acquire new skills to advance—or even just to keep their current jobs.

The talent development efforts of Michigan state government will benefit from greater coordination and a focus on achieving the statewide goal of increasing the number of Michigan residents between the ages of 16 and 64 with a post-secondary credential to 60 percent by 2030.

Successful talent development programs can be further improved and enhanced by close coordination with local workforce development boards.

Streamlining these programs and including services and programs that protect and promote our skilled and talented labor market will help to provide greater efficiencies and opportunities to engage with job providers and employees.

Strengthening and aligning economic development activities with talent development and training opportunities will assist in meeting the needs of Michigan's job providers and provide enhanced opportunities for Michigan workers.

Changing the organization of the executive branch of state government is necessary in the interests of efficient administration and effectiveness of government.

Acting pursuant to the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Creating the Department of Labor and Economic Opportunity

- (a) The Department of Talent and Economic Development is renamed as the Department of Labor and Economic Opportunity (the "Department").
- (b) The Department shall exercise the authorities, powers, duties, functions, and responsibilities vested in the Department by this order and otherwise by law.
- (c) After the effective date of this order, a reference to the former Department of Talent and Economic Development will be deemed to be a reference to the Department.
- (d) After the effective date of this order, a reference to the director of the former Department of Talent and Economic Development will be deemed to be a reference to the director of the Department.
- (e) The director of the Department shall coordinate efforts of the executive branch of state government to achieve a statewide goal of increasing the number of Michigan residents between the ages of 16 and 64 with a post-secondary credential to 60 percent by 2030.
- (f) The director of the Department will continue to serve as a member of the governor's cabinet.

2. Department Transfers

- (a) Michigan State Housing Development Authority
 - (1) The Michigan State Housing Development Authority created under section 21 of the State Housing Development Authority Act, 1966 PA 346, as amended, MCL 125.1421, is transferred by Type IV transfer to the Department.
 - (2) The Michigan State Housing Development Authority will be the appointing authority for employees of the Michigan State Housing Development Authority.
 - (3) The transfer of the Michigan State Housing Development Authority under section 2(a)(1) is subject to any agreement executed before the issuance of this order with note holders, bond holders, or issuers of instruments that are guaranteed.
 - (4) This order does not affect the status of money of the Michigan State Housing Development Authority. Money of the Michigan State Housing Development Authority is not money of this state and will continue to be non-state funds. State money appropriated to the Michigan State Housing Development Authority will continue to lose its status as state money upon payment to the Michigan State Housing Development Authority and become public money of the Michigan State Housing Development Authority under the control of the Michigan State Housing Development Authority. Funds established by or within the Michigan State Housing Development Authority will continue to be public trust funds administered by the Michigan State Housing Development Authority.
 - (5) This order does not impair the obligation of any bond or note issued by or on behalf of the Michigan State Housing Development Authority. Bonds and notes issued by or on behalf of the Michigan State Housing Development Authority are obligations of the Michigan State Housing Development Authority and not obligations of this state.
 - (6) The Michigan State Housing Development Authority shall continue to coordinate activities relating to investments of the Michigan State Housing Development Authority with the Department of Treasury when responsibilities relating to investments are vested in the state treasurer or the Department of Treasury under the State Housing Development Authority Act of 1966, 1966 PA 346, as amended, MCL 125.1401 to 125.1499c.
 - (7) One of the positions on the Michigan State Housing Development Authority for one of three heads of principal departments of the executive branch of state government under section 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, as amended, MCL 125.1421, is transferred to the director of the Department. The director of the Department will serve as an *ex officio*, voting member of the Michigan State Housing Development Authority. The director of the Department may designate an individual from within the Department to serve on the director's behalf under this section 2(a)(7).
 - (8) The second of the positions on the Michigan State Housing Development Authority for one of three heads of principal departments of the executive branch of state government under section 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, as amended, MCL 125.1421, is

transferred to the state treasurer. The state treasurer will serve as an *ex officio*, voting member of the Michigan State Housing Development Authority. The state treasurer may designate an individual from within the Department of Treasury to serve on the state treasurer's behalf under this section 2(a)(8).

- (9) The third of the positions on the Michigan State Housing Development Authority for one of three heads of principal departments of the executive branch of state government under section 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, as amended, MCL 125.1421, is transferred to the president of the Michigan Strategic Fund. The president of the Michigan Strategic Fund will serve as an *ex officio*, voting member of the Michigan State Housing Development Authority. The president of the Michigan Strategic Fund may designate an individual to serve on the president's behalf under this section 2(a)(9).
 - (10) The position of chairperson of the Michigan State Housing Development Authority under section 21(6) of the State Housing Development Authority Act of 1966, 1966 PA 346, as amended, MCL 125.1421(6), is transferred to the director of the Department or the director's designee serving as a member of the Michigan State Housing Development Authority under section 2(a)(7). The Michigan State Housing Development Authority will continue to elect its vice-chairperson.
- (b) Michigan Strategic Fund
- (1) The Michigan Strategic Fund is transferred by Type IV transfer to the Department.
 - (2) The board of directors of the Michigan Strategic Fund created under section V.A of Executive Order 2014-12, MCL 125.1995, is abolished and its powers, duties, functions, and responsibilities are transferred to a new board of directors of the Michigan Strategic Fund consisting of all of the following:
 - (A) The director of the Department or the director's designee from within the Department.
 - (B) The state treasurer, or the state treasurer's designee from within the Department of Treasury.
 - (C) The director of the Department of Transportation or the director's designee from within the Department of Transportation.
 - (D) The chief executive officer of the Michigan Economic Development Corporation, or the chief executive officer's designee.
 - (E) Seven residents of this state appointed by the governor, subject to advice and consent of the senate.
 - (3) At least six individuals appointed under section 2(b)(2)(E) must be from the private sector.
 - (4) One of the individuals appointed under section 2(b)(2)(E) must be appointed from a list of three or more nominees submitted to the governor by the senate majority leader representing individuals within the private sector with experience in private equity or venture capital investments, commercial lending, or commercialization of technology.
 - (5) One of the individuals appointed under section 2(b)(2)(E) must be appointed from a list of three or more nominees submitted to the governor by the speaker of the house of representatives representing individuals within the private sector with experience in private equity or venture capital investments, commercial lending, or commercialization of technology.
 - (6) At least two of the members of the new board of directors of the Michigan Strategic Fund must have experience in private equity or venture capital investments, at least one member must have experience in commercial lending, and at least one member must have experience in commercialization of technology.
 - (7) Consistent with the requirements of section 5 of the Michigan Strategic Fund Act, 1984 PA 270, as amended, MCL 125.2005, the membership of the new board of directors of the Michigan Strategic Fund must include minority, small business, and female representation.
 - (8) Of the members initially appointed by the governor under section 2(b)(2)(E), two must be appointed for a term expiring on July 31, 2023, two must be appointed for a term expiring on July 31, 2022, two must be appointed for a term expiring on July 31, 2021, and one must be appointed for a term expiring on July 31, 2020. After the initial appointments, members must be appointed for a term of four years. A member may continue to serve until a successor is appointed and qualified. A vacancy occurring before the expiration of a term will be filled in the same manner as the original appointment for the remainder of the term.
 - (9) The governor shall designate a member of the new board of directors of the Michigan Strategic Fund to serve as the president of the Michigan Strategic Fund, and that individual may be compensated for his or her service as president of the Michigan Strategic Fund. The president of the Michigan Strategic Fund is the chairperson and presiding officer of the new board of directors of the Michigan Strategic Fund. The authorities, powers, duties, functions, and responsibilities of the chairperson of the Michigan Strategic Fund and of the president of the Michigan Strategic Fund under the Michigan Strategic Fund Act, 1984 PA 270, as amended, MCL 125.2001 to 125.2094, and otherwise under Michigan law, are vested in the president of the Michigan Strategic Fund.
 - (10) The members of the new board of directors of the Michigan Strategic Fund shall elect a vice-chairperson from among the new members of the board of directors of the Michigan Strategic Fund.
 - (11) The president of the Michigan Strategic Fund will be the appointing authority for employees of the Michigan Strategic Fund.

- (12) The president of the Michigan Strategic Fund also may serve as the chief executive officer of the Michigan Economic Development Corporation pursuant to the interlocal agreement entered creating the Michigan Economic Development Corporation. The authorization for the director of the Department to also serve as the chief executive officer of the Michigan Economic Development Corporation as provided in section II.B of Executive Order 2014-12, MCL 125.1995, is terminated. The director of the Department shall not be designated as the president of the Michigan Strategic Fund.
- (13) The president of the Michigan Strategic Fund is designated as a member of the governor's cabinet.
- (14) The authorities, powers, duties, functions, and responsibilities of the Department of Talent and Economic Development under both of the following are transferred to the Michigan Strategic Fund:
 (A) Section 4ee of the General Sales Tax Act, 1933 PA 167, as amended, MCL 205.54ee.
 (B) Section 4cc of the Use Tax Act, 1937 PA 94, as amended, MCL 205.94cc.
- (15) As used in this section 2(b), "Department of Transportation" means the principal department of state government created by section 350 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.450.
- (c) Michigan Talent Investment Agency
- (1) The Michigan Talent Investment Agency created under section III of Executive Order 2014-12, MCL 125.1995, including the Workforce Development Agency within the Michigan Talent Investment Agency, is transferred by Type III transfer to the Department. The Michigan Talent Investment Agency, including its Workforce Development Agency, is abolished.
- (2) The authorities, powers, duties, functions, and responsibilities transferred to the Department by this section 2(c) include the authorities, powers, duties, functions, and responsibilities of the Michigan Talent Investment Agency under all of the following:
 (A) Sections 61b, 61c, 67, 203, 217, 222, and 276 to 282 of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1661b, 388.1661c, 388.1803, 388.1817, 388.1822, and 388.1876 to 388.1882.
 (B) Section 10 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.10.
 (C) Section 4 of the Michigan Civilian Conservation Corps Act, 1984 PA 22, as amended, MCL 409.304.
- (3) The position under section II.B.3 of Executive Order 2010-15, as amended by Executive Order 2014-6, MCL 333.26253, on the P-20 Longitudinal Data System Advisory Council within the State Budget Office for one representative nominated by the Director of the Workforce Development Agency within the Michigan Strategic Fund and appointed by the State Budget Director is transferred to one resident of this state appointed by the director of the Department.
- (d) State Historic Preservation Office
- (1) The State Historic Preservation Office created by Executive Order 2007-53 and transferred to the Michigan State Housing Development Authority by Executive Order 2009-36, MCL 399.752, is transferred from the Michigan State Housing Development Authority to the Michigan Strategic Fund, including its authorities, powers, duties, functions, and responsibilities and those of the Michigan State Housing Development Authority under Executive Order 2007-53 and all of the following:
 (A) Section 13(1)(o) of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.243(1)(o).
 (B) Sections 90b to 90d of Michigan Strategic Fund Act, 1984 PA 270, as amended, MCL 125.2090b to 125.2090d.
 (C) Sections 229, 326, and 626 of the Recodified Tax Increment Financing Act, 2018 PA 57, MCL 125.4229, 125.4326, and 125.4626.
 (D) Section 266 of the Income Tax Act of 1967, 1967 PA 281, as amended, MCL 206.266.
 (E) Sections 107 and 435 of the Michigan Business Tax Act, 2007 PA 36, as amended, MCL 208.1107 and 208.1435.
 (F) Section 811k of the Michigan Vehicle Code, 1949 PA 300, as amended, MCL 257.811k.
 (G) Sections 63523 to 63525 and 72117 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.63523 to 324.63525 and 324.72117, including any authority, powers, duties, functions, and responsibilities of the state archaeologist under section 72117 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.72117.
 (H) The Local Historic Districts Act, 1970 PA 169, as amended, MCL 399.201 to 399.215.
- (2) The governor shall appoint and designate a state historic preservation officer to administer the State Historic Preservation Office and Michigan's historic preservation program in compliance with 36 CFR § 61.4, including the employment of a professionally qualified staff.
- (e) State Historic Preservation Review Board
- (1) The State Historic Preservation Review Board created by Executive Order 2007-53 and transferred to the Michigan State Housing Development Authority by Executive Order 2009-36, MCL 399.752, is transferred from the Michigan State Housing Development Authority to the Michigan Strategic

- Fund, including its authorities, powers, duties, functions, and responsibilities under Executive Order 2007-53.
- (2) The budgeting, procurement, and related management functions of the State Historic Preservation Review Board will be performed under the direction and supervision of the president of the Michigan Strategic Fund.
- (f) State Land Bank Fast Track Authority
- (1) The board of directors of the State Land Bank Fast Track Authority created under section III.A of Executive Order 2016-23, MCL 125.1996, is abolished. The position of director of the State Land Bank Fast Track Authority is abolished.
- (2) The State Land Bank Fast Track Authority is renamed as the State Land Bank Authority and is transferred by Type I transfer to the Department, including any power, duties, functions, and responsibilities of the State Land Bank Authority relating to revenue bonding transferred to the Michigan Strategic Fund by Executive Order 2014-12, MCL 125.1995. The State Land Bank Authority shall exercise its authorities, powers, duties, functions, and responsibilities independently of the director of the Department. The budgeting, procurement, and related management functions of the State Land Bank Authority will be performed under the direction and supervision of the director of the Department.
- (3) The Michigan Finance Authority retains the authorities, powers, duties, functions, and responsibilities transferred to the Michigan Finance Authority by section IV.L of Executive Order 2010-2, MCL 12.194.
- (4) The authorities, powers, duties, functions, and responsibilities of the State Land Bank Authority are vested in and will be exercised by a board of directors of the State Land Bank Authority. The board of directors will consist of the following members:
- (A) The director of the Department, or the director's designee from within the Department.
- (B) The president of the Michigan Strategic Fund, or the president's designee.
- (C) The executive director of the Michigan State Housing Development Authority, or the executive director's designee from within the Michigan State Housing Development Authority.
- (D) Four residents of this state appointed by the governor.
- (5) Of the members initially appointed by the governor under section 2(f)(4)(D), one must be appointed for a term expiring on July 31, 2023, one must be appointed for a term expiring on July 31, 2022, one must be appointed for a term expiring on July 31, 2021, and one must be appointed for a term expiring on July 31, 2020. After the initial appointments, members must be appointed for a term of four years. A member may continue to serve until a successor is appointed and qualified. A vacancy occurring before the expiration of a term will be filled in the same manner as the original appointment for the remainder of the term.
- (6) The governor shall designate a member of the new board of directors of the State Land Bank Authority to serve as its chairperson. The members of the new board of directors of the State Land Bank Authority shall elect a vice-chairperson from among the members of the board of directors of the State Land Bank Authority.
- (7) The board of directors shall appoint an individual to serve as executive director of the State Land Bank Authority and to perform the authorities, powers, duties, functions, and responsibilities vested in the executive director under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774.
- (8) As used in this section 2(f),
- (A) "Michigan Finance Authority" means the public body corporate and politic created within the Department of Treasury under section II of Executive Order 2010-2, MCL 12.194.
- (B) "State Land Bank Fast Track Authority" means the authority created as a public body corporate and politic under section 15 of the Land Bank Fast Track Act, 2003 PA 258, as amended, MCL 124.765, transferred to the Department of Treasury by Executive Order 2010-2, MCL 12.194, transferred to the Michigan Strategic Fund by Executive Order 2011-4, MCL 445.2030, transferred to the Michigan State Housing Development Authority by Executive Order 2013-8, MCL 125.1393, and transferred to the director of the Department under Executive Order 2014-12, MCL 125.1995.
- (g) Unemployment Insurance Agency
- (1) The Unemployment Insurance Agency is transferred by Type II transfer to the Department. The transfer under this section 2(g)(1) includes all of the authorities, powers, duties, functions, and responsibilities of the Unemployment Insurance Agency created by section I.I.N of Executive Order 2003-18, MCL 445.2011, including the authorities, powers, duties, functions, and responsibilities of the director of the former Unemployment Insurance Agency under section 5 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.5, defined as the "Director of Employment Security" in Executive Order 1997-12, MCL 421.94, transferred to the director of the former Bureau of Worker's and Unemployment Compensation under Executive Order 2002-1, MCL 445.2004, transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2011-4, MCL 445.2030, and transferred from the Department of Licensing and Regulatory Affairs to the Michigan Talent Investment Agency by Executive Order 2014-12, MCL 125.1995.

- (2) The Unemployment Insurance Agency will be headed by a Director of Unemployment Insurance with all of the functions and responsibilities vested in the Director of Unemployment Insurance under section II.N of Executive Order 2003-18, MCL 445.2011, and other authorities, powers, duties, functions, and responsibilities vested in the Director of Unemployment Insurance by this order and otherwise by law.
- (3) A statutory reference to the former Unemployment Agency will be deemed a reference to the Unemployment Insurance Agency.
- (4) As used in this section 2(g), "Unemployment Insurance Agency" means the agency created within the former Department of Labor and Economic Growth under section II.N of Executive Order 2003-18, MCL 445.2011, and transferred to the Michigan Talent Investment Agency by Executive Order 2014-12, MCL 125.1995.

(h) Other Transfers

- (1) The authorities, powers, duties, functions, and responsibilities of the Department of Talent and Economic Development under sections 509(2), 511(2), and 527(1) of the Recodified Tax Increment Financing Act, 2018 PA 57, MCL 125.4509(2), 125.4511(2), and 125.4527(1), are transferred to the Department of Licensing and Regulatory Affairs.

3. Creating the Unemployment Insurance Appeals Commission

- (a) The Unemployment Insurance Appeals Commission is created as a Type I agency within the Department. The Unemployment Insurance Appeals Commission will be located within the Unemployment Insurance Agency described in section 2(g), but, except as otherwise provided in this order, will exercise its prescribed statutory powers, duties, and functions of rule-making, licensing and registration, including the prescription of rules, rates, regulations and standards, and adjudication independently of the Director of Unemployment Insurance described in section 2(g) and the director of the Department.
- (b) The Unemployment Insurance Appeals Commission includes seven members appointed by the governor with the advice and consent of the senate. Of the members of the Unemployment Insurance Appeals Commission initially appointed, two members will be appointed for a term expiring on July 31, 2023, two members will be appointed for a term expiring on July 31, 2022, two members will be appointed for a term expiring on July 31, 2021, and one member will be appointed for a term expiring on July 31, 2020. After the initial appointments, members must be appointed for a term of four years. A member may continue to serve until a successor is appointed and qualified. A vacancy occurring before the expiration of a term will be filled in the same manner as the original appointment for the remainder of the term.
- (c) A member of the Unemployment Insurance Appeals Commission must be a member in good standing of the State Bar of Michigan who has been an attorney licensed to practice in Michigan courts for five years or more.
- (d) The governor shall designate a member of the Unemployment Insurance Appeals Commission as its chairperson, to serve as chairperson at the pleasure of the governor.
- (e) The chairperson of the Unemployment Insurance Appeals Commission shall assign a panel of three members of the Unemployment Insurance Appeals Commission to hear each matter to be heard by the Unemployment Insurance Appeals Commission. A decision reached by a panel will be the final decision of the Unemployment Insurance Appeals Commission, unless five members of the Unemployment Insurance Appeals Commission request that the matter be brought for a full review by the entire Commission. The request must be made within five business days after the decision of the panel.
- (f) Each member of the Unemployment Insurance Appeals Commission must devote his or her full time to the functions and responsibilities of the Unemployment Insurance Appeals Commission and shall perform the functions and responsibilities of the office during the hours generally worked by officers and employees of the principal departments of state government. A member of the Unemployment Insurance Appeals Commission shall not participate in a case in which the member is an interested party. A member of the Unemployment Insurance Appeals Commission shall discharge his or her duties in a nonpartisan manner, with good faith, and with the degree of diligence, care, and skill that an ordinarily prudent public officer would exercise under similar circumstances in a like position.
- (g) Any matter before the Unemployment Insurance Appeals Commission that is a matter of first impression relating to unemployment insurance, as determined by the chairperson of the Unemployment Insurance Appeals Commission, or any matter that five or more members of the Unemployment Insurance Appeals Commission request be reviewed by the entire Unemployment Insurance Appeals Commission, must be reviewed and decided by the entire Unemployment Insurance Appeals Commission.
- (h) Opinions issued by the Unemployment Insurance Appeals Commission must be in writing and clearly define the legal principles applied. The Unemployment Insurance Appeals Commission shall provide for public distribution of its opinions regarding unemployment insurance, including distribution by electronic means using the internet.
- (i) In consultation with the chairperson of the Unemployment Insurance Appeals Commission, the Director of Unemployment Insurance described in section 2(g) has general supervisory control of, and is in charge of the assignment and scheduling of the work of, the Unemployment Insurance Appeals Commission. The Director of Unemployment Insurance, in consultation with the chairperson of the

Unemployment Insurance Appeals Commission, also may establish productivity standards for the Unemployment Insurance Appeals Commission, its members, and its panels.

- (j) In consultation with the chairperson of the Unemployment Insurance Appeals Commission, the Director of Unemployment Insurance shall evaluate annually the performance of each member of the Unemployment Insurance Appeals Commission. The evaluation must be based upon at least the following criteria:
 - (1) Productivity, including reasonable time deadlines for disposing of cases and adherence to productivity standards.
 - (2) Manner in conducting hearings.
 - (3) Knowledge of the rules of evidence as demonstrated by transcripts of proceedings in which the member of the Unemployment Insurance Appeals Commission participated.
 - (4) Knowledge of, and compliance with, the law.
 - (5) Evidence of any demonstrable bias against particular defendants, claimants, or attorneys.
 - (6) Written surveys or comments of one or more interested parties.
 - (k) After completing an evaluation under section 3(j), the Director of Unemployment Insurance shall submit a written report, including any supporting documentation, to the director of the Department regarding that evaluation, which may include recommendations relating to commendation, retention, suspension, removal, or additional training or education.
 - (l) A member of the Unemployment Insurance Appeals Commission may be removed or suspended by the governor upon recommendation by the director of the Department, based upon recommendations under section 3(k) or other neglect of duties or misfeasance or malfeasance in office.
 - (m) The Department shall provide suitable office space for the Unemployment Insurance Appeals Commission and its activities. The Unemployment Insurance Agency described in section 2(g) shall provide the Unemployment Insurance Appeals Commission with staff necessary for the Unemployment Insurance Appeals Commission to perform its functions and responsibilities under the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.1 to 421.75, and this order, which may include legal assistants for the purpose of legal research and otherwise assisting the Unemployment Insurance Appeals Commission and its members.
 - (n) The authorities, powers, duties, functions, and responsibilities of the Michigan Compensation Appellate Commission relating to the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.1 to 421.75, and the authorities, powers, duties, functions, and responsibilities under I.B.2 of Executive Order 2011-6, MCL 445.2032, as amended, are transferred to the Unemployment Insurance Appeals Commission. The authorities, powers, duties, functions, and responsibilities of the Michigan Compensation Appellate Commission under all of the following are transferred to the Unemployment Insurance Appeals Commission:
 - (1) Section 5a of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.5a.
 - (2) Section 6a of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.6a.
 - (3) Section 15(b) of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.15(b).
 - (4) Section 33(2) of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.33(2).
 - (5) Section 34 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.34.
 - (6) Section 37 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.37.
 - (7) Section 38 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.38.
 - (8) Section 54 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.54.
 - (9) Section 62(g) of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.62(g).
 - (o) The Unemployment Insurance Agency described in section 2(g) must be a party to any judicial action involving an order or decision of the Unemployment Insurance Appeals Commission or an administrative law judge.
 - (p) A statutory reference to the former Michigan Employment Security Board of Review will be deemed a reference to the Unemployment Insurance Appeals Commission.
- 4. Creating the Workers' Disability Compensation Appeals Commission**
- (a) The Workers' Disability Compensation Appeals Commission is created as a Type I Agency within the Department. The Workers' Disability Compensation Appeals Commission will be located within the Workers' Disability Compensation Agency described in section 7(1), but, except as otherwise provided in this order, will exercise its prescribed statutory powers, duties, and functions of rule-making, licensing and registration, including the prescription of rules, rates, regulations and standards, and adjudication independently of the Director of Workers' Disability Compensation described in section 7(1) and the director of the Department.
 - (b) The Workers' Disability Compensation Appeals Commission will include three members appointed by the governor with the advice and consent of the senate. The Workers' Disability Compensation Appeals Commission shall act by the vote of two or more members. If the Workers' Disability Compensation Appeals Commission does not have the vote of two or more members to decide a case because a member does not participate in a case in accord with section 4(g), the chairperson of the Workers' Compensation Board of Magistrates shall participate in the case and cast a vote upon reviewing the

record. Of the members of the Workers' Disability Compensation Appeals Commission initially appointed, one member will be appointed for a term expiring on July 31, 2023, one member will be appointed for a term expiring on July 31, 2022, and one member will be appointed for a term expiring on July 31, 2021. After the initial appointments, members must be appointed for a term of four years. A member may continue to serve until a successor is appointed and qualified. A vacancy occurring before the expiration of a term will be filled in the same manner as the original appointment for the remainder of the term.

- (c) A member of the Workers' Disability Compensation Appeals Commission must satisfy of the following:
 - (1) The member is a member in good standing of the State Bar of Michigan.
 - (2) The member has been an attorney licensed to practice in Michigan courts for five years or more.
 - (3) The member has practiced in the field of workers' compensation law for five years or more or otherwise demonstrates proficiency in the field of workers' compensation law.
- (d) The governor shall designate a member of the Workers' Disability Compensation Appeals Commission as its chairperson, to serve as chairperson at the pleasure of the governor.
- (e) A decision reached by the Workers' Disability Compensation Appeals Commission will be the final decision.
- (f) Each member of the Workers' Disability Compensation Appeals Commission must devote his or her full time to the functions and responsibilities of the Workers' Disability Compensation Appeals Commission and shall perform the functions and responsibilities of the office during the hours generally worked by officers and employees of the principal departments of state government. A member of the Workers' Disability Compensation Appeals Commission shall discharge his or her duties in a nonpartisan manner, with good faith, and with the degree of diligence, care, and skill that an ordinarily prudent public officer would exercise under similar circumstances in a like position.
- (g) A member of the Workers' Disability Compensation Appeals Commission shall not participate in a case in which the member is an interested party.
- (h) Opinions issued by the Workers' Disability Compensation Appeals Commission must be in writing and clearly define the legal principles applied. The Workers' Disability Compensation Appeals Commission shall provide for public distribution of its opinions regarding workers' disability compensation, including distribution by electronic means using the internet.
- (i) In consultation with the chairperson of the Workers' Disability Compensation Appeals Commission, the Director of Workers' Disability Compensation described in section 7(l) has general supervisory control of, and is in charge of the assignment and scheduling of the work of, the Workers' Disability Compensation Appeals Commission. The Director of Workers' Disability Compensation, in consultation with the chairperson of the Workers' Disability Compensation Appeals Commission, also may establish productivity standards for the Workers' Disability Compensation Appeals Commission and its members.
- (j) In consultation with the chairperson of the Workers' Disability Appeals Commission, the Director of Workers' Disability Compensation described in section 7(l) shall evaluate annually the performance of each member of the Workers' Disability Compensation Appeals Commission. The evaluation must be based upon at least the following criteria:
 - (1) Productivity, including reasonable time deadlines for disposing of cases and adherence to productivity standards.
 - (2) Manner of conducting hearings.
 - (3) Knowledge of the rules of evidence as demonstrated by transcripts of proceedings in which the member of the Workers' Disability Compensation Appeals Commission participated.
 - (4) Knowledge of, and compliance with, the law.
 - (5) Evidence of any demonstrable bias against particular defendants, claimants, or attorneys.
 - (6) Written surveys or comments of one or more interested parties.
- (k) After completing an evaluation under section 4(j), the Director of Workers' Disability Compensation described in section 7(l) shall submit a written report, including any supporting documentation, to the director of the Department regarding that evaluation, which may include recommendations relating to commendation, retention, suspension, removal, or additional training or education.
- (l) A member of the Workers' Disability Compensation Appeals Commission may be removed or suspended by the governor upon recommendation by the director of the Department, based upon recommendations under section 4(k) or other neglect of duties or misfeasance or malfeasance in office.
- (m) The Department shall provide suitable office space for the Workers' Disability Compensation Appeals Commission and its activities. The Workers' Disability Compensation Agency described in section 7(l), shall provide the Workers' Disability Compensation Appeals Commission with staff necessary for the Workers' Disability Compensation Appeals Commission to perform its functions and responsibilities under the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.101 to 418.941, and this order, which may include legal assistants for the purpose of legal research and otherwise assisting the Workers' Disability Compensation Appeals Commission and its members.
- (n) The authorities, powers, duties, functions, and responsibilities transferred to the Michigan Compensation Appellate Commission under I.B.1 of Executive Order 2011-6, MCL 445.2032, as amended, are transferred to the Workers' Disability Compensation Appeals Commission. The authorities, powers, duties, functions, and responsibilities of the Michigan Compensation Appellate

Commission under all of the following are transferred to the Workers' Disability Compensation Appeals Commission:

- (1) Section 212(1)(a) of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.212(1)(a).
 - (2) Section 274 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.274.
 - (3) Section 319(2) of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.319(2).
 - (4) Section 611(6) of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.611(6).
 - (5) Section 835(5) of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.835(5).
 - (6) Section 853 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.853.
- (o) The authorities, powers, duties, functions, and responsibilities of the executive director of the former Michigan Administrative Hearing System under section 212 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.212, are transferred to the Director of Workers' Disability Compensation described in section 7(l).
- (p) A statutory reference to the former Worker's Compensation Appellate Commission or the former Workers' Compensation Appellate Commission will be deemed a reference to the Workers' Disability Compensation Appeals Commission.
- (q) The Michigan Compensation Appellate Commission is abolished.

5. Transfers from Department of Education

- (a) Subject to section 5(d), all of the authorities, powers, duties, functions, and responsibilities of the Department of Education under Article V of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1897 to 1897l, are transferred by Type II transfer from the Department of Education to the Department.
- (b) Subject to section 5(d), the authorities, powers, duties, functions, and responsibilities transferred to the Department of Education under section V.A of Executive Order 2011-4, MCL 445.2030, relating to the Youth Employment Standards Act, 1978 PA 90, as amended, MCL 409.101 to 409.124, are transferred by Type II transfer from the Department of Education to the Department.
- (c) The Michigan Council on Educational Opportunity for Military Children required by article 8 of section 1 of 2008 PA 160, MCL 3.1041, is transferred by Type II transfer from the Department of Education to the Department.
- (d) The authorities, powers, duties, functions, and responsibilities transferred by this section 5 are subject to the leadership and general supervision of the State Board of Education under section 3 of article 8 of the Michigan Constitution of 1963 and will remain subject to that leadership and general supervision to the extent provided by section 3 of article 8 of the Michigan Constitution of 1963.

6. Transfers from Department of Health and Human Services

- (a) Michigan Council for Rehabilitation Services
- (1) The Michigan Council for Rehabilitation Services is transferred by Type II transfer from the Department of Health and Human Services to the Department.
 - (2) The authorities, powers, duties, functions, and responsibilities of the Department of Health and Human Services and its director and of the Department of Licensing and Regulatory Affairs and its director under section V of Executive Order 2012-10, MCL 445.2033, are transferred from the Department of Health and Human Services to the Department and its director.
 - (3) The position as a member of the Michigan Council for Rehabilitation Services under section V.B.1.g of Executive Order 2012-10, MCL 445.2033, is transferred to one individual representing the Michigan Future Talent Council.
 - (4) The Michigan Council for Rehabilitation Services shall continue to be the single state rehabilitation council pursuant to 29 USC 721(a)(21)(B) for authorities, powers, duties, functions, and responsibilities transferred to the Department under sections 6(b) and 7(c).
 - (5) As used in this section 6(a):
 - (A) "Michigan Council for Rehabilitation Services" means the council created under section V of Executive Order 2012-10, MCL 445.2033.
 - (B) "Michigan Future Talent Council" means the state workforce development board required by section 101 of the Workforce Innovation and Opportunity Act, Public Law 113-128, 29 USC 3111, and established by Executive Order 2015-11, as amended by Executive Order 2018-13.
- (b) Michigan Rehabilitation Services
- (1) The authorities, powers, duties, functions, and responsibilities of Michigan Rehabilitation Services, including those transferred under section III of Executive Order 2012-10, MCL 445.2033, are transferred by Type II transfer from the Department of Health and Human Services to the Department.
 - (2) The Department shall serve as a "designated state agency" as defined under the Rehabilitation Act of 1973, Public Law 93-112, as amended, 29 USC 701 *et seq.*

- (3) The authorities, powers, duties, functions, and responsibilities of the Department of Health and Human Services under the Rehabilitation Act of 1964, 1964 PA 232, as amended, MCL 395.81 to 395.90, are transferred by Type II transfer from the Department of Health and Human Services to the Department.

(c) Michigan Community Service Commission

- (1) The Michigan Community Service Commission is transferred by Type II transfer from the Department of Health and Human Services to the Department.
- (2) As used in this section 6(c), “Michigan Community Service Commission” means the commission provided for by 1994 PA 219, MCL 408.221 to 408.232, transferred to the former Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011, and transferred to the former Department of Human Services by Executive Order 2006-21, MCL 209.91.

7. Transfers from Department of Licensing and Regulatory Affairs

(a) Asian Pacific American Affairs Commission

- (1) The Asian Pacific American Affairs Commission is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (2) After the effective date of this order, the executive director of the Office of Global Michigan and the director of the Department of Civil Rights shall serve as the only *ex officio*, non-voting members of the Asian Pacific American Affairs Commission.
- (3) The Office of Asian Pacific American Affairs is transferred by Type III transfer from the Department of Licensing and Regulatory Affairs to the Department. The Office of Asian Pacific American Affairs and the position of director of that office are both abolished.
- (4) As used in this section 7(a):
- (A) “Asian Pacific American Affairs Commission” means the commission created by Executive Order 2009-21, MCL 445.1992, transferred to the Department of Civil Rights by Executive Order 2011-4, MCL 445.2030, and transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2016-3, MCL 445.1993.
- (B) “Office of Asian Pacific American Affairs” means the office created within the former Department of Energy, Labor, and Economic Growth under section 13 of the Asian Pacific American Affairs Commission Act, 2008 PA 536, MCL 37.133, transferred to the Department of Civil Rights by Executive Order 2011-4, MCL 445.2030, and transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2016-3, MCL 445.1993.

(b) Board of Health Safety and Compliance and Appeals

- (1) The Board of Health Safety and Compliance and Appeals is transferred by Type I transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (2) As used in this section 7(b), “Board of Health Safety and Compliance and Appeals” means the board created under section 46 of the Michigan Occupational Safety and Health Act, 1974 PA 154, as amended, MCL 408.1046, as modified by Executive Order 2010-10, MCL 408.991.

(c) Bureau of Services for Blind Persons

- (1) The Bureau of Services for Blind Persons created under section I of Executive Order 2012-10, MCL 445.2033, is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (2) The authorities, powers, duties, functions, and responsibilities transferred to the director of the Department of Licensing and Regulatory Affairs under section I of Executive Order 2012-10, MCL 445.2033, are transferred from the Department of Licensing and Regulatory Affairs to the director of the Department.
- (3) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs under 1978 PA 260, as amended, MCL 393.351 to 393.369, are transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (4) The Bureau of Services for Blind Persons shall continue to serve as the “state licensing agency” under Public Law 74-432, as amended, 20 USC 107 to 107f.

(d) Commission for Blind Persons

- (1) The Commission for Blind Persons created under section II of Executive Order 2012-10, MCL 445.2033, is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (2) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs and its director under section II of Executive Order 2012-10, MCL 445.2033, are transferred from the Department of Licensing and Regulatory Affairs to the Department and its director.

(e) Commission on Middle Eastern American Affairs

- (1) The Commission on Middle Eastern American Affairs is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (2) After the effective date of this order, the executive director of the Office of Global Michigan and the director of the Department of Civil Rights, shall serve as the only *ex officio*, non-voting members of the Commission on Middle Eastern American Affairs.
- (3) As used in this section 7(e), “Commission on Middle Eastern American Affairs” means the commission created within the former Department of Civil Rights and transferred from the

Department of Civil Rights to the Department of Licensing and Regulatory Affairs and renamed as the Commission on Middle Eastern American Affairs by Executive Order 2016-3, MCL 445.1993.

(f) Employment Relations Commission

(1) The Employment Relations Commission created under section 3 of 1939 PA 176, as amended, MCL 423.3, is transferred by Type I transfer from the Department of Licensing and Regulatory Affairs to the Department.

(g) Hispanic/Latino Commission of Michigan

(1) The Hispanic/Latino Commission of Michigan is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.

(2) After the effective date of this order, the executive director of the Office of Global Michigan and the director of the Department of Civil Rights, shall serve as the only *ex officio*, non-voting members of the Hispanic/Latino Commission of Michigan.

(3) The Office of Hispanic/Latino Affairs is transferred by Type III transfer from the Department of Licensing and Regulatory Affairs to the Department. The Office of Hispanic/Latino Affairs and the position of director of that office are both abolished.

(4) As used in this section 7(g):

(A) "Hispanic/Latino Commission" means the commission created under section 2 of 1975 PA 164, as amended, MCL 18.302, transferred to the Department of Civil Rights by Executive Order 2011-4, MCL 445.2030, and transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2016-3, MCL 445.1993.

(B) "Office of Hispanic/Latino Affairs" means the office created within the former Department of Energy, Labor, and Economic Growth under section 4 of 1975 PA 164, as amended, MCL 18.304, transferred to the Department of Civil Rights by Executive Order 2011-4, MCL 445.2030, and transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2016-3, MCL 445.1993.

(h) Michigan Occupational Safety and Health Administration

(1) The Michigan Occupational Safety and Health Administration is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.

(2) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs under the Michigan Occupational Safety and Health Act, 1974 PA 154, as amended, MCL 408.1001 to 408.1094, are transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.

(3) As used in this section 7(h), "Michigan Occupational Safety and Health Administration" means the organizational unit within the Department of Licensing and Regulatory Affairs that exercises the authorities, powers, duties, functions, and responsibilities transferred to the director of the former Department of Consumer and Industry Services under IV.3.h of Executive Order 1996-2, MCL 445.2001, and the authorities, powers, duties, functions, and responsibilities previously vested in the former General Industry Safety Standards Commission abolished by 2012 PA 416, the former Construction Safety Standards Commission abolished by 2012 PA 448, and the former Occupational Health Standards Commission abolished by 2012 PA 447.

(i) Michigan Office for New Americans

(1) The Michigan Office for New Americans is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department, including the authorities, powers, duties, functions, and responsibilities of the Michigan Office for New Americans under all of the following:

(A) Executive Order 2014-2.

(B) Executive Order 2018-7, MCL 125.1997.

(2) The transfer under section 7(i)(1) includes the transfer of the Chairpersons Council created as an advisory body under section II of Executive Order 2018-7, MCL 125.1997. The Chairpersons Council is renamed as the Chairpersons' Council on Opportunities.

(3) The position of director of the Michigan Office for New Americans is abolished.

(4) The Michigan Office for New Americans is renamed as the Office of Global Michigan.

(5) The position of executive director of the Office of Global Michigan is created within the Office of Global Michigan. The governor shall appoint the executive director of the Office of Global Michigan, who will serve at the pleasure of the governor. The executive director of the Office of Global Michigan will be the head of the Office of Global Michigan and shall advise the governor on matters relating to new Americans, immigration policy, enforcement of federal immigration laws in Michigan, and on other matters, as requested by the governor. The executive director of the Office of Global Michigan is designated as a member of the governor's cabinet.

(6) The membership of the Chairpersons' Council on Opportunities is expanded to include the executive director of the Office of Global Michigan, who will serve as the chairperson and presiding officer of the Chairpersons' Council on Opportunities.

(7) The authority to convene meetings of the Chairpersons' Council on Opportunities is transferred to the executive director of the Office of Global Michigan. The Chairperson's Council on Opportunities shall meet not less than four times per year and must meet in a manner that complies with the requirements of the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.275.

- (8) Subject to the approval of the Office of Global Michigan and available funding, members of the Chairpersons' Council on Opportunities may receive reimbursement for necessary travel and expenses according to applicable law and procedures of the Department.
- (j) Nonincorporated Private Educational Institutions
- (1) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs transferred to the Department of Licensing and Regulatory Affairs by section II.B of Executive Order 2012-9, MCL 125.1994, are transferred from the Department of Licensing and Regulatory Affairs to the Department, including the authorities, powers, duties, functions, and responsibilities under 1964 PA 142, as amended, MCL 390.771 to 390.772.
- (k) Wage and Hour Division
- (1) The authorities, powers, duties, functions, and responsibilities of the Wage and Hour Division under section II.L of Executive Order 2003-18, MCL 445.2011, are transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department.
- (2) The authority, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs under all of the following are transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department:
- (A) 1978 PA 390, as amended, MCL 408.471 to 408.490.
- (B) The Earned Sick Time Act, 2018 PA 338, as amended, MCL 408.961 to 408.974.
- (C) The Improved Workforce Opportunity Wage Act, 2018 PA 337, as amended, MCL 408.931 to 408.945.
- (l) Workers' Compensation Agency
- (1) The Workers' Compensation Agency is transferred by Type II transfer from the Department of Licensing and Regulatory Affairs to the Department and renamed as the Workers' Disability Compensation Agency.
- (2) The Workers' Disability Compensation Agency will be headed by a Director of Workers' Disability Compensation possessing all of the powers vested in the office of the Director of Workers' Compensation under section II.O of Executive Order 2003-18, MCL 445.2011, this order, and otherwise provided by law. The Director of Workers' Disability Compensation described in section 7(l) shall comply with the requirements applicable to the director under section 205 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.205.
- (3) The authorities, powers, duties, functions, and responsibilities of the executive director of the former Michigan Administrative Hearing System under sections 212 and 213 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.212 and 418.213, are transferred to the Director of Workers' Disability Compensation described in this section 7(l).
- (4) The authorities, powers, duties, functions, and responsibilities of the former Michigan Administrative Hearing System sections 213(7) and 213(8) of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.213(7) and 418.213(8), are transferred from the Department of Licensing and Regulatory Affairs to the Workers' Disability Compensation Agency.
- (5) The authorities, powers, duties, functions, and responsibilities of the former Michigan Administrative Hearing System under section 847 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.847, are transferred from the Department of Licensing and Regulatory Affairs to the Director of Workers' Disability Compensation described in this section 7(l).
- (6) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs under section 274(5) of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.274(5), are transferred from the Department of Licensing and Regulatory Affairs to the Department.
- (7) As used in this section 7(l) and section 7(m), "Workers' Compensation Agency" means the agency created within the former Department of Labor and Economic Growth under section II.O of Executive Order 2003-18, MCL 445.2011.
- (m) Workers' Compensation Board of Magistrates
- (1) The Workers' Compensation Board of Magistrates is transferred by Type I transfer from the Department of Licensing and Regulatory Affairs to the Department. The Workers' Compensation Board of Magistrates will be located within the Workers' Disability Compensation Agency, but, except as otherwise provided in this order, will exercise its prescribed statutory powers, duties, and functions of rule-making, licensing and registration, including the prescription of rules, rates, regulations and standards, and adjudication independently of the Director of Workers' Disability Compensation described in section 7(l) and the director of the Department.
- (2) A member of the Workers' Compensation Board of Magistrates must be a member in good standing of the State Bar of Michigan who has been an attorney licensed to practice in Michigan courts for five years or more.
- (3) The authorities, powers, duties, functions, and responsibilities of the director of the Department of Licensing and Regulatory Affairs under 212 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.212, are transferred from the Department of Licensing and Regulatory Affairs to the director of the Department.

- (4) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs under 213 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.213, are transferred from the Department of Licensing and Regulatory Affairs to the Department.
- (5) As used in this section 7(m), "Workers' Compensation Board of Magistrates" means the board established under section 213 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, as amended, MCL 418.213, as amended by Executive Order 2003-18, MCL 445.2011, and Executive Order 2009-53, MCL 445.2011, and transferred to the former Michigan Administrative Hearing System within the Department of Licensing and Regulatory Affairs under section IX.G of Executive Order 2011-4, MCL 445.2030.
- (n) Other Transfers
- (1) The authorities, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs under all of the following are transferred by Type II transfer from the Department of Licensing and Regulatory Affairs transfer to the Department:
- (A) 1972 PA 251, as amended, MCL 390.501 to 390.506.
- (B) The Higher Education Authorization and Distance Education Reciprocal Exchange Act, 2015 PA 45, as amended, MCL 390.1691 to 390.1697.
- (C) The Proprietary Schools Act, 1943 PA 148, as amended, MCL 395.101 to 395.103.
- (D) Section 177 of 1931 PA 327, as amended, MCL 450.177.
- (E) The Employment Security Financing Act, 2011 PA 267, MCL 12.271, to 12.294.
- (2) The authorities, powers, duties, functions, and responsibilities of the director of the Department of Licensing and Regulatory Affairs under all of the following are transferred from the director of the Department of Licensing and Regulatory Affairs to the director of the Department:
- (A) The Employment Security Financing Act, 2011 PA 267, MCL 12.271, to 12.294.
- (B) The Improved Workforce Opportunity Wage Act, 2018 PA 337, as amended, MCL 408.931 to 408.945.
- (C) The Michigan Occupational Safety and Health Act, 1974 PA 154, as amended, MCL 408.1001 to 408.1094.
- (D) Section 26a of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended, MCL 421.26a.
- (E) Section 14 of 1939 PA 176, as amended, MCL 423.14.

8. Transfer from the Department of Technology, Management and Budget

- (a) MiSTEM Advisory Council
- (1) The MiSTEM Advisory Council created under section 99s of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1699s, is transferred by Type III transfer to the Department and is abolished.
- (2) The transfer under section 8(a)(1) includes the authorities, powers, duties, functions, and responsibilities of the MiSTEM Advisory Council under section 98(2)(a)(v) of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1698(2)(a)(v).
- (3) The position of executive director for the MiSTEM network referenced in section 99s of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1699s, is abolished.
- (4) The position of executive assistant for the MiSTEM network referenced in section 99s of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1699s, is abolished.
- (b) Creation of Michigan Science, Technology, Engineering, and Mathematics Education Advisory Council
- (1) The Michigan Science, Technology, Engineering, and Mathematics Education Advisory Council is created as an advisory body within the Department and also may be known as the "MI-STEM Council." The MI-STEM Council includes the following members:
- (A) The director of the Department or the director's designated representative from within the Department, who shall serve as an *ex officio*, voting member.
- (B) The Superintendent of Public Instruction or a designated representative of the Superintendent of Public Instruction from within the Department of Education, who shall serve as an *ex officio*, voting member.
- (C) Nine residents of this state appointed as voting members by the governor with experience with one or more of the following:
- (i) Economic sectors of this state that rely upon a workforce with education in science, technology, engineering, and mathematics.
- (ii) Nonprofit organizations that promote science, technology, engineering, and mathematics education.
- (iii) K-12 and postsecondary educational institutions involved with science, technology, engineering, and mathematics career preparation or education.
- (D) Two members of the Michigan Senate designated by its majority leader, including one member of the majority party and one member of the minority party, and two members of the Michigan House of Representatives designated by its speaker, including one member of the majority party and one member of the minority party, may participate in meetings of the MI-STEM Council as non-voting members of MI-STEM Council.

- (E) Of the MI-STEM Council members initially appointed under section 8(b)(1)(C), three members shall be appointed for a term ending on September 30, 2022, two members shall be appointed for a term ending on September 30, 2021, two members shall be appointed for a term ending on September 30, 2020, and two members shall be appointed for a term ending on September 30, 2019. After the initial appointments, a member of the MI-STEM Council appointed under section 8(b)(1)(C) shall be appointed for a term of four years.
 - (F) A vacancy on the MI-STEM Council created other than by the expiration of the term of a member of the MI-STEM Council shall be filled in the same manner as the original appointment, for the remainder of the unexpired term. A member of the MI-STEM Council may be reappointed for additional terms.
 - (G) The member of the MI-STEM Council serving under section 8(b)(1)(A) shall serve as the chairperson of the MI-STEM Council. The governor shall designate an individual appointed under section 8(b)(1)(C) as the vice-chairperson, to serve as vice-chairperson at the pleasure of the governor.
- (2) The MI-STEM Council shall perform the authorities, powers, duties, functions, and responsibilities transferred to the Department under section 8(a) and all of the following:
 - (A) Recommending measures to ensure effective communications, collaboration, and joint objectives among state departments and agencies with responsibilities relating to science, technology, engineering, and mathematics education.
 - (B) Providing other information, advice, or assistance as requested by the director of the Department.
 - (C) Other authorities, powers, duties, functions, and responsibilities vested in the MI-STEM Advisory Council by law.
 - (3) The Department shall assist the MI-STEM Advisory Council in the performance of its authorities, powers, duties, functions, and responsibilities and shall provide personnel to staff the MI-STEM Advisory Council. The budgeting, procurement, and related management functions of the MI-STEM Advisory Council will be performed under the direction and supervision of the director of the Department.
 - (4) The MI-STEM Advisory Council shall adopt procedures consistent with Michigan law and this order governing its organization and operations.
 - (5) The MI-STEM Advisory Council shall comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.
 - (6) The MI-STEM Advisory Council shall comply with the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.275.
 - (7) A majority of the voting members of the MI-STEM Advisory Council serving constitutes a quorum for the transaction of the business of the MI-STEM Advisory Council. The MI-STEM Advisory Council shall act by a majority vote of its serving voting members. The MI-STEM Advisory Council shall meet at the call of its chairperson and as otherwise provided in procedures adopted by the MI-STEM Advisory Council.
 - (8) The MI-STEM Advisory Council may establish advisory workgroups composed of individuals or entities participating in MI-STEM Council activities or other members of the public as deemed necessary by the MI-STEM Advisory Council to assist the MI-STEM Advisory Council in performing its authorities, powers, duties, functions, and responsibilities. The MI-STEM Advisory Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.
 - (9) The MI-STEM Advisory Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The MI-STEM Advisory Council also may consult with outside experts in order to perform its authorities, powers, duties, functions, and responsibilities, including experts in the private sector, organized labor, government agencies, and at institutions of higher education.
 - (10) Members of the MI-STEM Advisory Council will serve without compensation. Members of the MI-STEM Advisory Council may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.
 - (11) The Department 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 authorities and powers of the MI-STEM Advisory Council and the performance of its duties, functions, and responsibilities as the director of the Department deems advisable and necessary, in accordance with this order and applicable law, rules, and procedures, subject to available funding.
 - (12) Members of the MI-STEM Advisory Council shall refer all legal, legislative, and media contacts to the Department.
 - (13) All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the MI-STEM Council, or to any member or representative of the MI-STEM Council, any necessary assistance required by the MI-STEM Council, or any member or representative of the MI-STEM Council, in the performance of the authorities, powers, duties, functions, and responsibilities of the MI-STEM Council so far as is compatible with its, his, or her duties. Free access also must be given to any books, records, or documents in its, his, or her custody relating to matters within the scope of inquiry, study, or review of the MI-STEM Council.

9. Transfers from the Department of Treasury

- (a) The authorities, powers, duties, functions, and responsibilities of the Department of Treasury under Article V of The State School Aid Act of 1979, 1979 PA 94, as amended, MCL 388.1897 to 388.1897I, are transferred from the Department of Treasury to the Department.

10. Definitions

As used in this order:

- (a) “Department of Civil Rights” means the principal department of state government created by section 475 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.575.
- (b) “Department of Education” means the principal department of state government created by section 300 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.400.
- (c) “Department of Health and Human Services” means the principal department of state government created by Executive Order 2015-4, MCL 400.227.
- (d) “Department of Labor and Economic Opportunity” or “Department” means the principal department of state government created under section 1 of this order.
- (e) “Department of Licensing and Regulatory Affairs” means the principal department of state government originally created as the Department of Commerce under section 225 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.325, renamed as the Department of Consumer and Industry Services by Executive Order 1996-2, MCL 445.2001, renamed as the Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011, renamed as the Department of Energy, Labor, and Economic Growth by Executive Order 2008-20, MCL 445.2025, and renamed as the Department of Licensing and Regulatory Affairs by Executive Order 2011-4, MCL 445.2030.
- (f) “Department of Talent and Economic Development” means the principal department of state government created by Executive Order 2014-12, MCL 125.1995.
- (g) “Department of Technology, Management and Budget” means the principal department of state government originally created as the Department of Management and Budget by Section 121 of the Management and Budget Act, 1984 PA 431, MCL 18.1121, and renamed as the Department of Technology, Management and Budget by Executive Order 2009-55, MCL 18.441.
- (h) “Department of Treasury” means the principal department of state government created under section 75 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.175.
- (i) “Michigan Administrative Hearing System” means the former entity within the Department of Licensing and Regulatory Affairs created under section IX of Executive Order 2011-4, MCL 445.2030, the authorities, powers, duties, functions, and responsibilities of which were transferred to the Michigan Office of Administrative Hearing and Rules by Executive Order 2019-6.
- (j) “Michigan Compensation Appellate Commission” means the Commission created under section I of Executive Order 2011-6, MCL 445.2032, as amended by Executive Order 2014-6, MCL 333.26253.
- (k) “Michigan Economic Development Corporation” means the public body corporate created pursuant to section 28 of article 7 of the Michigan Constitution of 1963 and the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, as amended, MCL 124.501 to 124.512, between the Michigan Strategic Fund and local participating economic development corporations formed under the Economic Development Corporations Act, 1974 PA 338, as amended, MCL 125.1601 to 125.1636, dated April 5, 1999, as amended and restated.
- (l) “Michigan Office for New Americans” means the office created within the Executive Office of the Governor by Executive Order 2014-2 and transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2014-12, MCL 125.1995.
- (m) “Michigan State Housing Development Authority” means the public body corporate and politic created under section 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, as amended, MCL 125.1421.
- (n) “Michigan Strategic Fund” means the public body corporate and politic created within the Department of Treasury under section 5 of 1984 PA 270, as amended, MCL 125.2005, and transferred to the Department of Talent and Economic Development by Executive Order 2014-12, MCL 125.1995.
- (o) “Michigan Talent Investment Agency” means the agency created under section III of Executive Order 2014-12, MCL 125.1995.
- (p) “Office of Global Michigan” means the former Michigan Office for New Americans renamed as the Office of Global Michigan by section 7(i)(4) of this order.
- (q) “State Budget Director” means the individual appointed by the governor under section 321 of The Management and Budget Act, 1984 PA 431, as amended, MCL 18.1321.
- (r) “Superintendent of Public Instruction” means the principal executive officer of the Department of Education provided for by section 3 of article 8 of the Michigan Constitution of 1963.
- (s) “Type I agency” means an agency established consistent with section 3(a) of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103.
- (t) “Type I transfer” means that term as defined under section 3(a) of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103(a).
- (u) “Type II transfer” means that term as defined under section 3(b) of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103(b).
- (v) “Type III transfer” means that term as defined under section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103(c).

(w) "Type IV transfer" means a basic type transfer where all statutory authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds, including the functions of budgeting, procurement, personnel, and management-related functions are retained by the transferred entity and the transferred entity remains an autonomous entity, in the same manner as the former Michigan Employment Security Commission was designated an autonomous entity within the former Department of Labor under section 379 of the Executive Organization Act, 1965 PA 380, MCL 16.479, the Michigan Strategic Fund was transferred to the former Michigan Department of Management and Budget under Executive Order 1999-1, MCL 408.40, and the Michigan Strategic Fund was transferred to the former Department of Labor and Economic Growth under Executive Order 2003-18, MCL 445.2001.

11. Implementation

- (a) Except as otherwise provided in this order, the director of each applicable department shall provide executive direction and supervision for the implementation of all transfers to the director's department under this order. The president of the Michigan Strategic Fund shall provide executive direction and supervision for the implementation of all transfers to the Michigan Strategic Fund under this order.
- (b) Except as otherwise provided in this order, the authorities, powers, duties, functions, and responsibilities transferred to a department under this order will be administered under the direction and supervision of the director of that department. The authorities, powers, duties, functions, and responsibilities transferred to the Michigan Strategic Fund under this order will be administered under the direction and supervision of the president of the Michigan Strategic Fund.
- (c) Any records, personnel, property, and unexpended balances of appropriations, allocations, and other money used, held, employed, available, or to be made available to any entity for the authorities, powers, duties, functions, and responsibilities are transferred to the entity under this order.
- (d) Except as otherwise provided in this order, the director of a department shall administer the authorities, powers, duties, functions and responsibilities transferred to the department under this order in such ways as to promote efficient administration and shall make internal organizational changes as administratively necessary to complete the realignment of responsibilities under this order. The president of the Michigan Strategic Fund shall administer the authorities, powers, duties, functions, and responsibilities transferred to the Michigan Strategic Fund under this order in such ways as to promote efficient administration and shall make internal organizational changes as administratively necessary to complete the realignment of responsibilities under this order.
- (e) State departments, agencies, and state officers shall fully and actively cooperate with and assist each director of a department receiving functions or responsibilities under this order with implementation of functions or responsibilities under this order. The director of a department receiving authorities, powers, duties, functions, or responsibilities under this order may request the assistance of other state departments, agencies, and officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, and other management-related functions, and the departments, agencies, and officers shall provide that assistance. The president of the Michigan Strategic Fund may request the assistance of other state departments, agencies, and officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, and other management-related functions, and the departments, agencies, and officers shall provide that assistance.
- (f) The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in this state's financial management system necessary to implement this order.
- (g) A rule, regulation, order, contract, or agreements relating to an authority, power, duty, function, or responsibility transferred under this order lawfully adopted before the effective date of this order will continue to be effective until revised, amended, repealed, or rescinded.
- (h) This order does not abate any criminal action commenced by this state before the effective date of this order.
- (i) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected under this order.
- (j) If any portion of this order is found to be unenforceable, the unenforceable provision should be disregarded and the rest of the order should remain in effect as issued.
- (k) Consistent with section 2 of article 5 of the Michigan Constitution of 1963, this order is effective August 11, 2019 at 12:01 a.m.

Given under my hand and the great seal of the State of Michigan.

Date: June 6, 2019

[SEAL]

GRETCHEN WHITMER
GOVERNOR
By the Governor:
JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received June 7, 2019 and read:

EXECUTIVE ORDER

No. 2019-14

UP Energy Task Force

Department of Environment, Great Lakes, and Energy

The residents of Michigan's Upper Peninsula ("UP") deserve an energy supply that is affordable, secure, and environmentally sound. Today, however, they face significant challenges in these respects. For several reasons, including the region's expansive geographic reach and low population density, the UP has struggled with energy affordability and infrastructure development, and parts of the UP have some of the highest electricity rates in the nation. These prices, coupled with relatively high poverty rates in certain areas, have resulted in UP residents paying a disproportionate amount of their monthly income on energy costs.

Moreover, about 25% of UP residents use propane to heat their homes. Most of these residents rely on propane delivered through a single pipeline: Line 5, miles of which run through the waters of the Great Lakes, posing an ever-present threat to those waters and all who depend on them. Just this week a report by the National Transportation Safety Board about last year's anchor strike on Line 5 demonstrated that Michigan is one mistake away from a catastrophic oil spill in the Great Lakes. While no established alternative system for distributing propane exists now, with focused effort a system can be put in place.

The strength of Michigan's economy, and the health of its Great Lakes and residents, would benefit from a close examination of how the UP's energy needs can be best met, with a focus on affordability, reliability, security, and environmental soundness.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

Acting pursuant to the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Creation of the UP Energy Task Force

- (a) The UP Energy Task Force ("Task Force") is created as an advisory body within the Department of Environment, Great Lakes, and Energy ("Department").
- (b) The Task Force shall consist of at least 13 voting members appointed by the governor, representing the range of expertise relevant to this issue, and all of whom shall be residents of this state.
- (c) A vacancy on the Task Force shall be filled in the same manner as the original appointment.

2. Charge to the Task Force

- (a) The Task Force shall act in an advisory capacity to the governor and shall do the following:
 - (1) Assess the UP's overall energy needs and how they are currently being met.
 - (2) Formulate alternative solutions for meeting the UP's energy needs, with a focus on security, reliability, affordability, and environmental soundness. This shall include, but is not limited to, alternative means to supply the energy sources currently used by UP residents, and alternatives to those energy sources.
 - (3) Identify and evaluate potential changes that could occur to energy supply and distribution in the UP; the economic, environmental, and other impacts of such changes; and the alternatives for meeting the UP's energy needs in response to such changes.
 - (4) Provide other information or advice or take other actions as directed by the governor.
- (b) The Task Force shall prepare a final report and submit it to the governor. The Task Force shall complete its final report in two stages. First, the Task Force shall submit a propane plan to the governor by March 31, 2020. This plan shall focus on alternative means to supply propane to the UP, consistent with section 2(a) of this order. Second, the Task Force shall submit the remainder of its report, also consistent with section 2(a), by March 31, 2021.

3. Operations of the Task Force

- (a) The Department shall assist the Task Force in the performance of its duties and provide personnel to staff the Task Force. The Michigan Public Service Commission, and other departments or agencies with relevant expertise, may also assist the Task Force and provide personnel to staff the Task Force, in coordination with the director of the Department. The budgeting, procurement, and related management functions of the Task Force shall be performed under the direction and supervision of the director of the Department.
- (b) The Task Force shall adopt procedures, consistent with this order and applicable law, governing its organization and operations.
- (c) The Task Force shall comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.

- (d)The Task Force shall comply with the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.275.
- (e)The governor shall designate the chairperson of the Task Force.
- (f)The Task Force may select from among its members a vice chairperson.
- (g)The Task Force may select from among its members a secretary. Task Force staff shall assist the secretary with recordkeeping responsibilities.
- (h)The Task Force shall meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Task Force.
- (i) A majority of the members of the Task Force serving constitutes a quorum for the transaction of the business of the Task Force. The Task Force must act by a majority vote of its serving members.
- (j) The Task Force may establish advisory workgroups composed of individuals or entities participating in Task Force activities or other members of the public as deemed necessary by the Task Force to assist it in performing its duties and responsibilities. The Task Force may adopt, reject, or modify any recommendations proposed by an advisory workgroup.
- (k)The Task Force may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Task Force also may consult with outside experts in order to perform its duties, including experts in the private sector, organized labor, government agencies, and at institutions of higher education.
- (l) The Task Force 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 Task Force and the performance of its duties as the Director deems advisable and necessary, consistent with this order and applicable law, rules and procedures, subject to available funding.
- (m) The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be received and used in accordance with law.
- (n)Members of the Task Force shall serve without compensation, but may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, and subject to available funding.
- (o)Members of the Task Force shall refer all legal, legislative, and media contacts to the Department.
- (p)Ninety days after issuance of its final report, the Task Force shall dissolve.

4. Implementation

- (a)All departments, committees, commissioners, or officers of this state shall give to the Task Force, or to its chairperson, any necessary assistance required by the Task Force, or its chairperson, in the performance of the duties of the Task Force so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Task Force, consistent with applicable law.
- (b)This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.
- (c)If any portion of this order is found to be unenforceable, the unenforceable provision should be disregarded and the rest of the order should remain in effect as issued.
- (d)This order is effective upon filing.

Given under my hand and the great seal of the State of Michigan.

Date: June 7, 2019

[SEAL]

GRETCHEN WHITMER

GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received June 11, 2019 and read:

EXECUTIVE ORDER

No. 2019-15

2020 United States Census Complete Count Committee

Department of Technology, Management and Budget

Section 2 of article 1 of the United States Constitution requires the federal government to count the number of people living in the United States and its territories every ten years.

Section 141 of Title 13 of the Census Act, Public Law 83-740, 13 USC 141(a), provides that the next federal census date will be April 1, 2020.

Census data are used by the federal government to allocate more than \$675 billion in federal funds to states, counties, and communities each year, as well as to determine the number of representatives each state will have in the United States House of Representatives. Therefore, it is imperative that the census count in Michigan be complete and accurate.

The creation of a statewide Complete Count Committee in Michigan will heighten awareness of the 2020 Census, encourage the full participation of the residents of this state in the counting process, and help to ensure that all Michigan residents, including members of disadvantaged communities, receive appropriate representation in government.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

Acting pursuant to the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Creation of the 2020 United States Census Complete Count Committee

(a) The 2020 United States Census Complete Count Committee (“Committee”) is created as an advisory body within the Department of Technology, Management and Budget (“Department”).

(b) The Committee shall consist of:

(1) The governor;

(2) The lieutenant governor; and

(3) At least 50 members appointed by the governor representing various sectors and communities within this state and reflecting the diverse geographic, economic, racial, cultural, gender, and occupational composition of this state.

(c) The governor shall serve as the chairperson of the Committee. The lieutenant governor shall serve as the vice-chairperson of the Committee.

(d) The governor may appoint one or more individuals to serve as honorary chairpersons of the Committee.

(e) The governor may also appoint as non-voting ex officio members the directors of one or more principal departments and members of Congress that represent congressional districts in Michigan.

2. Charge to the Committee

(a) The Committee shall act in an advisory capacity to the governor and shall do the following:

(1) Provide public leadership to elevate and reinforce the importance of the 2020 Census;

(2) Identify barriers that may impede the full participation of Michigan residents in the 2020 Census, which shall include, but not be limited to, identifying areas or groups within this state that are isolated geographically, socioeconomically, linguistically, racially, culturally, or otherwise may be difficult to count;

(3) Develop, recommend, and assist in the administration of an outreach action plan designed to overcome these barriers and to ensure as complete a count as possible of Michigan’s population in the 2020 Census;

(4) Develop, recommend, and assist in the distribution of educational and promotional materials designed to heighten awareness of, and encourage the full participation of Michigan residents in, the 2020 Census;

(5) Identify opportunities to coordinate its efforts and resources with those of the various individuals and entities working on the federal, state, and local levels to ensure as complete a count as possible of Michigan’s population in the 2020 Census; and

(6) Provide other advice and take other action as requested by the governor.

(b) The Committee shall complete its work and submit a final report to the governor by October 1, 2020. This report shall summarize the efforts of the Committee and its conclusions, and shall suggest improvements for the Complete Count Committee for Census 2030. The Committee is dissolved on November 1, 2020.

3. Operations of the Committee

(a) The Committee shall be staffed by personnel from, and assisted by, the Department. Any budgeting, procurement, and related management functions shall be performed under the direction and supervision of the director of the Department.

(b) The Committee shall adopt procedures, consistent with this order and applicable law, governing its organization and operations. The governor may delegate her responsibilities as chairperson to a committee member from section 1(b)(3) of this order.

(c) The Committee shall comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.

(d) The Committee shall comply with the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.275.

(e) The Committee shall meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Committee. The Committee shall meet at least quarterly until March 1, 2020, and as often thereafter as is required to complete its work.

(f) The Committee may establish advisory workgroups, which may include committee members, representatives of state departments or agencies, or members of the public as deemed necessary by the Committee to

assist the Committee in performing its duties and responsibilities. The Committee may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

- (g) The Committee may, as appropriate, coordinate its efforts with those of the United States Census Bureau and other complete count committees established at the local level.
- (h) The Committee may, as appropriate, make inquiries, perform studies and investigations, hold hearings, and receive comments from the public. The Committee also may consult with outside experts in order to perform its duties, including experts in the private sector, organized labor, government agencies, and at institutions of higher education.
- (i) The Committee 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 Committee and the performance of its duties as the director of the Department deems advisable and necessary, consistent with this order and applicable law, rules, and procedures, subject to available funding.
- (j) The Committee may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be received and used in accordance with law.
- (k) Members of the Committee shall serve without compensation. Members of the Committee may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.
- (l) Members of the Committee shall refer all legal, legislative, and media contacts to the Department.

4. Implementation

- (a) All departments, committees, commissioners, or officers of this state shall give to the Committee, or to its chairperson, any necessary assistance required by the Committee, or its chairperson, in the performance of the duties of the Committee so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Committee, consistent with applicable law.
- (b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.
- (c) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.
- (d) This order is effective upon filing.

Given under my hand and the great seal of the State of Michigan.

Date: June 11, 2019

[SEAL]

GRETCHEN WHITMER
GOVERNOR
By the Governor:
JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Rep. Brann introduced

House Bill No. 4695, entitled

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending section 114 (MCL 570.1114), as amended by 2016 PA 415.

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

Reps. Brann, Vaupel, Bellino, Crawford, Allor and Cherry introduced

House Bill No. 4696, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 391, 392a, 409, 411, 431, 433a, and 467 (MCL 168.391, 168.392a, 168.409, 168.411, 168.431, 168.433a, and 168.467), sections 391, 409, 411, 431, 433a, and 467 as amended by 2018 PA 120.

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

Rep. Coleman introduced

House Bill No. 4697, entitled

A bill to amend 2016 PA 235, entitled "Public threat alert system act," by amending sections 2 and 3 (MCL 28.672 and 28.673).

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Rep. Coleman introduced

House Bill No. 4698, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5143.

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

Reps. Whitsett, Byrd, Elder, Hertel, Cambensy, Peterson, Neeley, Brixie, Afendoulis, Cynthia Johnson, Brenda Carter, Paquette, Ellison and Cherry introduced

House Bill No. 4699, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4r (MCL 117.4r), as amended by 2013 PA 192.

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

Reps. Whiteford and Vaupel introduced

House Bill No. 4700, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” (MCL 791.201 to 791.285) by adding section 34e.

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

Reps. Cambensy, Hertel, Hope, Chirkun, Gay-Dagnogo, Yancey, Stone, Love, Ellison, Cherry, Tyrone Carter, Garrett, Rabhi, Sowerby, Manoogian, Camilleri, Hammoud, Elder, Koleszar, Cynthia Johnson, Pagan, Haadsma, Neeley, Shannon, Sabo, Tate, Bolden and Greig introduced

House Bill No. 4701, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406u.

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

Reps. Chirkun and Cambensy introduced

House Bill No. 4702, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” (MCL 445.901 to 445.922) by adding section 9b; and to repeal acts and parts of acts.

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

Reps. Afendoulis, LaGrand, Brann, Crawford, Maddock, Mueller, Filler, Huizenga, VanWoerkom, Hornberger, Schroeder, Howell, Wendzel, Hall, Bellino, LaFave, Paquette and Whitsett introduced

House Bill No. 4703, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 15 (MCL 169.215), as amended by 2015 PA 269.

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

Reps. Crawford, Hall, Rendon, Webber, Reilly, Liberati, LaFave, Schroeder, Camilleri and Allor introduced

House Bill No. 4704, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2 and 8e (MCL 722.622 and 722.628e), section 2 as amended by 2018 PA 59 and section 8e as added by 2008 PA 511.

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

Reps. Hall, Schroeder, Cynthia Johnson, Webber, Reilly, Steven Johnson, LaFave, Markkanen, LaGrand, Camilleri, Cambensy, Rendon, Liberati, Allor and Crawford introduced

House Bill No. 4705, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8 (MCL 722.628), as amended by 2016 PA 491.

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

Reps. Schroeder, Hall, Cynthia Johnson, Webber, Crawford, LaGrand, Steven Johnson, LaFave, Reilly, Camilleri, Meerman, Liberati and Allor introduced

House Bill No. 4706, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8d (MCL 722.628d), as amended by 2014 PA 30.

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

Reps. Liberati, Crawford, Hall, LaFave, Webber, Schroeder, Cynthia Johnson, Camilleri, LaGrand, Reilly and Allor introduced

House Bill No. 4707, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8 (MCL 722.628), as amended by 2016 PA 491.

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

Reps. Meerman, Crawford, Schroeder, Hall, Rendon, Webber, Reilly, Liberati, LaFave, Cynthia Johnson, Camilleri and Allor introduced

House Bill No. 4708, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8d (MCL 722.628d), as amended by 2014 PA 30.

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

Reps. LaGrand, Schroeder, Camilleri, Hall, Cambensy, Steven Johnson, Cynthia Johnson, Reilly, LaFave, Markkanen, Webber, Liberati, Allor and Crawford introduced

House Bill No. 4709, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” (MCL 722.621 to 722.638) by adding section 9b. The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Kahle, Pagan, Kuppa, Warren, Filler, LaGrand, Haadsma, Vaupel, Griffin, Calley, Hertel, Sabo, LaFave, Wozniak, Frederick, Afendoulis and Sneller introduced

House Bill No. 4710, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16215, 16322, 16501, 16511, 16521, 16525, and 16529 (MCL 333.16215, 333.16322, 333.16501, 333.16511, 333.16521, 333.16525, and 333.16529), section 16215 as amended by 2005 PA 211, sections 16322, 16501, 16525, and 16529 as added by 2006 PA 30, section 16511 as amended by 2006 PA 397, and section 16521 as amended by 2010 PA 79, and by adding sections 16513, 16515, and 16517.

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

Reps. Steven Johnson, Slagh, Markkanen, Allor, Maddock, Miller, LaFave, Green, Reilly, Byrd, Neeley, Paquette, Yaroch and Garrett introduced

House Bill No. 4711, entitled

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” by amending section 4 (MCL 722.954).

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

Reps. Steven Johnson, LaFave and Miller introduced

House Bill No. 4712, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 421 (MCL 750.421).

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

Reps. Miller, Steven Johnson and LaFave introduced

House Bill No. 4713, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16u of chapter XVII (MCL 777.16u), as amended by 2000 PA 279.

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

Reps. Slagh, Brixie, Frederick, Green, Eisen and LaGrand introduced

House Bill No. 4714, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 206 (MCL 168.206).

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

Reps. Slagh, Brixie, Frederick, Green, Eisen and LaGrand introduced

House Bill No. 4715, entitled

A bill 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 11 (MCL 46.11), as amended by 2016 PA 77.

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

Reps. Hornberger, Calley, Meerman, Allor, Yaroch, Paquette, Mueller, Bellino, Bollin, Farrington, O’Malley, LaFave, Eisen, Wozniak, Hall, Crawford and Marino introduced

House Joint Resolution K, entitled

A joint resolution proposing an amendment to the state constitution of 1963, amending sections 3 and 7 of article VIII, to eliminate the state board of education, superintendent of public instruction, and state board for public community and junior colleges.

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

Rep. Jones moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 12, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

