

No. 10
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2019

House Chamber, Lansing, Tuesday, February 5, 2019.

1:30 p.m.

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

Due to adverse weather conditions throughout the State on Wednesday and Thursday, January 30 and 31, the sessions were canceled 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—present	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—present
Coleman—present	Huizenga—present	Pagan—present	Wittenberg—present
Crawford—present	Iden—present	Paquette—present	Witwer—present
Eisen—present	Inman—present	Peterson—present	Wozniak—present
Elder—present	Johnson, C.—present	Pohutsky—present	Yancey—present
Ellison—present	Johnson, S.—present	Rabhi—present	Yaroach—present
Farrington—present	Jones—present		

e/d/s = entered during session

Rep. Phil Green, from the 84th District, offered the following invocation:

“Our gracious, kind and loving Heavenly Father, You commanded that we bring our requests and petitions humbly before Your throne of Grace.

We pause this afternoon to reflect on Your loving favor toward us. You have abundantly blessed us by allowing us to breathe Your air and to eat of Your abundant harvest. You have abundantly blessed us by allowing us to be citizens of this great nation, The United States of America. You have also abundantly blessed us by allowing us to live in the great state of Michigan. We know that every good gift and every perfect gift cometh down from the Father which is in Heaven. We do not take those gifts lightly. I pray that Your name would be lifted up in our chamber, our State and our Nation.

When we pause and consider Your blessings we also pause and consider the position You have placed us in as Representatives of the people of our districts. We pray the same request that King Solomon prayed: for Wisdom. Lord, we pray that You would give us the insight and knowledge we need to make the best decisions that will impact our great state for generations to come. We pray for wisdom as we make daily decisions that will impact our ability to lead. I pray that You will keep us from the temptation to exalt ourselves higher than You, to think more highly of ourselves than what is reality or to lift ourselves higher than our peers.

Lord, I pray that we would be delivered from evil. That the harassment from the ‘Evil One’ will be hindered. I pray that we can legislate righteously and rightly without fear of man and without favor to men.

Lord, we know that the very heart of the king is in Your hand and You turn it however You choose. Lord I pray that as the Great King of kings and Lord of lords You would shape our desires, goals and ambitions. Lord, I pray that we would be tender to Your leading, today.

I ask these things in the name of Your precious Son, Jesus.
Amen.”

Motions and Resolutions

Reps. Hornberger, Allor, Bollin, Gay-Dagnogo, Kahle, Leutheuser, Liberati, Marino and Webber offered the following resolution:

House Resolution No. 15.

A resolution to recognize January 27-February 2, 2019, as Catholic Schools Week in the state of Michigan. Whereas, There are 51,011 students attending 224 Catholic elementary and high schools throughout our great state; and

Whereas, The Constitution of Michigan states that “Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged”; and

Whereas, Catholic school parents pay tuition in addition to supporting public schools through their taxes; and

Whereas, Catholic schools comply with the same health, safety, and general welfare regulations required of public schools; and

Whereas, The viability of Catholic schools should be encouraged so that declines in Catholic school enrollment, which necessitate increases in public expenditures in the School Aid Fund, can be avoided; and

Whereas, Catholic schools instill a broad, values-based education, emphasizing the lifelong development of moral, intellectual, and social values in young people, making them responsible citizens of our state and nation; and

Whereas, Catholic schools educate many students who are non-Catholic, many students who are economically disadvantaged, and that a good education remains the single best way out of poverty; and

Whereas, With their traditionally high academic standards, high graduation rates, and commitment to community service, Catholic schools and their graduates make a positive contribution to society; and

Whereas, January 27-February 2, 2019, has been designated as Catholic Schools Week, with the theme “Catholic Schools: Learn. Serve. Lead. Succeed.” as denoted by the National Catholic Educational Association and the United States Conference of Catholic Bishops; and

Whereas, The common good of the state of Michigan is strengthened through the continued existence of Catholic schools; and

Whereas, Catholic schools seek to form a supporting partnership with each student’s family, encouraging the involvement of parents in the education of their children, so that Catholic schools are part of a solution to form productive lives for future generations; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize January 27-February 2, 2019, as Catholic Schools Week in the state of Michigan. We support the continued dedication of Catholic schools across Michigan toward academic excellence and the key role Catholic schools play in promoting and ensuring a brighter, stronger future for students; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Catholic Conference with our highest esteem.

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

Reps. Witwer, Allor, Bollin, Calley, Chirkun, Coleman, Garza, Gay-Dagnogo, Hoadley, Jones, Kahle, Kennedy, Lasinski, Leutheuser, Liberati, Manoogian, Marino, Pohutsky, Rabhi, Sabo, Sneller, Sowerby, Stone and Warren offered the following resolution:

House Resolution No. 16.

A resolution to commemorate the 100th anniversary of the founding of Michigan Farm Bureau.

Whereas, February 4, 2019, marks 100 years of Michigan Farm Bureau's presence in the state of Michigan; and

Whereas, The origins of Michigan Farm Bureau began in 1914, when President Woodrow Wilson signed the Smith-Lever Act, which created the extension service. This provided local agricultural agents from land-grant universities through a partnership with the United States Department of Agriculture. Before these agents could be approved, counties had to organize into local farmers bureaus to help direct the extension project; and

Whereas, Michigan organized a state federation of county Farm Bureaus in 1919, following Missouri, Massachusetts, and Vermont, who did so in 1915. The organization began when county extension agents and farmers from 57 counties throughout Michigan met at Michigan Agricultural College (now Michigan State University) to officially form what was then called the Michigan State Farm Bureau; and

Whereas, One month later, the newly formed Michigan State Farm Bureau adopted its mission statement, which read: "Its purposes are to unite under a definite head of all other farm organizations. The Farm Bureau should not be considered just another farmers' organization added to the list but as THE ONE which may assist all others to better accomplish their purposes." The organization would later drop the word "State" from its name in 1944 to officially become the Michigan Farm Bureau; and

Whereas, Today, Michigan Farm Bureau ensures the growth of Michigan food and farms, such as advocating for good government policy, developing opportunities for young farmers, providing student scholarships and grants, supporting local food efforts, creating food literacy programs for kids, hosting community building events and funding efforts to protect the environment, water quality, farmland preservation, and more; and

Whereas, Michigan Farm Bureau is involved in numerous annual charitable contributions and volunteerism, including Michigan Easter Seals, Harvest for All, FFA, 4-H, the Michigan Livestock Expo, and the U.P. State Fair, among many others; and

Whereas, Michigan Farm Bureau also annually recognizes and honors its deserving Farm Bureau members and individuals from outside the organization for their contributions and achievements in supporting and advancing the state's agriculture industry, including bestowing the Young Farmer Achievement Award, the Young Farmer Agricultural Employee Award, the Educator of the Year Award, and the Distinguished Service to Agriculture Award, among others; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 100th anniversary of the founding of Michigan Farm Bureau; and be it further

Resolved, That a copy of this resolution be transmitted to Michigan Farm Bureau, as evidence of our esteem for being Michigan's voice for agriculture over the last 100 years.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Hornberger offered the following resolution:

House Resolution No. 17.

A resolution authorizing the Speaker to act on behalf of the House of Representatives in *League of Women Voters of Michigan, et al v. Jocelyn Benson*.

Whereas, On August 9, 2011, following the 2010 Census, then-Governor Rick Snyder signed into law Public Acts 128 and 129 of 2011. These acts collectively provided for the redistricting of congressional and state legislative districts, as required by the U.S. and Michigan constitutions and in accordance with state law. Specifically, Public Act 129 of 2011, which passed both chambers of the Legislature with bipartisan support, provided for the redistricting of the Michigan House of Representatives and the Senate; and

Whereas, On December 22, 2017, the League of Women Voters of Michigan and other named individuals filed an action against the Secretary of State, in her official capacity, in the United States District Court for the Eastern District of Michigan, Case No. 2:17-cv-14148, contending that the congressional and state legislative district maps are unconstitutional partisan gerrymanders in violation of the First and Fourteenth Amendments of the U.S. Constitution; and

Whereas, Following the filing of the action, then-Secretary of State Ruth Johnson engaged in a vigorous defense of Public Acts 128 and 129 of 2011, including the filing of multiple motions to dismiss the lawsuit and for summary judgement. On November 6, 2018, the people of Michigan elected Jocelyn Benson as Secretary of State, succeeding Secretary of State Johnson on January 1, 2019; and

Whereas, On January 17, 2019, Secretary of State Benson, through newly appointed counsel, filed a motion to stay the proceedings. In the motion and subsequent filings and public statements, the Secretary of State expressed a desire to cease defending the law and instead settle the matter with the plaintiffs, including by agreeing to allow for the redrawing of state legislative districts for the 2020 elections. The filing of such a motion effectively ended the adversarial role of the Secretary of State and its meaningful participation in and defense of this matter; and

Whereas, The Speaker of the House moved to intervene in his official capacity, and intervention was granted after appeal to the United States Court of Appeals for the Sixth Circuit; and

Whereas, Members of the Michigan House of Representatives now have an additional interest in this matter, as the proposed remedy could invalidate numerous House districts and result in the redrawing of substantially more than that number; and

Whereas, The House of Representatives must seek to defend its unique role in Michigan's constitutional system; now, therefore, be it

Resolved by the House of Representatives, That the Speaker of the House, in his official capacity as an intervenor, is authorized to speak for the House of Representatives in *League of Women Voters of Michigan, et al v. Jocelyn Benson* (2:17-cv-14148) and take all necessary steps incidental thereto, including, but not limited to, pursuing or defending any appeals.

The question being on the adoption of the resolution,

Rep. Hornberger moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 17.

A resolution authorizing the Speaker to act on behalf of the House of Representatives in *League of Women Voters of Michigan, et al v. Jocelyn Benson*.

Whereas, On August 9, 2011, following the 2010 Census, then-Governor Rick Snyder signed into law Public Acts 128 and 129 of 2011. These acts collectively provided for the redistricting of congressional and state legislative districts, as required by the U.S. and Michigan constitutions and in accordance with state law. Specifically, Public Act 129 of 2011, which passed both chambers of the Legislature with bipartisan support, provided for the redistricting of the Michigan House of Representatives and the Senate; and

Whereas, On December 22, 2017, the League of Women Voters of Michigan and other named individuals filed an action against the Secretary of State, in her official capacity, in the United States District Court for the Eastern District of Michigan, Case No. 2:17-cv-14148, contending that the congressional and state legislative district maps are unconstitutional partisan gerrymanders in violation of the First and Fourteenth Amendments of the U.S. Constitution; and

Whereas, Following the filing of the action, then-Secretary of State Ruth Johnson engaged in a vigorous defense of Public Acts 128 and 129 of 2011, including the filing of multiple motions to dismiss the lawsuit and for summary judgement. On November 6, 2018, the people of Michigan elected Jocelyn Benson as Secretary of State, succeeding Secretary of State Johnson on January 1, 2019; and

Whereas, On January 17, 2019, Secretary of State Benson, through newly appointed counsel, filed a motion to stay the proceedings. In the motion and subsequent filings and public statements, the Secretary of State expressed a desire to cease defending the law and instead settle the matter with the plaintiffs, including by agreeing to allow for the redrawing of state legislative districts for the 2020 elections; and

Whereas, Then-Speaker Pro Tempore of the House moved to intervene in his official capacity, and intervention was granted after appeal to the United States Court of Appeals for the Sixth Circuit; and

Whereas, Members of the Michigan House of Representatives now have an additional interest in this matter, as the proposed remedy could invalidate numerous House districts and result in the redrawing of substantially more than that number; and

Whereas, The House of Representatives must seek to defend its unique role in Michigan's constitutional system; now, therefore, be it

Resolved by the House of Representatives, That the Speaker of the House, in his official capacity as an intervenor, is authorized to speak for the House of Representatives in *League of Women Voters of Michigan, et al v. Jocelyn Benson* (2:17-cv-14148) and take all necessary steps incidental thereto, including, but not limited to, pursuing or defending any appeals.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

Senate Concurrent Resolution No. 5.

A concurrent resolution providing for a joint convention of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives meet in joint convention in the Hall of the House of Representatives, on February 12, 2019 at 6:30 p.m., to receive the message of Governor Gretchen Whitmer.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Introduction of Bills

Reps. Markkanen, LaFave and Cambensy introduced

House Bill No. 4120, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 10 of chapter IV (MCL 224.10), as amended by 2004 PA 516.

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

Reps. Byrd and Garrett introduced

House Bill No. 4121, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78q (MCL 211.78q), as amended by 2016 PA 518.

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

Reps. Hammoud, Hoadley, Manoogian, Camilleri, Gay-Dagnogo and Neeley introduced

House Bill No. 4122, entitled

A bill to require all state departments and agencies to establish certain water affordability criteria; and to prescribe the powers and duties of certain state governmental officers and entities.

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

Reps. Whitsett, Neeley, Cynthia Johnson, Sabo, Brixie, Elder and Jones introduced

House Bill No. 4123, 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.

Rep. Cole introduced

House Bill No. 4124, entitled

A bill to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” by amending section 5 (MCL 52.205), as amended by 2010 PA 108.

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

Rep. VanSingel introduced

House Bill No. 4125, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 51 and 51d (MCL 206.51 and 206.51d), as amended by 2018 PA 588; and to repeal acts and parts of acts.

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

Reps. Albert and Rendon introduced

House Bill No. 4126, entitled

A bill to amend 2018 IL 1, entitled “Michigan regulation and taxation of marihuana act,” by amending section 8 (MCL 333.27958).

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

Reps. Rendon and Albert introduced

House Bill No. 4127, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 206 (MCL 333.27206), as amended by 2018 PA 10.

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

Rep. Miller introduced

House Bill No. 4128, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XI (MCL 711.1), as amended by 2000 PA 111.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, January 29:

House Bill Nos.	4096	4097	4098	4099	4100	4101	4102	4103	4104	4105	4106	4107	4108
	4109	4110	4111	4112	4113	4114	4115	4116	4117	4118	4119		

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, February 5:

Senate Bill Nos.	80	81	82	83	84	85	86
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Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, February 5, 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. Filler, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Tuesday, February 5, 2019

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

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, February 5, 2019

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

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, February 5, 2019

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

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, February 5, 2019

Present: Reps. Sheppard, Cole, Lilly, Greig and Rabhi

Notices

January 28, 2019

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

Dear Mr. Clerk,

Pursuant to Public Act 332 of 2016, I am appointing the following members of the Michigan House of Representatives to the Michigan Council on Future Mobility for the term ending December 31, 2020:

Representative Julie Calley (R)

Representative Rebekah Warren (D)

Sincerely,
Lee Chatfield
Speaker
Michigan House of Representatives

January 28, 2019

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

Dear Mr. Clerk,

Pursuant to Public Act 412 of 1965, I am appointing the following members of the Michigan House of Representatives to the Michigan Law Revision Commission for the term ending December 31, 2020:

Representative Ryan Berman (R)

Representative Brian Elder (D)

Sincerely,
Lee Chatfield
Speaker
Michigan House of Representatives

February 1, 2019

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

Dear Mr. Clerk,

Pursuant to Public Act 268 of 1986, I am appointing the following members of the Michigan House of Representatives to the Michigan Commission on Uniform State Laws for the term ending December 31, 2020:

Representative Matt Hall (R)

Representative Tenisha Yancey (D)

Sincerely,
Lee Chatfield
Speaker
Michigan House of Representatives

Messages from the Governor

The following message from the Governor was received February 4, 2019 and read:

EXECUTIVE ORDER

No. 2019-02

**Department of Environmental Quality
Department of Licensing and Regulatory Affairs
Department of Natural Resources
Department of Technology, Management, and Budget
Department of Environment, Great Lakes, and Energy
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.

State government needs a principal department focused on improving the quality of Michigan's air, land, and water, protecting public health, and encouraging the use of clean energy. That department should serve as a full-time guardian of the Great Lakes, our freshwater, and our public water supplies.

Michigan state government can better administer the implementation of administrative rules and the conduct of administrative hearings—particularly those that protect Michigan's air, land, and water, and the public health—by consolidating state functions and responsibilities relating to administrative hearings and rules.

Overly bureaucratic organizations within state government can hinder the state's response to threats to the environment and public health and detract from good government.

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

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

1. Establishing the Department of Environment, Great Lakes, and Energy

- (a) Renaming the Department of Environmental Quality
 - (1) The Department of Environmental Quality is renamed the Department of Environment, Great Lakes, and Energy (the "Department").
 - (2) After the effective date of this order, a reference to the Department of Environmental Quality will be deemed to be a reference to the Department.
 - (3) After the effective date of this order, a reference to the director of the Department of Environmental Quality will be deemed to be a reference to the director of the Department.
- (b) Interagency Environmental Justice Response Team
 - (1) The Interagency Environmental Justice Response Team (the "Response Team") is created as an advisory body within the Department, consisting of the following members:
 - (A) The director of the Department, or the director's designee from within the Department.
 - (B) The director of the Department of Agriculture and Rural Development, or the director's designee from within that department.
 - (C) The executive director of the Department of Civil Rights, or the executive director's designee from within that department.
 - (D) The director of the Department of Health and Human Services, or the director's designee from within that department.
 - (E) The director of the Department of Natural Resources, or the director's designee within that department.
 - (F) The president of the Michigan Strategic Fund, or the president's designee from within the Michigan Strategic Fund.
 - (G) The director of the Department of Transportation, or the director's designee from within that department.
 - (H) The chairperson of the Public Service Commission, or the chairperson's designee from within the Public Service Commission.
 - (2) The members of the Response Team are ex officio members.

- (3) The director of the Department, or the director's designee from within the Department, is designated as the chairperson of the Response Team.
- (4) The Response Team shall act in an advisory capacity with the goal of assuring that all Michigan residents benefit from the same protections from environmental hazards, and do all the following:
 - (A) Assist the Department in developing, implementing, and regularly updating a statewide environmental justice plan (the "Plan").
 - (B) Identify and make recommendations to address discriminatory public health or environmental effects of state laws, regulations, policies, and activities on Michigan residents, including an examination of disproportionate impacts.
 - (C) Develop policies and procedures for use by state departments and agencies, including collaborative problem-solving, to assist in assuring that environmental justice principles are incorporated into departmental and agency decision-making and practices.
 - (D) Recommend mechanisms for members of the public, communities, tribal governments, and groups, including disproportionately-burdened communities, to assert adverse or disproportionate social, economic, or environmental impact upon a community and request responsive state action.
 - (E) Make recommendations to ensure consistency with federal environmental justice programs and recommend specific mechanisms for monitoring and measuring the effects of implementing the Plan.
 - (F) Identify state departments and agencies that could benefit from the development of a departmental or agency environmental justice plan.
 - (G) Assist in the development of departmental or agency environmental justice plans and review the plans for consistency with the state environmental justice plan.
 - (H) Recommend measures to integrate and coordinate the actions of state departments to further the promotion of environmental justice in this state.
 - (I) Recommend environmental justice performance goals and measures for the Department and other state departments and agencies with departmental or agency environmental justice plans.
 - (J) Review the progress of the Department and other departments and agencies with environmental justice plans in complying with the plan and promoting environmental justice.
 - (K) Interact with tribal governments regarding environmental justice issues.
 - (L) Work to achieve Michigan's goal of becoming a national leader in achieving environmental justice.
 - (M) Make recommendations to improve environmental justice training for state and local officials and employees.
 - (N) Review best practices to enhance community environmental quality monitoring.
 - (O) Recommend changes in Michigan law.
 - (P) Perform other advisory duties as requested by the director of the Department or the governor.
- (5) The following provisions apply to the operations of the Response Team:
 - (A) The Department shall assist the Response Team in the performance of its duties and provide personnel to staff the Response Team, subject to available funding. The budgeting, procurement, and related management functions of the Response Team will be performed under the direction and supervision of the director of the Department.
 - (B) The Response Team shall adopt procedures, consistent with this order and applicable law, governing its organization and operations. The Response Team should actively solicit public involvement in its activities.
 - (C) A majority of the members of the Response Team serving constitutes a quorum for the transaction of the business of the Response Team. The Response Team must act by a majority vote of its serving members.
 - (D) The Response Team shall meet at the call of its chairperson and as otherwise provided in procedures adopted by the Response Team.
 - (E) The Response Team may establish advisory workgroups composed of individuals or entities participating in Response Team activities or other members of the public as deemed necessary by the Response Team to assist the Response Team in performing its duties and responsibilities. The Response Team may adopt, reject, or modify any recommendations proposed by an advisory workgroup.
 - (F) The Response Team may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Response Team 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.
 - (G) The Response Team 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 Response Team 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.
 - (H) The Response Team 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.

- (6) All departments, committees, commissioners, or officers of this state shall give to the Response Team, or to any member or representative of the Response Team, any necessary assistance required by the Response Team, or any member or representative of the Response Team, in the performance of the duties of the Response Team 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 Response Team, consistent with applicable law.
- (7) Executive Directive 2018-3 is rescinded in its entirety. The Environmental Justice Interagency Work Group described in Executive Directive 2018-3 is abolished. The position of Environmental Justice Ombudsman described in Executive Directive 2018-3 is abolished.
- (c) Office of the Clean Water Public Advocate
 - (1) The Office of the Clean Water Public Advocate is created as a Type I agency within the Department.
 - (2) The director of the Department shall appoint the Clean Water Public Advocate, who will be the head of the Office of the Clean Water Public Advocate.
 - (3) The Clean Water Public Advocate shall do all the following:
 - (A) Accept and investigate complaints and concerns related to drinking water quality within the State of Michigan.
 - (B) Establish complaint, investigatory, informational, educational, and referral procedures and programs relating to drinking water quality, coordinating with existing programs where feasible.
 - (C) Establish a statewide uniform reporting system to collect and analyze complaints about drinking water quality for the purpose of publicizing improvements and significant problems, coordinating with existing programs where feasible.
 - (D) Assist the Department, or other departments or agencies, in the resolution of complaints where necessary or appropriate.
 - (E) Assist in the development, and monitor the implementation, of state and federal laws, rules, and regulations relating to drinking water quality.
 - (F) Recommend changes in state and federal law, rules, regulations, policies, guidelines, practices, and procedures relating to drinking water quality.
 - (G) Cooperate with persons and public or private agencies and undertake or participate in conferences, inquiries, meetings, or studies that may lead to improvements in drinking water quality in this state.
 - (H) Publicize the activities of the Office of the Clean Water Public Advocate, as appropriate.
 - (I) Identify issues related to drinking water quality that transcend state departmental jurisdictions and work with the director of the Department, the director of the Department of Health and Human Services, and other state departments and agencies to seek solutions.
 - (J) Report matters relating to drinking water quality to the governor and the director of the Department, as the Clean Water Public Advocate deems necessary.
- (4) All departments, committees, commissioners, or officers of this state shall give to the Office of the Clean Water Public Advocate, or to any member or representative of the Office of the Clean Water Public Advocate, any necessary assistance required by the Office of the Clean Water Public Advocate, or any member or representative of the Office of the Clean Water Public Advocate, in the performance of the duties of the Office of the Clean Water Public Advocate 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 Office of the Clean Water Public Advocate, consistent with applicable law.
- (d) Office of Climate and Energy
 - (1) The Office of Climate and Energy is established within the Department.
 - (2) The Office of Climate and Energy shall exercise the authorities, powers, duties, functions, and responsibilities transferred from the Michigan Agency for Energy to the Department under section 5(b) of this order.
 - (3) The Office of Climate and Energy also shall do all the following:
 - (A) Coordinate activities of state departments and agencies on climate response.
 - (B) Provide insight and recommendations to state government and local units of government on how to mitigate climate impact and adapt to climate changes.
 - (C) Provide guidance and assistance for the reduction of greenhouse gas emissions, renewable energy and energy efficiency, and climate adaptation and resiliency.
 - (D) Perform other functions and responsibilities as requested by the director of the Department.
- (e) Office of the Great Lakes
 - (1) A new Office of the Great Lakes is established within the Department.
 - (2) The Office of the Great Lakes shall exercise the authorities, powers, duties, functions, and responsibilities transferred from the former Office of the Great Lakes to the Department under section 6(a) of this order, as allocated or reallocated by the director of the Department to promote the economic and efficient administration and operation of the Department.

(f) Office of the Environmental Justice Public Advocate

- (1) The Office of the Environmental Justice Public Advocate is created as a Type I agency within the Department.
- (2) The director of the Department shall appoint the Environmental Justice Public Advocate, who is the head of the Office of the Environmental Justice Public Advocate.
- (3) The Environmental Justice Public Advocate shall do all the following:
 - (A) Accept and investigate complaints and concerns related to environmental justice within the state of Michigan.
 - (B) Establish complaint, investigatory, informational, educational, and referral procedures and programs relating to environmental justice, coordinating with existing investigatory programs where feasible.
 - (C) Establish a statewide uniform reporting system to collect and analyze complaints about environmental justice for the purpose of publicizing improvements and significant problems, coordinating with existing programs where feasible.
 - (D) Assist the Department, or other departments or agencies, in the resolution of complaints where necessary or appropriate.
 - (E) Assist in the development, and monitor the implementation of, state and federal laws, rules, and regulations relating to environmental justice.
 - (F) Recommend changes in state and federal law, rules, regulations, policies, guidelines, practices, and procedures relating to environmental justice.
 - (G) Cooperate with persons and public or private agencies and undertake or participate in conferences, inquiries, meetings, or studies that may lead to improvements in environmental justice in this state.
 - (H) Publicize the activities of the Office of the Environmental Justice Public Advocate.
 - (I) Identify issues related to environmental justice that transcend state departmental jurisdictions and work with the director of the Department and the Interagency Environmental Justice Response Team created under section 1(b) of this order to seek solutions.
 - (J) Report matters of environmental justice involving state departments and agencies to the governor and the director of the Department, as the Environmental Justice Public Advocate deems necessary.
 - (K) Attend and participate in meetings of the Interagency Environmental Justice Response Team created under section 1(b) of this order.
- (4) All departments, committees, commissioners, or officers of this state shall give to the Office of the Environmental Justice Public Advocate, or to any member or representative of the Office of the Environmental Justice Public Advocate, any necessary assistance required by the Office of the Environmental Justice Public Advocate, or any member or representative of the Office of the Environmental Justice Public Advocate, in the performance of the duties of the Office of the Environmental Justice Public Advocate 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 Office of the Environmental Justice Public Advocate, consistent with applicable law.

(g) Science Review Boards

- (1) The director of the Department may create one or more science review boards to advise the Department and the governor on scientific issues relating to the authorities, powers, duties, functions, and responsibilities of the Department, including those relating to protecting Michigan's environment, the Great Lakes, and the safety of drinking water.
- (2) A board created under section 1(g)(1) of this order will consist of 7 members appointed by the director of the Department, each with scientific expertise in one or more of the following areas: biology, chemistry, ecology, climatology, hydrology, hydrogeology, toxicology, human medicine, engineering, geology, physics, risk assessment, or other related disciplines.
- (3) A board created under section 1(g)(1) of this order shall assess the scientific issue before the board and determine whether the board has sufficient expertise to fully review the issue. If the board determines that additional expertise would assist the board in its review, the board may request assistance from one or more persons with knowledge and expertise related to the subject of its scientific inquiry.
- (4) The director of the Department shall designate a member of a board created under section 1(g)(1) of this order to serve as the chairperson of that board at the pleasure of the director. The board may select a member of the board to serve as its vice-chairperson.
- (5) A board created under section 1(g)(1) of this order will be staffed and assisted by personnel from the Department, subject to available funding. The budgeting, procurement, and related management functions of the board will be performed under the direction and supervision of the director of the Department.
- (6) A board created under section 1(g)(1) of this order shall adopt procedures, consistent with this order and applicable law, governing its organization and operations.
- (7) A majority of the members serving on a board created under section 1(g)(1) of this order constitutes a quorum for the transaction of the board's business. The board shall act by a majority vote of its serving members.
- (8) A board created under section 1(g)(1) of this order will meet at the call of its chairperson and as may be provided in procedures adopted by the board.

(9) A board created under section 1(g)(1) of this order may make inquiries, studies, investigations, hold hearings, and receive comments from the public relating to its functions and responsibilities under this order. A board also may consult with outside experts in connection with the performance of its duties, including experts in the private sector, at government agencies, and at institutions of higher education.

(10) Members of a board created under section 1(g)(1) of this order serve without compensation, but may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, and subject to available funding.

(11) A board created under section 1(g)(1) of this order may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the board and the performance of its duties as the director of the Department deems advisable and necessary, consistent with applicable law, rules, and procedures, and subject to available funding.

(12) A board created under section 1(g)(1) of this order 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.

(13) All departments, committees, commissioners, or officers of this state shall give to a board created under section 1(g)(1) of this order, or to any member or representative of a board created under section 1(g)(1) of this order, any necessary assistance required by the board created under section 1(g)(1) of this order, or any member or representative of a board created under section 1(g)(1) of this order, in the performance of a board created under section 1(g)(1) of this order 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 a board created under section 1(g)(1) of this order, consistent with applicable law.

(h) State Plumbing Board

(1) The position on the State Plumbing Board designated for the director of the Department of Environmental Quality or his or her authorized representative is transferred to the director of the Department or the director's designated representative from within the Department, as a voting, ex officio member of the State Plumbing Board.

(2) The position on the State Plumbing Board designated for a member or employee of the Department of Environmental Quality selected by the director of the Department of Environmental Quality is transferred to an individual with expertise in hydrology or clean drinking water appointed by the director of the Department and serving at the pleasure of the director of the Department. The individual appointed by the director of the Department under this section 1(h)(2) may be an employee of the Department.

2. Administering the Department

(a) The director of the Department is the head of the Department.

(b) The director of the Department shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote the economic and efficient administration and operation of the Department.

(c) The director of the Department may promulgate rules and regulations as necessary to carry out functions vested in the director under this order or other law in accordance with the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(d) The director of the Department may perform a duty or exercise a power conferred by law or executive order upon the director of the Department at the time and to the extent the duty or power is vested in the director of the Department by law or order.

(e) The director of the Department may appoint one or more deputy directors and other assistants and employees as necessary to implement and effectuate the powers, duties, and functions vested in the Department under this order or other law.

(f) Deputies may perform the duties and exercise the duties as prescribed by the director of the Department. The director of the Department may delegate within the Department a duty or power conferred on the director of the Department by this order or other law, and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated by the director of the Department.

(g) Decisions made by the director of the Department, or by persons to whom the director has lawfully delegated decision-making authority, are subject to judicial review as provided by law and in accordance with applicable court rules.

(h) The director of the Department may utilize administrative law judges and hearing officers employed by the Michigan Office of Administrative Hearings and Rules to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

(i) The director of the Department is the chief advisor to the governor regarding the development of energy policies and programs.

(j) The director of the Department is the chief advisor to the governor regarding the development of policies and programs relating to freshwater and the Great Lakes.

(k) The director of the Department is designated as the governor's designee as a commissioner on the Great Lakes Commission under section 32202 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.32202.

- (l) The director of the Department may establish advisory workgroups, advisory councils, or other ad hoc committees to provide citizen and other public input and to advise the director or the Department on the exercise of the authorities, powers, duties, functions, and responsibilities vested in the Department.

3. Establishing the Michigan Office of Administrative Hearings and Rules

- (a) The Michigan Office of Administrative Hearings and Rules (“Office”) is created as a Type I agency within the Department of Licensing and Regulatory Affairs. The director of the Department of Licensing and Regulatory Affairs shall appoint an executive director of the Office to head the Office. The executive director of the Office must administer the personnel functions of the Office and be the appointing authority for employees of the Office.
- (b) As a Type I agency, the Office shall exercise its prescribed powers, duties, responsibilities, functions, and any rule-making, licensing, and registration, including the prescription of any rules, rates, and regulations and standards, and adjudication, including those transferred to the Office under this order, independently of the director of the Department of Licensing and Regulatory Affairs. The budgeting, procurement, and related management functions of the Office shall be performed under the direction and supervision of the director of the Department of Licensing and Regulatory Affairs.
- (c) After the effective date of this order, a reference to the Michigan Administrative Hearing System or the Michigan Office of Regulatory Reinvention will be deemed to be a reference to the Michigan Office of Administrative Hearings and Rules created under section 3 of this order. The position of executive director of the Michigan Administrative Hearing System is abolished.
- (d) The executive director of the Office is the chief regulatory officer of the State of Michigan.

4. Transfers from the Department of Environmental Quality

- (a) Environmental Permit Review Commission
 - (1) The Environmental Permit Review Commission (the “Commission”) established within the Department under section 1313 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.1313, including any environmental permit panels of the Commission provided for by section 1315 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.1315, is transferred by Type III transfer to the Department.
 - (2) The Commission is abolished.

5. Transfers from the Department of Licensing and Regulatory Affairs

- (a) Michigan Public Service Commission
 - (1) The Michigan Public Service Commission is transferred by Type I transfer from the Michigan Agency for Energy to the Department of Licensing and Regulatory Affairs.
- (b) Michigan Agency for Energy
 - (1) The Energy Security section of the Michigan Agency for Energy is transferred to the Michigan Public Service Commission.
 - (2) The Michigan Agency for Energy, excluding any authorities, powers, duties, functions, and responsibilities transferred under section 5(a) or 5(b)(1), is transferred by Type III transfer from the Department of Licensing and Regulatory Affairs to the Department. The director of the Department may allocate authority, power, duties, functions and responsibilities transferred under this section 5(b)(2) within the new Office of Climate and Energy created by section 1(d) of this order.
 - (3) The Michigan Agency for Energy is abolished.
 - (4) The position of executive director of the Michigan Agency for Energy is abolished.
- (c) Michigan Administrative Hearing System
 - (1) The authorities, powers, duties, functions, and responsibilities of the Michigan Administrative Hearing System created by Executive Order 2011-4, MCL 445.2030, are transferred to the Michigan Office of Administrative Hearing and Rules created by section 3 of this order.
 - (2) The Michigan Administrative Hearing System is abolished.

6. Transfers from the Department of Natural Resources

- (a) Office of the Great Lakes
 - (1) The Office of the Great Lakes is transferred by Type III transfer from the Department of Natural Resources to the Department.
 - (2) The Office of the Great Lakes is abolished.
 - (3) The position of director of the Office of the Great Lakes is abolished.

7. Transfers from the Department of Technology, Management, and Budget

- (a) Office of Performance and Transformation
 - (1) The Office of Good Government created within the Office of Performance and Transformation under section III of Executive Order 2016-4, MCL 18.446, is transferred by Type III transfer to the Department of Technology, Management, and Budget and is abolished.

- (2) The Office of Reinventing Performance in Michigan, also known as the Office of Continuous Improvement, created within the Office of Performance and Transformation under section IV of Executive Order 2016-4, MCL 18.446, is transferred by Type III transfer to the Department of Technology, Management, and Budget and is abolished.
 - (3) Except as otherwise provided in section 7(a)(4), the authorities, powers, duties, functions, and responsibilities of the Office of Interagency Initiatives within the Office of Performance and Transformation are transferred to the Executive Office of the Governor and the Office of Interagency Initiatives is abolished.
 - (4) All the authorities, powers, duties, functions, and responsibilities vested in the Office of Performance and Transformation under section V of Executive Order 2016-4, MCL 18.446, are transferred by Type III transfer to the Department of Technology, Management and Budget.
 - (5) The Environmental Rules Review Committee created within the Office of Performance and Transformation under section 65 of the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.265, is transferred by Type III transfer to the Department and is abolished. The authorities, powers, duties, functions, and responsibilities of the Office of Performance and Transformation under section 66 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.266, are transferred by Type III transfer to the Department.
 - (6) The authorities, powers, duties, functions, and responsibilities of the Office of Performance and Transformation transferred from the Office of Regulatory Reinvention under section II of Executive Order 2016-4, MCL 18.446, and the authorities, powers, duties, functions, and responsibilities of the Office of Performance and Transformation under the Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.201 to 24.328, not transferred to the Department under this order are transferred to the Michigan Office of Administrative Hearings and Rules created by section 3 of this order. The Office of Regulatory Reinvention is abolished.
 - (7) Any remaining authorities, powers, duties, functions and responsibilities of the Office of Performance and Transformation not otherwise transferred under this section 7(a), including the Office of Internal Audit Services, which remains intact, are transferred to the State Budget Office and the Office of Performance and Transformation is abolished.
 - (b) Environmental Science Advisory Board
 - (1) The Environmental Science Advisory Board is transferred by Type III transfer from the Department of Technology, Management, and Budget to the Department.
 - (2) The Environmental Science Advisory Board is abolished.
- 8. Definitions**
- As used in this order:
- (a) "Civil Service Commission" means the commission required under section 5 of article 11 of the Michigan Constitution of 1963 and includes the State Personnel Director.
 - (b) "Department of Environment, Great Lakes, and Energy" or "Department" means the principal department of state government originally created as the Department of Environmental Quality under section IV of Executive Order 2011-1, MCL 324.99921, and renamed by this order.
 - (c) "Department of Environmental Quality" means the principal department of state government created under section IV of Executive Order 2011-1, MCL 324.99921.
 - (d) "Department of Health and Human Services" means the principal department of state government created by Executive Order 2015-4, MCL 400.227.
 - (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 the Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011, renamed the Department of Energy, Labor, and Economic Growth by Executive Order 2008-20, MCL 445.2025, and renamed the Department of Licensing and Regulatory Affairs by Executive Order 2011-4, MCL 445.2030.
 - (f) "Department of Natural Resources" means the principal department of state government created under section III of Executive Order 2011-1, MCL 324.99921.
 - (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 481, as amended, MCL 18.1211, and renamed the Department of Technology, Management, and Budget by Executive Order 2009-55, MCL 18.441.
 - (h) "Environmental Science Advisory Board" means the board created within the Department of Technology, Management, and Budget under section 2603 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 2603.
 - (i) "Michigan Administrative Hearing System" means the agency created within the Department of Licensing and Regulatory Affairs by section IX of Executive Order 2011-4, MCL 445.2030.

- (j) “Michigan Agency for Energy” means the agency created within the Department of Licensing and Regulatory Affairs by Executive Order 2015-10, MCL 460.21, as modified by Executive Order 2018-1, MCL 460.22.
- (k) “Michigan Office of Administrative Hearings and Rules” means the office created within the Department of Licensing and Regulatory Affairs under section 3 of this order.
- (l) “Michigan Public Service Commission” means the commission created under the Michigan Public Service Commission Act of 1939, as amended, 1939 PA 3, MCL 460.1.
- (m) “Office of the Great Lakes,” as used in section 6(a) of this order, means the office created under section 32903 of the Natural Resources and Environmental Protection Act, as amended, 1994 PA 451, MCL 324.32903, transferred to the former Department of Environmental Quality by Executive Order 1995-18, MCL 324.99903, transferred to the former Department of Natural Resources and Environment by Executive Order 2009-45, MCL 324.99919, transferred to the Department of Environmental Quality by Executive Order 2011-1, MCL 324.99921, and transferred to the Department of Natural Resources by Executive Order 2017-9, MCL 324.99922, including all of the authorities, powers, duties, functions, responsibilities transferred with the Office of the Great Lakes under Executive Order 2017-9, MCL 324.99922.
- (n) “Office of Performance and Transformation” means the office created within the State Budget Office by Executive Order 2016-4, MCL 18.446.
- (o) “State Budget Office” means the office within the Department of Technology, Management, and Budget created originally as the Office of the State Budget Director by section 321 of The Management and Budget Act, 1984 PA 431, as amended, MCL 18.1321, and renamed as the State Budget Office by Executive Order 2009-55, MCL 18.441.
- (p) “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.
- (q) “State Personnel Director” means the administrative and principal executive officer of the Civil Service Commission provided for under section 5 of article 11 of the Michigan Constitution of 1963 and section 204 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.304.
- (r) “State Plumbing Board” means the board provided for by section 1105 of the Skilled Trade Regulation Act, 2016 PA 407, MCL 339.6105.
- (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 II transfer” means that phrase as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103.
- (u) “Type III transfer” means that phrase as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103.

9. Implementation

- (a) The director of any department receiving a transfer under this order shall provide executive direction and supervision for the implementation of all transfers to that department under this order.
- (b) The functions and responsibilities transferred to a department under this order will be administered under the direction and supervision of the director of the department receiving a transfer under this order.
- (c) Any records, personnel, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred to a department receiving a transfer under this order are transferred to that same department receiving a transfer under this order.
- (d) The director of any department receiving a transfer under this order shall administer the functions and responsibilities transferred to the department receiving a transfer under this order in such ways as to promote efficient administration and must 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 the director of a department with implementation responsibilities under this order. The director of a department with implementation 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.
- (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 a 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 entity affected by this order. A proceeding may be maintained by, against, or before the successor of any 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 April 7, 2019 at 12:01 a.m.

Given under my hand and the Great Seal of the State of Michigan.

Date: February 4, 2019

[SEAL]

GRETCHEN WHITMER

GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

Communications from State Officers

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

January 25, 2019

Pursuant to Public Act 372 of 1927, as amended, enclosed is a copy of the Concealed Pistol License (CPL) Annual Report. This report details the CPL activity between October 1, 2017, and September 30, 2018.

If you have any questions regarding the information in this report, please feel free to contact the Michigan State Police, Concealed Pistol License Unit, at 517-284-3700.

Sincerely,
Col. Joseph M. Gasper
DIRECTOR

February 1, 2019

In accordance with MCL 500.6110, the Michigan State Police hereby notifies all interested parties that the annual report from the Auto Theft Prevention Authority is complete and available for viewing. Please do not hesitate to reach out with any questions.

Thank you,
F/Lt. Timothy Fitzgerald
Executive Resources Section
Office of the Director
Michigan State Police
Cell (517) 927-6661

The communications were referred to the Clerk.

Announcements by the Clerk

January 29, 2019

Received from the Auditor General a copy of the:

- Performance audit report on the Michigan Business Development Program, Michigan Strategic Fund (MSF), Department of Talent and Economic Development (186-0500-17), January 2019.
- Follow-up report on the Community and Noncommunity Water Supplies, Drinking Water and Municipal Assistance Division, Department of Environmental Quality, (761-0320-15F), January 2019.

January 31, 2019

Received from the Auditor General a copy of the:

- Performance audit report on the Flint Emergency Expenditures, State of Michigan (000-2018-19), January 2019.

Gary L. Randall
Clerk of the House

The Clerk received the following dissent from Rep. Hoadley:

I voiced a no vote on HR 17 and dissent from the adoption of the resolution. The resolution attempts to continue to defend a set of maps that have presented a factual record of an attempt to discriminate based on the likely party affiliation of various voters. Additionally, the voters were clear in adopting Proposal 2 that they wish to see maps drafted a nonpartisan, not a defense of the status quo.

Rep. Webber moved that the House adjourn.
The motion prevailed, the time being 2:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 6, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

