

No. 80
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House Chamber, Lansing, Thursday, December 15, 2016.

12:01 a.m.

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

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

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

e/d/s = entered during session

Rep. David Rutledge, from the 54th District, offered the following invocation:

“Gracious, loving and merciful Father, we open our hearts to You especially during this special time of year. We are reminded of the gift of life and faith, as the glories of the heavenly hosts are echoed in our places of worship. We open ourselves up to Your Spirit and give You thanks. We are grateful, Lord that Your story has become our story, and we celebrate Your birth. Continue, we pray, to instill in us a profound sense of Your abiding presence, and help us to take to heart the wonder of Your love, that we may walk in Your ways and delight in Your will. Help us, Lord, to be the faithful, gracious, loving, giving and forgiving people You would have us be.”

Messages from the Senate

The Speaker laid before the House

House Bill No. 5514, entitled

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

(The bill was received from the Senate on December 14, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2449.)

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

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

Roll Call No. 718

Yeas—107

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

Nays—1

Potvin

In The Chair: Franz

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 4629, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7523 and 7524 (MCL 333.7523 and 333.7524), section 7523 as amended by 2006 PA 130 and section 7524 as amended by 2011 PA 161.

(The bill was received from the Senate on December 14, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2449.)

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

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

Roll Call No. 719

Yeas—101

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

Nays—7

Brunner	Greimel	Kesto	LaVoy
Cox	Guerra	Lauwers	

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5400, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 2705, 5119, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, and 20201 (MCL 333.2701, 333.2705, 333.5119, 333.16327, 333.17201, 333.17210, 333.17211, 333.17212, 333.17221, 333.17607, 333.17708, 333.17745, 333.17820, 333.17822, and 333.20201), sections 2701 and 2705 as amended by 2014 PA 172, section 5119 as amended by 2016 PA 66, section 16327 as amended by 2009 PA 216, sections 17211 and 17221 as amended by 2006 PA 409, section 17212 as added by 1996 PA 355, section 17607 as added by 2008 PA 524, section 17708 as amended by 2016 PA 49, section 17745 as amended by 2014 PA 525, section 17820 as amended by 2014 PA 260, section 17822 as amended by 2005 PA 281, and section 20201 as amended by 2011 PA 210, and by adding sections 17211a and 17214.

(The bill was received from the Senate on December 14, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2449.)

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

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

Roll Call No. 720

Yeas—101

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

Nays—7

Bumstead	Farrington	Kelly	Potvin
Canfield	Franz	McCready	

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5664, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as amended by 2015 PA 20.

(The bill was received from the Senate on December 14, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2450.)

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

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

Roll Call No. 721

Yeas—106

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

Nays—2

Robinson

Somerville

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5774, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending the title and sections 3, 4, 10, 11, and 20 (MCL 400.703, 400.704, 400.710, 400.711, and 400.720), the title as amended by 1992 PA 176, sections 3

and 10 as amended by 2014 PA 450, section 4 as amended by 2013 PA 156, and sections 11 and 20 as amended by 2006 PA 201, and by adding section 22b.

(The bill was received from the Senate on December 14, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2450.)

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

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

Roll Call No. 722**Yeas—106**

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

Nays—2

Robinson Somerville

In The Chair: Franz

The House agreed to the full title.

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

House Bill No. 4598, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16192 and 16201 (MCL 333.16192 and 333.16201), section 16192 as amended by 2013 PA 268 and section 16201 as amended by 1988 PA 462, and by adding section 16326 and part 171.

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 16326 and part 171.

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

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 723

Yeas—81

Banks	Gay-Dagnogo	Leonard	Roberts, B.
Barrett	Geiss	Leutheuser	Roberts, S.
Brinks	Goike	Love	Robinson
Brunner	Green	Lyons	Rutledge
Bumstead	Greig	Maturen	Santana
Byrd	Greimel	McBroom	Schor
Chang	Guerra	Miller, A.	Sheppard
Chirkun	Hoadley	Moss	Singh
Cochran	Hovey-Wright	Muxlow	Smiley
Cole	Howell	Neeley	Somerville
Cotter	Hughes	Outman	Talabi
Crawford	Inman	Pagan	Townsend
Darany	Jacobsen	Pagel	Vaupel
Dianda	Jenkins	Phelps	Victory
Durhal	Johnson	Plawecki, L.	Webber
Faris	Kivela	Poleski	Whiteford
Farrington	LaFontaine	Potvin	Wittenberg
Forlini	LaGrand	Price	Yanez
Franz	Lane	Pscholka	Yonker
Garcia	LaVoy	Rendon	Zemke
Garrett			

Nays—27

Afendoulis	Driskell	Irwin	McCready
Bizon	Gardon	Kelly	Nesbitt
Callton	Glenn	Kesto	Runestad
Canfield	Graves	Kosowski	Tedder

Chatfield
Clemente
Cox

Hooker
Howrylak
Iden

Lauwers
Liberati
Lucido

Theis
VerHeulen

In The Chair: Franz

The House agreed to the title as amended.

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

Second Reading of Bills

Senate Bill No. 833, entitled

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending sections 2, 13, and 14 (MCL 29.362, 29.373, and 29.374), as amended by 2006 PA 213.

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

The motion prevailed.

Rep. Garcia 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

Senate Bill No. 833, entitled

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending sections 2, 13, and 14 (MCL 29.362, 29.373, and 29.374), as amended by 2006 PA 213.

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

Roll Call No. 724

Yeas—108

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

Durhal	Jenkins	Pagel	Whiteford
Faris	Johnson	Phelps	Wittenberg
Farrington	Kelly	Plawecki, L.	Yanez
Forlini	Kesto	Poleski	Yonker
Franz	Kivela	Potvin	Zemke

Nays—0

In The Chair: Franz

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

“An act to create the firefighters training council; to prescribe the powers and duties of the council, the state fire marshal, and certain fire departments and other organizations; to create the firefighters training council fund and to provide for allocations from the fund to local agencies of government participating in a firefighters training program; and to make an appropriation,”

The House agreed to the full title.

Senate Bill No. 624, entitled

A bill to amend 2004 PA 530, entitled “Historical neighborhood tax increment finance authority act,” by amending sections 3 and 17 (MCL 125.2843 and 125.2857), section 3 as amended by 2010 PA 237.

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

Roll Call No. 725**Yeas—61**

Afendoulis	Graves	Lauwers	Pscholka
Barrett	Green	Leonard	Rendon
Callton	Greimel	Liberati	Roberts, B.
Canfield	Hooker	Lucido	Runestad
Chatfield	Howell	Lyons	Santana
Chirkun	Howrylak	Maturen	Sheppard
Clemente	Hughes	McCready	Somerville
Cotter	Iden	Muxlow	Theis
Cox	Inman	Neeley	VerHeulen
Dianda	Irwin	Nesbitt	Victory
Farrington	Jenkins	Outman	Webber
Forlini	Johnson	Pagel	Wittenberg
Franz	LaFontaine	Phelps	Yanez
Geiss	LaGrand	Plawecki, L.	Yonker
Glenn	Lane	Price	Zemke
Goike			

Nays—47

Banks	Durhal	Kesto	Roberts, S.
Bizon	Faris	Kivela	Robinson
Brinks	Garcia	Kosowski	Rutledge
Brunner	Garrett	LaVoy	Schor
Bumstead	Gay-Dagnogo	Leutheuser	Singh
Byrd	Glardon	Love	Smiley
Chang	Greig	McBroom	Talabi
Cochran	Guerra	Miller, A.	Tedder
Cole	Hoadley	Moss	Townsend

Crawford
Darany
Driskell

Hovey-Wright
Jacobsen
Kelly

Pagan
Poleski
Potvin

Vaupel
Whiteford

In The Chair: Franz

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

“An act to provide for the establishment of a historical neighborhood tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act,”

The House agreed to the full title.

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

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

Rep. Aaron Miller, having reserved the right to explain his protest against the passage of the bill, made the following statement

“Mr. Speaker and members of the House:

Instead of this smaller, minimized TIF reform, I would rather see broader TIF reform in the Michigan Legislature. Particularly, and in an unrelated policy matter, I am roundly disappointed at a lack of action on property tax valuation appeals. For those reasons, I duly register a negative vote.”

Second Reading of Bills

Senate Bill No. 982, entitled

A bill to amend 1998 PA 434, entitled “Uniform fraudulent transfer act,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 566.31, 566.32, 566.33, 566.34, 566.35, 566.36, 566.37, 566.38, 566.39, 566.40, 566.41, 566.42, and 566.43), section 1 as amended by 2009 PA 44 and section 8 as amended by 2000 PA 362, and by adding sections 14 and 15.

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

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

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

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

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

The motion prevailed.

Rep. Garcia 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

Senate Bill No. 982, entitled

A bill to amend 1998 PA 434, entitled “Uniform fraudulent transfer act,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 566.31, 566.32, 566.33, 566.34, 566.35, 566.36, 566.37, 566.38, 566.39, 566.40, 566.41, 566.42, and 566.43), section 1 as amended by 2009 PA 44 and section 8 as amended by 2000 PA 362, and by adding sections 14 and 15.

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

Roll Call No. 726**Yeas—107**

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

Nays—1

Somerville

In The Chair: Franz

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

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

A bill to amend 1998 PA 434, entitled "An act to define and regulate fraudulent transfers and conveyances; to set aside and modify certain transfers and conveyances; to make uniform the law of fraudulent transfers; and to repeal acts and parts of acts," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 566.31, 566.32, 566.33, 566.34, 566.35, 566.36, 566.37, 566.38, 566.39, 566.40, 566.41, 566.42, and 566.43), sections 1, 4, and 9 as amended by 2016 PA 331 and section 8 as amended by 2000 PA 362, and by adding sections 14 and 15.

The motion prevailed.

The House agreed to the title as amended.

Senate Bill No. 983, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 122 (MCL 450.1122), as amended by 2001 PA 57.

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

Roll Call No. 727**Yeas—107**

Afendoulis	Garcia	Kosowski	Pscholka
Banks	Garrett	LaFontaine	Rendon

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

Nays—1

Potvin

In The Chair: Franz

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

“An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

Senate Bill No. 984, entitled

A bill to amend 1982 PA 162, entitled “Nonprofit corporation act,” by amending section 122 (MCL 450.2122), as amended by 2014 PA 557.

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

Roll Call No. 728

Yeas—107

Afendoulis	Garcia	Kosowski	Pscholka
Banks	Garrett	LaFontaine	Rendon
Barrett	Gay-Dagnogo	LaGrand	Roberts, B.
Bizon	Geiss	Lane	Roberts, S.
Brinks	Glardon	Lauwers	Robinson
Brunner	Glenn	LaVoy	Runestad

Bumstead	Goike	Leonard	Rutledge
Byrd	Graves	Leutheuser	Santana
Callton	Green	Liberati	Schor
Canfield	Greig	Love	Sheppard
Chang	Greimel	Lucido	Singh
Chatfield	Guerra	Lyons	Smiley
Chirkun	Hoadley	Maturen	Somerville
Clemente	Hooker	McBroom	Talabi
Cochran	Hovey-Wright	McCready	Tedder
Cole	Howell	Miller, A.	Theis
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Victory
Dianda	Irwin	Outman	Webber
Driskell	Jacobsen	Pagan	Whiteford
Durhal	Jenkins	Pagel	Wittenberg
Faris	Johnson	Phelps	Yanez
Farrington	Kelly	Plawecki, L.	Yonker
Forlini	Kesto	Poleski	Zemke
Franz	Kivela	Price	

Nays—1

Potvin

In The Chair: Franz

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

“An act to revise, consolidate, and classify the laws relating to the organization and regulation of certain nonprofit corporations; to prescribe their duties, rights, powers, immunities, and liabilities; to provide for the authorization of foreign nonprofit corporations within this state; to impose certain duties on certain state departments; to prescribe fees; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

Senate Bill No. 985, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending section 24a (MCL 552.624a), as amended by 2002 PA 572.

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

Roll Call No. 729**Yeas—107**

Afendoulis	Garcia	Kosowski	Pscholka
Banks	Garrett	LaFontaine	Rendon
Barrett	Gay-Dagnogo	LaGrand	Roberts, B.
Bizon	Geiss	Lane	Roberts, S.
Brinks	Glardon	Lauwers	Robinson
Brunner	Glenn	LaVoy	Runestad
Bumstead	Goike	Leonard	Rutledge
Byrd	Graves	Leutheuser	Santana
Callton	Green	Liberati	Schor
Canfield	Greig	Love	Sheppard

Chang	Greimel	Lucido	Singh
Chatfield	Guerra	Lyons	Smiley
Chirkun	Hoadley	Maturen	Somerville
Clemente	Hooker	McBroom	Talabi
Cochran	Hovey-Wright	McCready	Tedder
Cole	Howell	Miller, A.	Theis
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Victory
Dianda	Irwin	Outman	Webber
Driskell	Jacobsen	Pagan	Whiteford
Durhal	Jenkins	Pagel	Wittenberg
Faris	Johnson	Phelps	Yanez
Farrington	Kelly	Plawecki, L.	Yonker
Forlini	Kesto	Poleski	Zemke
Franz	Kivela	Price	

Nays—1

Potvin

In The Chair: Franz

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

“An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Senate Bill No. 521, entitled

A bill to create the Michigan historical commission; and to prescribe its powers and duties.

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

Roll Call No. 730

Yeas—106

Afendoulis	Garcia	Kosowski	Price
Banks	Garrett	LaFontaine	Pscholka
Barrett	Gay-Dagnogo	LaGrand	Rendon
Bizon	Geiss	Lane	Roberts, B.
Brinks	Glardon	Lauwers	Roberts, S.
Brunner	Glenn	LaVoy	Runestad
Bumstead	Goike	Leonard	Rutledge
Byrd	Graves	Leutheuser	Santana
Callton	Green	Liberati	Schor
Canfield	Greig	Love	Sheppard
Chang	Greimel	Lucido	Singh
Chatfield	Guerra	Lyons	Smiley
Chirkun	Hoadley	Maturen	Somerville
Clemente	Hooker	McBroom	Talabi

Cochran	Hovey-Wright	McCready	Tedder
Cole	Howell	Miller, A.	Theis
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Victory
Dianda	Irwin	Outman	Webber
Driskell	Jacobsen	Pagan	Whiteford
Durhal	Jenkins	Pagel	Wittenberg
Faris	Johnson	Phelps	Yanez
Farrington	Kelly	Plawecki, L.	Yonker
Forlini	Kesto	Poleski	Zemke
Franz	Kivela		

Nays—2

Potvin Robinson

In The Chair: Franz

The House agreed to the title of the bill.

Senate Bill No. 522, entitled

A bill to create the Michigan historical center; to prescribe the authority of the center; to provide for the archives of Michigan and the Michigan historical museum to be under the control and supervision of the center; to provide stewardship for the museum and archival collection of this state; to provide for the management of state and local government records of archival value; to prescribe the powers and duties of certain state and local agencies and officials; and to repeal acts and parts of acts.

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

Roll Call No. 731

Yeas—104

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

Driskell	Irwin	Nesbitt	Victory
Durhal	Jacobsen	Outman	Webber
Faris	Jenkins	Pagan	Whiteford
Farrington	Johnson	Pagel	Yanez
Forlini	Kelly	Phelps	Yonker
Franz	Kesto	Plawecki, L.	Zemke

Nays—4

Dianda	Potvin	Robinson	Wittenberg
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In The Chair: Franz

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 962, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 5, 44, 45, and 45a (MCL 24.205, 24.244, 24.245, and 24.245a), section 5 as amended by 2006 PA 460, section 44 as amended by 2004 PA 23, section 45 as amended by 2013 PA 200, and section 45a as amended by 2011 PA 245, and by adding section 45c.

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

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

Rep. Pagan moved to amend the bill as follows:

1. Amend page 16, line 11, after “**CHANGED.**” by inserting “**HOWEVER, THE AGENCY SHALL PUBLISH THE RULE AS CHANGED IN THE SAME MANNER AS IS REQUIRED FOR A NOTICE OF PUBLIC HEARING UNDER SECTION 42.**”.

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

Rep. McBroom moved to amend the bill as follows:

1. Amend page 13, line 11, after “**UNTIL**” by striking out “**9 MONTHS**” and inserting “**270 DAYS**”.
2. Amend page 13, line 26, after “**OF**” by striking out “**9 MONTHS**” and inserting “**270 DAYS**”.

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

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

The motion prevailed.

Rep. Garcia 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

Senate Bill No. 962, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 5, 44, 45, and 45a (MCL 24.205, 24.244, 24.245, and 24.245a), section 5 as amended by 2006 PA 460, section 44 as amended by 2004 PA 23, section 45 as amended by 2013 PA 200, and section 45a as amended by 2011 PA 245, and by adding section 45c.

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

Roll Call No. 732

Yeas—62

Afendoulis	Glardon	Lauwers	Price
Barrett	Glenn	Leonard	Pscholka

Bizon	Goike	Leutheuser	Rendon
Bumstead	Graves	Lucido	Roberts, B.
Callton	Hooker	Lyons	Runestad
Canfield	Howell	Maturen	Sheppard
Chatfield	Howrylak	McBroom	Somerville
Clemente	Hughes	McCready	Tedder
Cole	Iden	Miller, A.	Theis
Cotter	Inman	Muxlow	Vaupel
Cox	Jacobsen	Nesbitt	VerHeulen
Crawford	Jenkins	Outman	Victory
Farrington	Johnson	Pagel	Webber
Forlini	Kelly	Poleski	Whiteford
Franz	Kesto	Potvin	Yonker
Garcia	LaFontaine		

Nays—46

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

In The Chair: Franz

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

“An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date,”

The House agreed to the full title.

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

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

Senate Bill No. 1041, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 24 (MCL 400.724).

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

Roll Call No. 733**Yeas—107**

Afendoulis	Garcia	Kosowski	Price
Banks	Garrett	LaFontaine	Pscholka
Barrett	Gay-Dagnogo	LaGrand	Rendon

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

Nays—1

Robinson

In The Chair: Franz

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

“An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Senate Bill No. 1042, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 11c (MCL 400.11c), as added by 1982 PA 519.

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

Roll Call No. 734

Yeas—107

Afendoulis	Garcia	Kosowski	Price
Banks	Garrett	LaFontaine	Pscholka
Barrett	Gay-Dagnogo	LaGrand	Rendon
Bizon	Geiss	Lane	Roberts, B.
Brinks	Glardon	Lauwers	Roberts, S.
Brunner	Glenn	LaVoy	Runestad
Bumstead	Goike	Leonard	Rutledge
Byrd	Graves	Leutheuser	Santana

Callton	Green	Liberati	Schor
Canfield	Greig	Love	Sheppard
Chang	Greimel	Lucido	Singh
Chatfield	Guerra	Lyons	Smiley
Chirkun	Hoadley	Maturen	Somerville
Clemente	Hooker	McBroom	Talabi
Cochran	Hovey-Wright	McCready	Tedder
Cole	Howell	Miller, A.	Theis
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Victory
Dianda	Irwin	Outman	Webber
Driskell	Jacobsen	Pagan	Whiteford
Durhal	Jenkins	Pagel	Wittenberg
Faris	Johnson	Phelps	Yanez
Farrington	Kelly	Plawecki, L.	Yonker
Forlini	Kesto	Poleski	Zemke
Franz	Kivela	Potvin	

Nays—1

Robinson

In The Chair: Franz

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmity and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

Second Reading of Bills

Senate Bill No. 1043, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 5 (MCL 722.625), as amended by 2004 PA 563.

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

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

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

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

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

The motion prevailed.

Rep. Garcia 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

Senate Bill No. 1043, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 5 (MCL 722.625), as amended by 2004 PA 563.

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

Roll Call No. 735

Yeas—107

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

Nays—1

Robinson

In The Chair: Franz

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

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

A bill to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve

family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 7 (MCL 722.627), as amended by 2016 PA 35.

The motion prevailed.

The House agreed to the title as amended.

Senate Bill No. 1044, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 10 (MCL 722.120), as amended by 2006 PA 206.

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

Roll Call No. 736

Yeas—107

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

Nays—1

Robinson

In The Chair: Franz

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4353, entitled

A bill to amend 1969 PA 287, entitled “An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,” by amending section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4) and amended the title to read as follows:

A bill to amend 1969 PA 287, entitled “An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,” by amending sections 1, 2, 5a, 6, 7, and 9 (MCL 287.331, 287.332, 287.335a, 287.336, 287.337, and 287.339), sections 1, 6, 7, and 9 as amended by 1997 PA 7 and section 5a as added by 1980 PA 214, and by adding sections 8c, 9c, and 9d.

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

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

Roll Call No. 737

Yeas—81

Afendoulis	Garcia	Kivela	Plawecki, L.
Banks	Garrett	Kosowski	Pscholka
Barrett	Gay-Dagnogo	LaFontaine	Roberts, B.
Bizon	Geiss	Lane	Roberts, S.
Brinks	Glardon	LaVoy	Robinson
Brunner	Graves	Leutheuser	Rutledge
Byrd	Green	Liberati	Santana
Callton	Greig	Love	Schor
Canfield	Greimel	Lucido	Sheppard
Chang	Guerra	Lyons	Singh
Chirkun	Hoadley	Maturen	Smiley
Cochran	Hovey-Wright	McCready	Talabi
Cotter	Howrylak	Moss	Tedder
Cox	Hughes	Muxlow	Townsend
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Webber
Driskell	Irwin	Outman	Wittenberg
Durhal	Jacobsen	Pagan	Yanez
Faris	Jenkins	Pagel	Yonker
Farrington	Kesto	Phelps	Zemke
Forlini			

Nays—27

Bumstead	Goike	Leonard	Runestad
Chatfield	Hooker	McBroom	Somerville
Clemente	Howell	Miller, A.	Theis
Cole	Johnson	Poleski	Vaupel
Dianda	Kelly	Potvin	Victory
Franz	LaGrand	Price	Whiteford
Glenn	Lauwers	Rendon	

In The Chair: Franz

The House agreed to the title as amended.

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

House Bill No. 4355, entitled

A bill to amend 1969 PA 287, entitled “An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,” (MCL 287.331 to 287.340) by adding section 8b.

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

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

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

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

Roll Call No. 738

Yeas—84

Afendoulis	Forlini	Kesto	Plawecki, L.
Banks	Garcia	Kivela	Price
Barrett	Garrett	Kosowski	Pscholka
Bizon	Gay-Dagnogo	LaFontaine	Roberts, B.
Brinks	Geiss	Lane	Roberts, S.
Brunner	Gardon	Lauwers	Robinson
Byrd	Graves	LaVoy	Rutledge
Callton	Green	Liberati	Santana
Canfield	Greig	Love	Schor
Chang	Greimel	Lucido	Sheppard
Chirkun	Guerra	Lyons	Singh
Clemente	Hoadley	Maturen	Smiley
Cochran	Hovey-Wright	McCready	Talabi
Cotter	Howrylak	Moss	Tedder
Cox	Hughes	Muxlow	Townsend
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Webber
Driskell	Irwin	Outman	Wittenberg
Durhal	Jacobsen	Pagan	Yanez
Faris	Jenkins	Pagel	Yonker
Farrington	Johnson	Phelps	Zemke

Nays—24

Bumstead	Goike	Leutheuser	Runestad
Chatfield	Hooker	McBroom	Somerville
Cole	Howell	Miller, A.	Theis
Dianda	Kelly	Poleski	Vaupel
Franz	LaGrand	Potvin	Victory
Glenn	Leonard	Rendon	Whiteford

In The Chair: Franz

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

Second Reading of Bills

Senate Bill No. 991, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2016 PA 8.

The bill was read a second time.

Rep. Townsend moved to amend the bill as follows:

1. Amend page 7, following line 7, by inserting:

"Enacting section 1. It is the intent of the legislature to annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act."

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

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

The motion prevailed.

Rep. Garcia 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

Senate Bill No. 991, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2016 PA 8.

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

Roll Call No. 739

Yeas—76

Afendoulis	Glardon	Leonard	Price
Barrett	Glenn	Leutheuser	Pscholka
Bizon	Goike	Liberati	Rendon
Brinks	Graves	Love	Roberts, B.
Bumstead	Greimel	Lucido	Runestad
Callton	Hooker	Lyons	Rutledge
Canfield	Howell	Maturen	Schor
Chatfield	Hughes	McBroom	Sheppard
Clemente	Iden	McCready	Smiley
Cole	Inman	Miller, A.	Somerville
Cotter	Jacobsen	Moss	Talabi
Cox	Jenkins	Muxlow	Tedder
Crawford	Johnson	Neeley	Theis
Dianda	Kelly	Nesbitt	Vaupel
Farrington	Kesto	Outman	VerHeulen
Forlini	Kivela	Pagel	Victory
Franz	LaFontaine	Phelps	Webber
Garcia	Lauwers	Poleski	Yonker
Geiss	LaVoy	Potvin	Zemke

Nays—32

Banks	Durhal	Hovey-Wright	Roberts, S.
Brunner	Faris	Howrylak	Robinson
Byrd	Garrett	Irwin	Santana

Chang	Gay-Dagnogo	Kosowski	Singh
Chirkun	Green	LaGrand	Townsend
Cochran	Greig	Lane	Whiteford
Darany	Guerra	Pagan	Wittenberg
Driskell	Hoadley	Plawecki, L.	Yanez

In The Chair: Franz

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The House agreed to the full title.

Senate Bill No. 1175, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7401 (MCL 333.7401), as amended by 2012 PA 183.

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

Roll Call No. 740

Yeas—105

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

Nays—3

Greimel	Robinson	Zemke
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In The Chair: Franz

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

The Speaker assumed the Chair.

Rep. Greig moved that Rep. Robinson be excused temporarily from today’s session.
The motion prevailed.

Senate Bill No. 1176, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2016 PA 126.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Kesto moved to amend the bill as follows:

1. Amend page 7, line 1, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1175 of the 98th Legislature is enacted into law.”

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 741

Yeas—105

Afendoulis	Garcia	Kosowski	Potvin
Banks	Garrett	LaFontaine	Price
Barrett	Gay-Dagnogo	LaGrand	Pscholka
Bizon	Geiss	Lane	Rendon
Brinks	Glardon	Lauwers	Roberts, B.
Brunner	Glenn	LaVoy	Roberts, S.
Bumstead	Goike	Leonard	Runestad
Byrd	Graves	Leutheuser	Rutledge
Callton	Green	Liberati	Santana
Canfield	Greig	Love	Schor
Chang	Guerra	Lucido	Sheppard

Brunner	Garcia	Lane	Rutledge
Bumstead	Gardon	Lauwers	Sheppard
Byrd	Glenn	Leonard	Smiley
Callton	Goike	Leutheuser	Somerville
Canfield	Graves	Lucido	Tedder
Chatfield	Hooker	Lyons	Theis
Chirkun	Hughes	McBroom	Vaupel
Clemente	Iden	Miller, A.	VerHeulen
Cole	Inman	Muxlow	Victory
Cotter	Jacobsen	Nesbitt	Webber
Cox	Jenkins	Outman	Whiteford
Darany	Johnson	Poleski	Yonker
Dianda	Kelly	Potvin	

Nays—44

Bizon	Green	LaVoy	Price
Brinks	Greig	Liberati	Roberts, S.
Chang	Greimel	Love	Runestad
Cochran	Guerra	Maturen	Santana
Crawford	Hoadley	McCready	Schor
Driskell	Hovey-Wright	Moss	Singh
Faris	Howell	Neeley	Talabi
Franz	Howrylak	Pagan	Townsend
Garrett	Irwin	Pagel	Wittenberg
Gay-Dagnogo	Kosowski	Phelps	Yanez
Geiss	LaGrand	Plawecki, L.	Zemke

In The Chair: Cotter

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

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

A bill to amend 1972 PA 106, entitled “An act to provide for the licensing, regulation, control, and prohibition of outdoor advertising adjacent to certain roads and highways; to prescribe powers and duties of certain state agencies and officials; to promulgate rules; to provide remedies and prescribe penalties for violations; and to repeal acts and parts of acts,” by amending sections 2, 3, 4, 6, 7a, 7b, 17, 17a, 19, and 20 (MCL 252.302, 252.303, 252.304, 252.306, 252.307a, 252.307b, 252.317, 252.317a, 252.319, and 252.320), sections 2, 4, 6, 7a, and 17 as amended and sections 7b and 17a as added by 2014 PA 2, sections 3 and 19 as amended by 2006 PA 448, and section 20 as added by 1998 PA 464.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 1093, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41302a (MCL 324.41302a), as added by 2014 PA 537.

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

Roll Call No. 743

Yeas—95

Afendoulis	Forlini	Kesto	Potvin
Banks	Franz	Kivela	Price
Barrett	Garcia	Kosowski	Pscholka
Bizon	Garrett	LaFontaine	Rendon

Brinks	Gay-Dagnogo	Lane	Roberts, B.
Brunner	Geiss	Lauwers	Runestad
Bumstead	Gardon	LaVoy	Rutledge
Byrd	Glenn	Leonard	Santana
Callton	Goike	Leutheuser	Schor
Canfield	Graves	Liberati	Sheppard
Chatfield	Green	Love	Smiley
Chirkun	Greig	Lucido	Somerville
Clemente	Guerra	Lyons	Talabi
Cochran	Hooker	Maturen	Tedder
Cole	Hovey-Wright	McBroom	Theis
Cotter	Howell	McCready	Vaupel
Cox	Howrylak	Miller, A.	VerHeulen
Crawford	Hughes	Muxlow	Victory
Darany	Iden	Nesbitt	Webber
Dianda	Inman	Outman	Whiteford
Driskell	Jacobsen	Pagel	Wittenberg
Durhal	Jenkins	Phelps	Yanez
Faris	Johnson	Plawecki, L.	Yonker
Farrington	Kelly	Poleski	

Nays—12

Chang	Irwin	Neeley	Singh
Greimel	LaGrand	Pagan	Townsend
Hoadley	Moss	Roberts, S.	Zemke

In The Chair: Cotter

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

Senate Bill No. 1117, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending section 464 (MCL 280.464), as amended by 1989 PA 134.

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

Roll Call No. 744

Yeas—75

Afendoulis	Franz	Kesto	Price
Banks	Garcia	Kivela	Pscholka
Barrett	Gay-Dagnogo	LaFontaine	Rendon

Bizon	Glardon	Lane	Roberts, B.
Brunner	Glenn	Lauwers	Runestad
Bumstead	Goike	Leonard	Rutledge
Byrd	Graves	Leutheuser	Sheppard
Callton	Green	Lucido	Smiley
Canfield	Greimel	Lyons	Somerville
Chatfield	Hooker	Maturen	Tedder
Clemente	Howell	McBroom	Theis
Cole	Howrylak	McCready	Vaupel
Cotter	Hughes	Miller, A.	VerHeulen
Cox	Iden	Muxlow	Victory
Crawford	Inman	Nesbitt	Webber
Dianda	Jacobsen	Outman	Whiteford
Durhal	Jenkins	Pagel	Yonker
Farrington	Johnson	Poleski	Zemke
Forlini	Kelly	Potvin	

Nays—32

Brinks	Geiss	LaVoy	Roberts, S.
Chang	Greig	Liberati	Santana
Chirkun	Guerra	Love	Schor
Cochran	Hoadley	Moss	Singh
Darany	Hovey-Wright	Neeley	Talabi
Driskell	Irwin	Pagan	Townsend
Faris	Kosowski	Phelps	Wittenberg
Garrett	LaGrand	Plawecki, L.	Yanez

In The Chair: Franz

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

“An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”

The House agreed to the full title.

The Speaker resumed the Chair.

Senate Bill No. 879, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up

and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 1h and 1i (MCL 247.651h and 247.651i), section 1h as amended by 2008 PA 501 and section 1i as added by 2001 PA 259.

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

Roll Call No. 745**Yeas—107**

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

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 958, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 23 (MCL 474.123), as amended by 1989 PA 233.

The bill was read a second time.

Rep. Jacobsen moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:

"(4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, A PERSON THAT OPERATES A STREETCAR, TROLLEY, LIGHT RAIL VEHICLE, OR TRAM AS PART OF A PUBLIC TRANSPORTATION SYSTEM AND IS NOT OTHERWISE CONSIDERED A MOTOR CARRIER UNDER THIS ACT IS NOT A MOTOR CARRIER FOR PURPOSES OF THIS ACT AND IS EXEMPT FROM THIS ACT."

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

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

The motion prevailed.

Rep. Nesbitt 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

Senate Bill No. 958, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 23 (MCL 474.123), as amended by 1989 PA 233.

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

Roll Call No. 746

Yeas—107

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

Farrington
Forlini
Franz

Kelly
Kesto
Kivela

Plawecki, L.
Poleski
Potvin

Yonker
Zemke

Nays—0

In The Chair: Cotter

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

“An act to regulate persons who transport passengers by motor bus; to prescribe powers and duties for the state transportation department; to impose certain fees; and to impose penalties,”

The House agreed to the full title.

Second Reading of Bills

Senate Bill No. 1068, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 1c (MCL 247.651c), as amended by 2010 PA 28.

The bill was read a second time.

Rep. Howrylak 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. Brunner moved to amend the bill as follows:

1. Amend page 4, line 24, after “**FREEWAY**” by inserting “**OR A MOVABLE BRIDGE THAT IS INCLUDED IN A STATE TRUNK LINE HIGHWAY PROJECT**”.

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

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

The motion prevailed.

Rep. Garcia 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

Senate Bill No. 1068, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 1c (MCL 247.651c), as amended by 2010 PA 28.

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

Roll Call No. 747

Yeas—106

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

Farrington
Forlini
Franz

Kesto
Kivela
Kosowski

Poleski
Potvin

Yonker
Zemke

Nays—1

Garrett

In The Chair: Cotter

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 289, entitled

A bill to prohibit the bad-faith assertion of patent infringement; to provide remedies for the bad-faith assertion of patent infringements; to provide for the powers and duties of the attorney general; and to authorize the promulgation of rules.

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

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

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

The motion prevailed.

Rep. Nesbitt 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

Senate Bill No. 289, entitled

A bill to prohibit the bad-faith assertion of patent infringement; to provide remedies for the bad-faith assertion of patent infringements; to provide for the powers and duties of the attorney general; and to authorize the promulgation of rules.

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

Roll Call No. 748

Yeas—107

Afendoulis
Banks
Barrett
Bizon
Brinks
Brunner
Bumstead
Byrd
Callton
Canfield
Chang
Chatfield
Chirkun
Clemente
Cochran

Garcia
Garrett
Gay-Dagnogo
Geiss
Glardon
Glenn
Goike
Graves
Green
Greig
Greimel
Guerra
Hoadley
Hooker
Hovey-Wright

Kosowski
LaFontaine
LaGrand
Lane
Lauwers
LaVoy
Leonard
Leutheuser
Liberati
Love
Lucido
Lyons
Maturen
McBroom
McCready

Price
Pscholka
Rendon
Roberts, B.
Roberts, S.
Runestad
Rutledge
Santana
Schor
Sheppard
Singh
Smiley
Somerville
Talabi
Tedder

Cole	Howell	Miller, A.	Theis
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Inman	Nesbitt	Victory
Dianda	Irwin	Outman	Webber
Driskell	Jacobsen	Pagan	Whiteford
Durhal	Jenkins	Pagel	Wittenberg
Faris	Johnson	Phelps	Yanez
Farrington	Kelly	Plawecki, L.	Yonker
Forlini	Kesto	Poleski	Zemke
Franz	Kivela	Potvin	

Nays—0

In The Chair: Cotter

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 437, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending the title and sections 6a, 6j, 6k, 6l, 6m, 6s, 10, 10a, 10c, 10f, 10p, 10r, 10t, 10dd, and 11 (MCL 460.6a, 460.6j, 460.6k, 460.6l, 460.6m, 460.6s, 460.10, 460.10a, 460.10c, 460.10f, 460.10p, 460.10r, 460.10t, 460.10dd, and 460.11), the title as amended by 2005 PA 190, sections 6a, 10, 10a, 10p, and 10r as amended and sections 6s and 10dd as added by 2008 PA 286, section 6j as amended by 1987 PA 81, section 6k as added by 1982 PA 304, section 6l as amended and sections 10c, 10f, and 10t as added by 2000 PA 141, section 6m as amended by 2014 PA 170, and section 11 as amended by 2014 PA 169, and by adding sections 6t, 6u, 6v, 6w, 6x, 6y, 10ee, and 10ff; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Hughes and Kelly moved to amend the bill as follows:

1. Amend page 12, line 11, after “**SUBSECTIONS**” by striking out “**(14) AND (15)**” and inserting “**(13) AND (14)**”.
2. Amend page 13, following line 13, by inserting:
“(E) BASED ON ACTUAL RECORDED FINANCIAL RESULTS, THAT THE NATURAL GAS OR ELECTRIC UTILITY HAS EARNED LESS THAN ITS AUTHORIZED RATE OF RETURN DURING THE MOST RECENT CALENDAR YEAR.”.
3. Amend page 13, line 14, by striking out all of subsection **(13)** and renumbering the remaining subsections.
4. Amend page 15, line 2, after “**(12)**” by striking out “**OR (13)**”.
5. Amend page 15, line 13, by striking out all of subsection **(16)** and renumbering the remaining subsections.
6. Amend page 62, line 24, after “**RESOURCE.**” by striking out the balance of the line through “**15%.**” on line 27.
7. Amend page 80, line 11, by striking out all of section **6W** and inserting:
“SEC. 6W. (1) IF THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR RECEIVES APPROVAL FROM THE FEDERAL ENERGY REGULATORY COMMISSION TO IMPLEMENT A RESOURCE

ADEQUACY TARIFF THAT INCLUDES THE OPTION FOR A STATE TO IMPLEMENT A PREVAILING STATE COMPENSATION MECHANISM FOR CAPACITY, THEN THE COMMISSION SHALL EXAMINE WHETHER THE PREVAILING STATE COMPENSATION MECHANISM WOULD BE MORE COST-EFFECTIVE, REASONABLE, AND PRUDENT THAN THE CAPACITY AUCTION FOR THIS STATE BEFORE THE COMMISSION MAY ORDER THE PREVAILING STATE COMPENSATION MECHANISM TO BE IMPLEMENTED IN ANY UTILITY SERVICE TERRITORY. BEFORE THE COMMISSION ORDERS THE IMPLEMENTATION OF THE PREVAILING STATE COMPENSATION MECHANISM IN 1 OR MORE UTILITY SERVICE TERRITORIES, THE COMMISSION SHALL HOLD A CONTESTED CASE HEARING PURSUANT TO CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.271 TO 24.287. ALL INTERESTED PERSONS HAVE STANDING TO INTERVENE AND PARTICIPATE AS PARTIES TO THE CONTESTED CASE. AT THE CONCLUSION OF THE PROCEEDING, THE COMMISSION SHALL MAKE A FINDING FOR EACH UTILITY SERVICE TERRITORY UNDER CONSIDERATION, BASED ON CLEAR AND CONVINCING EVIDENCE, AS TO WHETHER OR NOT THE PREVAILING STATE COMPENSATION MECHANISM WOULD BE MORE COST-EFFECTIVE, REASONABLE, AND PRUDENT THAN THE USE OF THE CAPACITY AUCTION FOR THIS STATE IN MEETING THE PLANNING RESERVE MARGIN REQUIREMENT. THE CONTESTED CASE SHOULD BE SCHEDULED FOR COMPLETION BY DECEMBER 1 BEFORE THE INDEPENDENT SYSTEM OPERATOR'S CAPACITY AUCTION FOR THIS STATE, AND THE COMMISSION'S DECISION SHALL IDENTIFY WHICH UTILITY SERVICE TERRITORIES WILL BE SUBJECT TO THE PREVAILING STATE COMPENSATION MECHANISM.

(2) IF THE COMMISSION DETERMINES THAT THE EVIDENCE IN THE CONTESTED CASE SHOWS THAT THE PREVAILING STATE COMPENSATION MECHANISM IS MORE COST-EFFECTIVE, REASONABLE, AND PRUDENT THAN THE CAPACITY AUCTION FOR THIS STATE, THEN NO ELECTRIC PROVIDER OR ELECTRIC UTILITY IN THAT UTILITY SERVICE TERRITORY SHALL BE ABLE TO USE THE CAPACITY AUCTION FOR THIS STATE.

(3) THE INITIAL DETERMINATION OF THE PREVAILING STATE COMPENSATION RATE SHALL BE CONDUCTED AS A CONTESTED CASE PURSUANT TO CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.271 TO 24.287, AFTER PROVIDING INTERESTED PERSONS WITH NOTICE AND A REASONABLE OPPORTUNITY FOR A FULL AND COMPLETE HEARING. THE COMMISSION SHALL PROVIDE NOTICE TO THE PUBLIC OF THE DETERMINED PREVAILING STATE COMPENSATION RATE FOR EACH TERRITORY.

(4) IF THE COMMISSION ELECTS TO IMPLEMENT A PREVAILING STATE COMPENSATION RATE FOR CAPACITY, THAT RATE SHALL BE DETERMINED IN A MANNER THAT ENSURES RATEPAYER FAIRNESS AND THE ABILITY OF RETAIL OPEN ACCESS CUSTOMERS TO RECEIVE COMPETITIVELY PRICED NONCAPACITY ELECTRIC GENERATION SERVICES FROM AN ALTERNATIVE ELECTRIC SUPPLIER. THE PREVAILING STATE COMPENSATION RATE FOR CAPACITY IN A UTILITY SERVICE TERRITORY SHALL BE THE SAME FOR CUSTOMERS ON REGULATED SERVICE AND CUSTOMERS ELECTING TO TAKE SERVICE FROM AN ALTERNATIVE ELECTRIC SUPPLIER AND SHALL BE INCLUDED IN THE ELECTRIC RATES CHARGED TO ALL CUSTOMERS BY THE UTILITY, EXCEPT AS PROVIDED IN SUBSECTION (8). IN ORDER TO ENSURE THAT NONCAPACITY ELECTRIC GENERATION SERVICES ARE NOT INCLUDED IN THE PREVAILING STATE COMPENSATION RATE, IN DETERMINING THE RATE, THE COMMISSION SHALL, FOR EACH GENERATION UNIT INCLUDED IN THE PORTFOLIO OF GENERATION RELIED UPON BY THE UTILITY TO MEET THE PREVAILING STATE COMPENSATION PROGRAM REQUIREMENTS, DO BOTH OF THE FOLLOWING:

(A) INCLUDE, FOR THE APPLICABLE TERM OF THE PREVAILING STATE COMPENSATION RATE, THE CAPACITY-RELATED GENERATION COSTS INCLUDED IN THE UTILITY'S BASE RATES, SURCHARGES, AND POWER SUPPLY COST RECOVERY FACTORS, REGARDLESS OF WHETHER THOSE COSTS RESULT FROM UTILITY OWNERSHIP OF THE GENERATION CAPACITY RESOURCE OR THE PURCHASE OR LEASE OF THE GENERATION CAPACITY RESOURCE FROM A THIRD PARTY.

(B) EXCLUDE ALL NON-CAPACITY-RELATED ELECTRIC GENERATION COSTS, INCLUDING, BUT NOT LIMITED TO, THE PROJECTED REVENUES, NET OF PROJECTED FUEL COSTS, FROM ALL ENERGY MARKET SALES, OFF-SYSTEM ENERGY SALES, ANCILLARY SERVICES SALES, AND ENERGY SALES UNDER UNIT-SPECIFIC BILATERAL CONTRACTS, FOR THE APPLICABLE TERM OF THE PREVAILING STATE COMPENSATION PROGRAM, AND COSTS RECOVERED THROUGH NET STRANDED COSTS AND SECURITIZATION.

(5) THE COMMISSION SHALL PROVIDE FOR A TRUE-UP MECHANISM THAT RESULTS IN UTILITY COLLECTION FROM OR CREDIT TO CUSTOMERS FOR THE DIFFERENCE BETWEEN THE PROJECTED COSTS AND REVENUES DESCRIBED IN SUBSECTION (4) AND THE ACTUAL COSTS AND REVENUES FOR THE PORTFOLIO OF ELECTRIC RESOURCES RELIED UPON BY THE UTILITY TO MEET THE PREVAILING STATE COMPENSATION PROGRAM REQUIREMENTS.

(6) IN ORDER TO ENSURE THAT THE PROVISIONS OF SUBSECTION (4) ARE MET, AND TO FURTHER ENSURE THAT THE PREVAILING STATE COMPENSATION RATE IS REASONABLE AND COMPETITIVELY NEUTRAL TO ALL ALTERNATIVE ELECTRIC SERVICE SUPPLIERS IN THE STATE, THE COMMISSION SHALL UTILIZE AN INDEPENDENT THIRD-PARTY AUDITOR TO EVALUATE ALL PROPOSED COSTS AND REVENUES TO BE TAKEN INTO ACCOUNT IN THE PREVAILING STATE COMPENSATION RATE. THE INDEPENDENT THIRD-PARTY AUDITOR SHALL ENSURE THAT ANY COSTS AND REVENUES TAKEN INTO ACCOUNT ARE ACCURATE, REASONABLE, AND COMPETITIVELY NEUTRAL AS PROVIDED FOR WITHIN THE WHOLESALE MARKET OF THE APPLICABLE REGIONAL TRANSMISSION OPERATOR'S MARKET.

(7) THE COMMISSION SHALL REVIEW, AMEND, OR ELIMINATE THE PREVAILING STATE COMPENSATION RATE PERIODICALLY EITHER IN ALL SUBSEQUENT GENERATION RATE CASES OR SEPARATE PROCEEDINGS ESTABLISHED FOR THAT PURPOSE, WHICH SHALL OCCUR NO LESS THAN EVERY 3 YEARS.

(8) ANY ELECTRIC PROVIDER SUBJECT TO THE PREVAILING STATE COMPENSATION RATE IS EXEMPT FROM THE PREVAILING STATE COMPENSATION RATE FOR THAT PORTION OF ITS CAPACITY OBLIGATION FOR EACH PLANNING YEAR FOR WHICH IT CAN DEMONSTRATE THAT THE ELECTRIC PROVIDER CAN MEET ITS CAPACITY OBLIGATION REQUIREMENTS THROUGH OWNED OR CONTRACTUAL RIGHTS TO ANY RESOURCE THAT THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR ALLOWS TO QUALIFY FOR MEETING THE LOCAL CLEARING REQUIREMENT BEFORE THE CAPACITY AUCTION FOR THIS STATE FOR THAT PLANNING YEAR TAKES PLACE. THE ELECTRIC PROVIDER REMAINS RESPONSIBLE FOR ALL CAPACITY OBLIGATIONS FOR WHICH IT HAS BEEN EXEMPTED FROM THE PREVAILING STATE COMPENSATION RATE.

(9) IF THE COMMISSION ELECTS TO IMPLEMENT A PREVAILING STATE COMPENSATION RATE FOR CAPACITY, THE UTILITY IS THEN RESPONSIBLE FOR THE CAPACITY OBLIGATION OF ALL CUSTOMERS TAKING SERVICE FROM AN ALTERNATIVE ELECTRIC SUPPLIER IN THE UTILITY SERVICE TERRITORY DURING THE PERIOD THAT ANY SUCH PREVAILING STATE COMPENSATION RATE FOR CAPACITY IS EFFECTIVE THAT IS NOT EXEMPT UNDER SUBSECTION (8).

(10) IF THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR DOES NOT DEVELOP A CAPACITY AUCTION FOR THIS STATE BY APRIL 30, 2018, OR NOT ENOUGH CAPACITY IS BID INTO THE CAPACITY AUCTION FOR THIS STATE TO MEET THE CAPACITY OBLIGATION REQUIREMENTS DETERMINED BY THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR, THEN THE COMMISSION HAS THE AUTHORITY TO INCREASE RESOURCE ADEQUACY REQUIREMENTS ON ELECTRIC PROVIDERS IN THIS STATE AFTER A CONTESTED CASE IS CONDUCTED PURSUANT TO CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.271 TO 24.287. ALL REQUIREMENTS DETERMINED BY THE COMMISSION UNDER THIS SUBSECTION SHALL MEET THE FOLLOWING:

(A) THE COSTS CAUSED BY THE REQUIREMENTS ARE ALLOCATED BASED UPON THE BENEFITS RECEIVED BY THE CUSTOMERS.

(B) THE REQUIREMENTS ALLOW LOAD-SWITCHING BETWEEN ELECTRIC PROVIDERS AND ELECTRIC UTILITIES IN A NONDISCRIMINATORY MANNER.

(C) THE REQUIREMENTS ARE THE MOST COST-EFFECTIVE, REASONABLE, AND PRUDENT TO PREVENT THE DEGRADATION OF RELIABILITY BELOW THE STANDARD SET BY THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR.

(D) THE REQUIREMENTS PRESERVE THE ABILITY OF CUSTOMERS TO ACCESS THE RETAIL OPEN ACCESS MARKET.

(E) THE REQUIREMENTS PROVIDE FAIR ACCESS TO ALL PARTICIPANTS THAT CAN REASONABLY PROVIDE POTENTIAL SOLUTIONS TO MEET THE REQUIREMENTS.

(F) THE REQUIREMENTS DO NOT EXPOSE INFORMATION CONSIDERED TO BE CONFIDENTIAL BY ELECTRIC PROVIDERS OR CUSTOMERS TO POTENTIAL COMPETITORS WHILE PROVIDING A REASONABLE OPPORTUNITY FOR DISCOVERY OF RELEVANT INFORMATION BY INTERESTED PERSONS.

(G) THE REQUIREMENTS INCLUDE DUE PROCESS THAT ENABLES ELECTRIC PROVIDERS AND OTHER INTERESTED PERSONS TO CHALLENGE THE REQUIREMENTS.

(11) IF A CAPACITY AUCTION FOR THIS STATE IS DEVELOPED AFTER APRIL 30, 2018, ALL REQUIREMENTS IMPLEMENTED AS PART OF SUBSECTION (10) NO LONGER APPLY.

(12) AS USED IN THIS SECTION:

(A) "CAPACITY AUCTION FOR THIS STATE" MEANS A RESOURCE ADEQUACY CONSTRUCT AND THE ASSOCIATED TARIFFS DEVELOPED BY THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR TO RUN A 3-YEAR AUCTION FOR AT LEAST A PORTION OF THIS STATE.

(B) "ELECTRIC PROVIDER" MEANS ANY OF THE FOLLOWING:

(i) A MUNICIPALLY OWNED ELECTRIC UTILITY IN THIS STATE.

(ii) A COOPERATIVE ELECTRIC UTILITY IN THIS STATE.

(iii) AN ALTERNATIVE ELECTRIC SUPPLIER LICENSED UNDER SECTION 10A.

(C) "PLANNING RESERVE MARGIN REQUIREMENT" MEANS THE AMOUNT OF CAPACITY EQUAL TO THE FORECASTED COINCIDENT PEAK DEMAND THAT OCCURS WHEN THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR FOOTPRINT PEAK DEMAND OCCURS PLUS A RESERVE MARGIN THAT MEETS AN ACCEPTABLE LOSS OF LOAD EXPECTATION AS SET BY THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR.

(D) "PREVAILING STATE COMPENSATION MECHANISM" MEANS AN OPTION FOR A STATE TO ELECT A PREVAILING COMPENSATION RATE FOR CAPACITY CONSISTENT WITH THE REQUIREMENTS OF THE APPROPRIATE INDEPENDENT SYSTEM OPERATOR'S RESOURCE ADEQUACY TARIFF.

(E) "PREVAILING STATE COMPENSATION RATE" MEANS A RATE ESTABLISHED UNDER A PREVAILING STATE COMPENSATION MECHANISM AND CALCULATED CONSISTENT WITH SUBSECTION (4)."

8. Amend page 91, line 15, after "**SECTION**" by striking out "**6A(15)**" and inserting "**6A(14)**".

9. Amend page 101, line 16, by striking out all of subdivisions **(H)**, **(I)**, and **(J)** and relettering the remaining subdivisions.

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

Rep. Dianda moved to amend the bill as follows:

1. Amend page 54, line 6, after "agreement." by striking out the balance of the subsection.

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

Rep. Dianda moved to amend the bill as follows:

1. Amend page 95, line 13, after "**(2).**" by inserting "**THE TASK FORCE SHALL INCLUDE 1 INDIVIDUAL WHO RESIDES IN THE UPPER PENINSULA OF THIS STATE AND WHO HAS THE RELEVANT EXPERIENCE AND EXPERTISE TO PROPERLY EVALUATE THE ITEMS IDENTIFIED IN SUBSECTION (2).**".

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

Rep. Dianda moved to amend the bill as follows:

1. Amend page 16, following line 11, by inserting:

"(17) WHEN ISSUING AN ORDER IN A GENERAL RATE CASE UNDER THIS SECTION FOR A UTILITY LOCATED IN THE UPPER PENINSULA OF THIS STATE, THE COMMISSION SHALL HOLD A PUBLIC HEARING IN THE SERVICE TERRITORY OF THAT UTILITY TO ALLOW RATEPAYERS THE OPPORTUNITY TO EXPRESS THEIR OPINIONS BEFORE THAT ORDER IS ISSUED." and renumbering the remaining subsections.

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

Rep. Dianda moved to amend the bill as follows:

1. Amend page 96, following line 25, by inserting:

"(11) THE EVALUATION UNDER THIS SECTION DOES NOT AFFECT THE TIMING OR IMPLEMENTATION OF ANY RESOURCE PLANNING AND PROJECT PROPOSALS UNDER CONSIDERATION BY AN ELECTRIC UTILITY." 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. Dianda moved to amend the bill as follows:

1. Amend page 61, line 25, after "**THE COMMISSION**" by striking out "**MAY**" and inserting "**SHALL**".

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

Rep. Afendoulis moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Dianda moved to amend the bill as follows:

1. Amend page 143, line 21, by striking out all of enacting section 3 and inserting:

"Enacting section 3. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

(a) Senate Bill No. 438.

(b) House Bill No. 4683."

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

Rep. Nesbitt moved to amend the bill as follows:

1. Amend page 12, line 14, after "**CUSTOMERS**" by inserting "**IN THIS STATE**".
 2. Amend page 14, line 8, after "**A**" by striking out "**CHARGE**" and inserting "**TARIFF**".
 3. Amend page 14, line 12, after "**A**" by striking out "**CHARGE**" and inserting "**TARIFF**".
 4. Amend page 54, line 9, after "**NECESSITY**" by inserting a comma and "**OTHER THAN A CERTIFICATE OF NECESSITY APPROVED FOR A POWER PURCHASE AGREEMENT FOR THE PURCHASE OF ELECTRIC CAPACITY**".
 5. Amend page 57, line 24, by striking out all of subsection **(15)**.
 6. Amend page 65, line 12, after the second "**TO**" by striking out the balance of the line through "**SOUGHT**" on line 14 and inserting "**ANY SUPPLY-SIDE GENERATION CAPACITY RESOURCE INCLUDED IN THE ELECTRIC UTILITY'S INTEGRATED RESOURCE PLAN SUBMITTED**".
 7. Amend page 84, line 27, after "**WITH**" by striking out "**THE**" and inserting "**A FEDERAL**".
 8. Amend page 90, line 19, after "**3**" by striking out the balance of the subdivision and inserting "**YEARS FORWARD OR MORE**".
 9. Amend page 98, line 1, after "**OF**" by striking out "**ADJUSTED**" and inserting "**WEATHER-ADJUSTED**".
 10. Amend page 98, line 13, after "**2008**" by striking out "**MAY**" and inserting "shall be permitted to".
 11. Amend page 101, line 11, after "**SUBDIVISION**" by striking out "**(F)**" and inserting "**(G)**".
 12. Amend page 140, line 19, by striking out all of subsection **(2)** and renumbering the remaining subsections.
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Barrett moved to amend the bill as follows:

1. Amend page 13, line 24, by striking out all of subsection **(14)** and inserting:
"(14) WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE COMMISSION SHALL CONDUCT A STUDY ON AN APPROPRIATE TARIFF REFLECTING EQUITABLE NET BENEFIT AND COST FOR CUSTOMERS WHO PARTICIPATE IN A NET METERING PROGRAM OR DISTRIBUTED GENERATION PROGRAM UNDER THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT, 2008 PA 295, MCL 460.1001 TO 460.1211. IN ANY RATE CASE FILED AFTER JUNE 1, 2018, THE COMMISSION MAY APPROVE SUCH A NONDISCRIMINATORY TARIFF FOR INCLUSION IN THE RATES OF ALL CUSTOMERS PARTICIPATING IN A NET METERING OR DISTRIBUTED GENERATION PROGRAM UNDER THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT, 2008 PA 295, MCL 460.1001 TO 460.1211. A CHARGE OR CREDIT ESTABLISHED UNDER THIS SUBSECTION DOES NOT APPLY TO CUSTOMERS PARTICIPATING IN A NET METERING PROGRAM UNDER THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT, 2008 PA 295, MCL 460.1001 TO 460.1211, BEFORE THE DATE THAT THE COMMISSION ESTABLISHES A CHARGE OR CREDIT UNDER THIS SUBSECTION, WHO CONTINUE TO PARTICIPATE IN THE PROGRAM AT THEIR CURRENT SITE OR FACILITY."

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

Rep. McBroom moved to amend the bill as follows:

1. Amend page 137, following line 1, by inserting:
"SEC. 10GG. (1) THE MICHIGAN ELECTRIC INFRASTRUCTURE BOARD IS CREATED WITHIN THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS. THE BOARD SHALL CONSIST OF 13 MEMBERS, APPOINTED BY THE GOVERNOR AS FOLLOWS:
 - (A) THE EXECUTIVE DIRECTOR OF THE MICHIGAN AGENCY FOR ENERGY TO SERVE AS CHAIRPERSON OF THE BOARD.**
 - (B) ONE INDIVIDUAL REPRESENTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY.**
 - (C) ONE INDIVIDUAL REPRESENTING THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION.**
 - (D) THREE MICHIGAN PUBLIC SERVICE COMMISSIONERS.**
 - (E) TWO RESIDENTS OF THE UPPER PENINSULA.**
 - (F) TWO RESIDENTS OF THE LOWER PENINSULA.**
 - (G) ONE INDIVIDUAL REPRESENTING MUNICIPALITIES.**
 - (H) ONE INDIVIDUAL REPRESENTING THE ATTORNEY GENERAL.**
 - (I) ONE INDIVIDUAL REPRESENTING THE UTILITY CONSUMER PARTICIPATION BOARD.**
- (2) THE MEMBERS INITIALLY APPOINTED UNDER SUBSECTION (1) SHALL BE APPOINTED WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.**
- (3) THE BOARD SHALL EXERCISE ITS POWERS, DUTIES, AND DECISION-MAKING AUTHORITY BY A MAJORITY OF THE BOARD MEMBERS AND INDEPENDENTLY OF THE COMMISSION OR ANY AGENCY.**

(4) THE BOARD SHALL CONSIDER THE FOLLOWING GOALS IN EXERCISING ITS POWERS, DUTIES, AND DECISION-MAKING AUTHORITY UNDER THIS SECTION:

(A) PROVIDING ADEQUATE RESOURCES TO ELECTRIC CONSUMERS IN THIS STATE THROUGH THE CONSTRUCTION OF TRANSMISSION INFRASTRUCTURE THAT WILL REDUCE CONGESTION AND ENERGY PRICES IN THIS STATE.

(B) PROVIDING FOR ADDITIONAL TRANSMISSION CAPACITY IN THIS STATE.

(C) PROVIDING RELIABLE AND EFFICIENT OPERATION OF THE INTEGRATED ELECTRICAL TRANSMISSION SYSTEM IN THIS STATE.

(5) THE MICHIGAN AGENCY FOR ENERGY AND THE COMMISSION SHALL SERVE AS STAFF FOR THE BOARD.

(6) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE BOARD SHALL SOLICIT FROM ANY INTERESTED ENTITY RECOMMENDATIONS FOR TRANSMISSION LINES CONSTRUCTED WHOLLY WITHIN THIS STATE THAT, IN PART, ARE ALSO CONSTRUCTED OVER OR UNDER THE GREAT LAKES THAT WOULD DO BOTH OF THE FOLLOWING:

(A) PROVIDE ADDITIONAL TRANSMISSION CAPACITY; REDUCE CONGESTION, CONSTRAINTS, AND LOSSES ON THE ELECTRICAL SYSTEM IN THIS STATE; REDUCE THE OVERALL COST OF DELIVERED ENERGY IN THIS STATE; FACILITATE THE DELIVERABILITY OF GENERATION RESOURCES; OR FACILITATE GENERATION RESOURCE DIVERSIFICATION.

(B) INCREASE THE ELECTRICAL CONNECTIVITY BETWEEN THE UPPER PENINSULA AND LOWER PENINSULA OF THIS STATE BEYOND THE CAPABILITY PROVIDED BY THE 2 CIRCUITS CONNECTING THE UPPER PENINSULA AND LOWER PENINSULA OF THIS STATE EXISTING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION BY ADDING ADDITIONAL CIRCUITRY.

(7) WITHIN 30 DAYS AFTER RECEIVING THE RECOMMENDATIONS UNDER SUBSECTION (6), THE BOARD SHALL SCHEDULE AND HOLD 2 PUBLIC MEETINGS IN THE UPPER PENINSULA OF THIS STATE AND 2 PUBLIC MEETINGS IN THE LOWER PENINSULA OF THIS STATE TO TAKE WRITTEN AND ORAL COMMENT ON THE RECOMMENDATIONS PROVIDED UNDER SUBSECTION (6). THE BOARD SHALL RETAIN A COPY OF ALL WRITTEN COMMENTS AND A TRANSCRIPTION OF ALL ORAL COMMENTS, AND CONSIDER THOSE COMMENTS IN DRAFTING ANY REPORT ISSUED BY THE BOARD.

(8) WITHIN 90 DAYS AFTER THE LAST PUBLIC MEETING HELD UNDER SUBSECTION (7), THE BOARD SHALL SUBMIT A REPORT TO THE LEGISLATURE AND GOVERNOR SUMMARIZING THE PROPOSED RECOMMENDATIONS MADE UNDER SUBSECTION (6) AND COMMENTS RECEIVED UNDER SUBSECTION (7). THE REPORT SHALL ALSO INCLUDE A STATEMENT, WITH ASSOCIATED RATIONALE, INDICATING WHETHER THE BOARD WILL PROCEED WITH THE REQUEST FOR PROPOSALS PROCESS DESCRIBED IN SUBSECTION (9).

(9) IF THE BOARD DETERMINES TO PROCEED WITH A REQUEST FOR PROPOSALS PROCESS, THE BOARD SHALL REQUEST QUALIFIED DEVELOPERS TO SUBMIT PROPOSALS IDENTIFYING ANY PROPOSED TRANSMISSION LINES CONSTRUCTED WHOLLY WITHIN THIS STATE THAT, IN PART, ARE ALSO CONSTRUCTED OVER OR UNDER THE GREAT LAKES NECESSARY TO DO BOTH OF THE FOLLOWING:

(A) PROVIDE ADDITIONAL TRANSMISSION CAPACITY; REDUCE CONGESTION, CONSTRAINTS, AND LOSSES ON THE ELECTRICAL SYSTEM IN THIS STATE; REDUCE THE OVERALL COST OF DELIVERED ENERGY IN THIS STATE; FACILITATE THE DELIVERABILITY OF GENERATION RESOURCES; OR FACILITATE GENERATION RESOURCE DIVERSIFICATION.

(B) INCREASE THE ELECTRICAL CONNECTIVITY BETWEEN THE UPPER PENINSULA AND LOWER PENINSULA OF THIS STATE BEYOND THE CAPABILITY PROVIDED BY THE 2 CIRCUITS CONNECTING THE UPPER PENINSULA AND LOWER PENINSULA OF THIS STATE EXISTING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION BY ADDING ADDITIONAL CIRCUITRY.

(10) ANY PROPOSALS SUBMITTED UNDER SUBSECTION (9) MUST INCLUDE ALL OF THE FOLLOWING:

(A) A PRELIMINARY COST ESTIMATE FOR THE IDENTIFIED TRANSMISSION LINE, INCLUDING ESTIMATED SUBTOTALS FOR LINES, STATIONS, LABOR, AND MATERIALS.

(B) AN ANALYSIS OF THE ESTIMATED COST IMPACT TO RETAIL RATEPAYERS IF THE COST OF THE TRANSMISSION LINE WERE ALLOCATED TO ALL RETAIL ELECTRIC CUSTOMERS LOCATED IN THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR FOOTPRINT IN THIS STATE.

(C) ANY BENEFITS ASSOCIATED WITH THE TRANSMISSION LINE.

(D) A STATEMENT FROM THE ENTITY SUBMITTING THE PROPOSAL THAT INDICATES WHY THAT ENTITY IS A QUALIFIED DEVELOPER.

(E) INFORMATION THAT WILL ALLOW THE BOARD TO CONSIDER THE FACTORS IDENTIFIED IN SUBSECTION (12).

(F) A SUMMARY DOCUMENT THAT LISTS THE TOTAL COST ESTIMATE OF THE TRANSMISSION LINE, THE TERMINUS POINTS OF THE TRANSMISSION LINE, THE VOLTAGE OF THE TRANSMISSION LINE, AND THE ESTIMATED RATE IMPACTS TO RETAIL RATEPAYERS.

(11) THE BOARD SHALL MAKE ANY SUMMARY DOCUMENT SUBMITTED UNDER SUBSECTION (10)(F) PUBLICLY AVAILABLE.

(12) AFTER RECEIVING A PROPOSAL UNDER SUBSECTION (9), THE BOARD SHALL DETERMINE WHETHER A QUALIFIED DEVELOPER SHOULD PROCEED WITH THE CONSTRUCTION OF A PROPOSED TRANSMISSION LINE. IN ADDITION TO CONSIDERING THE FACTORS IN SUBSECTION (10), IN DETERMINING WHETHER TO RECOMMEND CONSTRUCTION OF THE PROPOSED TRANSMISSION LINE, THE BOARD SHALL CONSIDER WHETHER THE QUALIFIED DEVELOPER HAS DEMONSTRATED ANY OF THE FOLLOWING:

(A) MANAGERIAL EXPERTISE AND CAPABILITY.

(B) TECHNICAL AND ENGINEERING QUALIFICATIONS AND EXPERIENCE IN THE DESIGN, CONSTRUCTION, OPERATION, AND MAINTENANCE OF TRANSMISSION LINES.

(C) FINANCIAL STRENGTH AND CAPABILITY.

(D) TRANSMISSION PLANNING EXPERTISE AND CAPABILITY.

(E) EXPERIENCE IN ADDRESSING PUBLIC CONCERNS REGARDING TRANSMISSION LINES.

(F) CONSTRUCTION EXPERTISE AND CAPABILITY.

(G) OPERATIONS AND MAINTENANCE CAPABILITY.

(H) EXEMPLARY CORPORATE CITIZENSHIP, AS DEMONSTRATED BY ALL OF THE FOLLOWING:

(i) COMMUNITY OUTREACH.

(ii) COMMUNICATION AND INFORMATION-SHARING DURING ALL PHASES OF TRANSMISSION LINE DEVELOPMENT, CONSTRUCTION, AND OPERATION.

(iii) CIVIC CONTRIBUTIONS TO REGIONAL, STATE, AND LOCAL COMMUNITIES.

(iv) A DEDICATED CUSTOMER SERVICE DEPARTMENT.

(13) THE BOARD MAY REQUEST ADDITIONAL INFORMATION AS NEEDED TO MAKE A DECISION ON PROPOSALS SUBMITTED UNDER THIS SECTION.

(14) WITHIN 120 DAYS AFTER RECEIVING A PROPOSAL FROM A QUALIFIED DEVELOPER UNDER SUBSECTION (9), THE BOARD SHALL ISSUE A LETTER TO THE QUALIFIED DEVELOPER EITHER REJECTING THE RECOMMENDATIONS OF THE QUALIFIED DEVELOPER IN FULL, REQUESTING THAT THE QUALIFIED DEVELOPER PROVIDE MORE INFORMATION, OR RECOMMENDING THE CONSTRUCTION OF THE PROPOSED TRANSMISSION LINE. A LETTER ISSUED BY THE BOARD UNDER THIS SUBSECTION SHALL INCLUDE AN EXPLANATION FOR THE ACTION TAKEN BY THE BOARD. THE BOARD SHALL ONLY RECOMMEND CONSTRUCTION OF A PROPOSED TRANSMISSION LINE IF IT DETERMINES THE COST OF THE POTENTIAL TRANSMISSION LINE IS APPROPRIATE GIVEN THE ASSOCIATED QUALITATIVE AND QUANTITATIVE BENEFITS. IF THE BOARD REQUESTS MORE INFORMATION UNDER THIS SUBSECTION, THE BOARD SHALL, WITHIN 45 DAYS AFTER RECEIVING THAT INFORMATION FROM A QUALIFIED DEVELOPER, EITHER REJECT THE RECOMMENDATIONS OR RECOMMEND CONSTRUCTION OF THE PROPOSED TRANSMISSION LINE. IF THE BOARD ISSUES A LETTER RECOMMENDING CONSTRUCTION OF A PROPOSED TRANSMISSION LINE, THE QUALIFIED DEVELOPER RECEIVING THE LETTER SHALL, WITHIN 30 DAYS AFTER THE BOARD ISSUES THE LETTER, SUBMIT AN EXPRESSION OF INTEREST IN CONSTRUCTING THE TRANSMISSION LINE IDENTIFIED BY THE BOARD. IF THE QUALIFIED DEVELOPER DOES NOT SUBMIT AN EXPRESSION OF INTEREST WITHIN 30 DAYS AFTER THE BOARD ISSUES A LETTER UNDER THIS SUBSECTION, THE BOARD MAY ISSUE A NEW REQUEST FOR SUBMISSION OF PROPOSALS UNDER SUBSECTION (9). WITHIN 7 DAYS AFTER A QUALIFIED DEVELOPER HAS SUBMITTED AN EXPRESSION OF INTEREST, THE BOARD SHALL ISSUE THE QUALIFIED DEVELOPER THAT SUBMITTED THE EXPRESSION OF INTEREST A NOTICE TO CONSTRUCT. WITHIN 7 DAYS AFTER A QUALIFIED DEVELOPER HAS SUBMITTED AN EXPRESSION OF INTEREST, THE BOARD WILL ALSO MAKE PUBLIC ALL PROPOSALS FROM QUALIFIED BIDDERS EXCLUDING ANY INFORMATION THAT CONTAINS TRADE SECRETS; PROPRIETARY, CONFIDENTIAL, FINANCIAL, OR COMPETITIVE COMMERCIAL INFORMATION; INFORMATION ABOUT THE SECURITY OF THE TRANSMISSION SYSTEM OR TRANSMISSION SYSTEM OPERATIONS; INFORMATION CONTAINING ENERGY MARKET IMPACTS; OR INFORMATION THAT QUALIFIES AS CRITICAL ENERGY INFRASTRUCTURE INFORMATION UNDER 18 CFR 388.113.

(15) THE BOARD MAY TAKE ANY ACTIONS NECESSARY AND APPROPRIATE TO SUPPORT A TRANSMISSION LINE FOR WHICH A NOTICE TO CONSTRUCT HAS BEEN ISSUED, INCLUDING COORDINATION WITH THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, SUPPORTING ANY OUT-OF-CYCLE REVIEW REQUEST, EXECUTION OF ANY CONTRACTS OR AGREEMENTS, AND PREPARATION, SUBMISSION, AND SUPPORT FOR FILINGS RELATED TO THAT PROJECT BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION OR ANY OTHER REGULATORY BODY.

(16) A DOCUMENT SUBMITTED TO THE BOARD UNDER THIS SECTION IS NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, TO THE EXTENT IT CONTAINS TRADE SECRETS, PROPRIETARY AND CONFIDENTIAL COMMERCIAL OR FINANCIAL INFORMATION, OR INFORMATION THAT QUALIFIES AS CRITICAL ENERGY INFRASTRUCTURE INFORMATION UNDER 18 CFR 388.113. THE BUSINESS THAT THE BOARD MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE BOARD HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

(17) THE BOARD IS DISSOLVED 90 DAYS AFTER THE COMMISSION ISSUES AN EXPEDITED SITING CERTIFICATE UNDER THIS SECTION.

(18) WITHIN 60 DAYS AFTER RECEIVING A NOTICE TO CONSTRUCT UNDER THIS SECTION, A QUALIFIED DEVELOPER SHALL SUBMIT ANY NECESSARY DOCUMENTS TO THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR OR OTHER APPLICABLE REGIONAL TRANSMISSION ORGANIZATION FOR ANY REQUIRED REVIEW AND APPROVAL.

(19) WITHIN 120 DAYS AFTER OBTAINING ANY REQUIRED REVIEWS AND APPROVALS FROM THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR OR OTHER APPLICABLE REGIONAL TRANSMISSION ORGANIZATION, THE QUALIFIED DEVELOPER SHALL APPLY TO THE COMMISSION FOR AN EXPEDITED SITING CERTIFICATE UNDER THIS SECTION. IF A QUALIFIED DEVELOPER DOES NOT APPLY TO THE COMMISSION WITHIN 120 DAYS AFTER OBTAINING ANY REQUIRED REVIEWS AND APPROVALS FROM THE APPLICABLE REGIONAL TRANSMISSION ORGANIZATION, THE COMMISSION SHALL REVOKE THE NOTICE TO CONSTRUCT AND THE BOARD MAY SOLICIT EXPRESSIONS OF INTEREST FOR THE TRANSMISSION LINE PROJECT UNDER THIS SECTION. THE COMMISSION MAY WAIVE THE 120-DAY TIME LIMIT IF IT DETERMINES THE QUALIFIED DEVELOPER HAD GOOD CAUSE FOR FAILING TO APPLY TO THE COMMISSION FOR AN EXPEDITED SITING CERTIFICATE WITHIN 120 DAYS.

(20) A QUALIFIED DEVELOPER SHALL INCLUDE ALL OF THE FOLLOWING IN AN APPLICATION FOR AN EXPEDITED SITING CERTIFICATE:

(A) EVIDENCE THAT THE APPLICANT OBTAINED A NOTICE TO CONSTRUCT FOR THE TRANSMISSION LINE UNDER THIS SECTION.

(B) THE PLANNED DATE TO BEGIN CONSTRUCTION OF THE PROPOSED TRANSMISSION LINE.

(C) A DETAILED DESCRIPTION, ROUTE, AND EXPECTED CONFIGURATION AND USE OF THE PROPOSED TRANSMISSION LINE.

(D) INFORMATION INDICATING THAT THE PROPOSED TRANSMISSION LINE WILL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL ENVIRONMENTAL STANDARDS, LAWS, AND RULES.

(E) A DESCRIPTION AND EVALUATION OF 1 OR MORE ALTERNATE TRANSMISSION LINE ROUTES FOR THE PROPOSED TRANSMISSION LINE, AND A STATEMENT OF WHY THE PROPOSED ROUTE WAS SELECTED.

(F) IF A ZONING ORDINANCE PROHIBITS OR REGULATES THE LOCATION OR DEVELOPMENT OF ANY PORTION OF THE PROPOSED ROUTE, A DESCRIPTION OF THE LOCATION AND MANNER IN WHICH THE ZONING ORDINANCE PROHIBITS OR REGULATES THE LOCATION OR CONSTRUCTION OF THE PROPOSED ROUTE.

(G) OTHER INFORMATION REASONABLY REQUIRED BY COMMISSION RULES.

(21) AFTER APPLYING FOR AN EXPEDITED SITING CERTIFICATE, AN APPLICANT SHALL GIVE PUBLIC NOTICE IN THE MANNER AND FORM THE COMMISSION PRESCRIBES OF AN OPPORTUNITY TO PARTICIPATE IN A CONTESTED CASE UNDER SUBSECTION (22) REGARDING THE APPLICATION. NOTICE MUST BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITIES THROUGH WHICH THE PROPOSED TRANSMISSION LINE PROJECT WOULD RUN WITHIN 14 DAYS AFTER AN APPLICATION IS SUBMITTED TO THE COMMISSION UNDER SUBSECTION (19). THE NOTICE MUST BE SENT TO EACH AFFECTED MUNICIPALITY AND EACH AFFECTED LANDOWNER ON WHOSE PROPERTY A PORTION OF THE PROPOSED TRANSMISSION LINE WILL BE CONSTRUCTED. THE NOTICE MUST BE WRITTEN IN PLAIN, NONTECHNICAL, AND EASILY UNDERSTOOD TERMS AND CONTAIN A TITLE THAT INCLUDES THE NAME OF THE APPLICANT AND THE WORDS "NOTICE OF INTENT TO CONSTRUCT A TRANSMISSION LINE".

(22) THE COMMISSION SHALL CONDUCT A PROCEEDING ON AN APPLICATION FOR AN EXPEDITED SITING CERTIFICATE AS A CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328. UPON RECEIVING AN APPLICATION FOR A CERTIFICATE, THE COMMISSION SHALL GRANT EACH AFFECTED MUNICIPALITY AND EACH AFFECTED LANDOWNER FULL INTERVENOR STATUS AS OF RIGHT IN COMMISSION PROCEEDINGS CONCERNING THE PROPOSED TRANSMISSION LINE.

(23) THE COMMISSION SHALL GRANT AN EXPEDITED SITING CERTIFICATE UNDER THIS SECTION IF THE COMMISSION DETERMINES THAT ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

(A) THE APPLICANT HAS RECEIVED A NOTICE TO CONSTRUCT FOR THE PROPOSED TRANSMISSION LINE UNDER THIS SECTION.

(B) THE PROPOSED TRANSMISSION LINE DOES NOT REPRESENT AN UNREASONABLE THREAT TO THE PUBLIC CONVENIENCE, HEALTH, AND SAFETY.

(C) THE PROPOSED OR ALTERNATE ROUTE TO BE AUTHORIZED BY THE EXPEDITED SITING CERTIFICATE IS FEASIBLE AND REASONABLE.

(24) IF THE COMMISSION GRANTS AN EXPEDITED SITING CERTIFICATE FOR A TRANSMISSION LINE UNDER THIS SECTION, THE CERTIFICATE TAKES PRECEDENCE OVER A CONFLICTING LOCAL ORDINANCE, LAW, RULE, REGULATION, POLICY, OR PRACTICE THAT PROHIBITS OR REGULATES THE LOCATION OR CONSTRUCTION OF THE TRANSMISSION LINE. A ZONING ORDINANCE OR LIMITATION IMPOSED AFTER A QUALIFIED DEVELOPER APPLIED FOR AN EXPEDITED SITING CERTIFICATE MUST NOT LIMIT OR IMPAIR THE TRANSMISSION LINE'S CONSTRUCTION, OPERATION, OR MAINTENANCE.

(25) IN AN EMINENT DOMAIN OR OTHER RELATED PROCEEDING ARISING OUT OF OR RELATED TO A TRANSMISSION LINE FOR WHICH AN EXPEDITED SITING CERTIFICATE IS ISSUED UNDER THIS SECTION, AN EXPEDITED SITING CERTIFICATE ISSUED UNDER THIS SECTION IS CONCLUSIVE AND BINDING AS TO THE PUBLIC CONVENIENCE AND NECESSITY FOR THAT TRANSMISSION LINE AND THE TRANSMISSION LINE'S COMPATIBILITY WITH THE PUBLIC HEALTH AND SAFETY OR ANY ZONING OR LAND USE REQUIREMENTS IN EFFECT WHEN THE APPLICATION WAS FILED.

(26) THE COMMISSION SHALL GRANT OR DENY AN EXPEDITED SITING CERTIFICATE WITHIN 180 DAYS AFTER RECEIVING AN APPLICATION UNDER THIS SECTION.

(27) IF A TRANSMISSION LINE CONSTRUCTED UNDER THIS SECTION IS LOCATED WITHIN AN EXISTING UTILITY CORRIDOR OWNED BY AN ELECTRIC UTILITY, AFFILIATED TRANSMISSION COMPANY, OR INDEPENDENT TRANSMISSION COMPANY OTHER THAN THE QUALIFIED DEVELOPER CONSTRUCTING THE TRANSMISSION LINE, IN ADDITION TO ANY FEES OR PAYMENTS RELATED TO ACQUIRING THE RIGHTS TO USE THE UTILITY CORRIDOR, THE QUALIFIED DEVELOPER CONSTRUCTING THE TRANSMISSION LINE UNDER THIS SECTION SHALL MAKE A 1-TIME PAYMENT TO THE ELECTRIC UTILITY, AFFILIATED TRANSMISSION COMPANY, OR INDEPENDENT TRANSMISSION COMPANY OWNING THAT CORRIDOR. THE PAYMENT SHALL BE EQUAL TO 50% OF THE TAX ASSESSED TO THE ELECTRIC UTILITY, AFFILIATED TRANSMISSION COMPANY, OR INDEPENDENT TRANSMISSION COMPANY IN THE PRIOR TAX YEAR UNDER THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO 211.155, FOR THE UTILITY CORRIDOR IN WHICH THE TRANSMISSION LINE CONSTRUCTED UNDER THIS SECTION IS LOCATED.

(28) THE COSTS OF A TRANSMISSION LINE FOR WHICH A NOTICE TO CONSTRUCT IS ISSUED UNDER THIS SECTION MUST BE ALLOCATED TO ALL RETAIL ELECTRIC CUSTOMERS LOCATED IN THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR FOOTPRINT WITHIN THIS STATE.

(29) THE REVENUE REQUIREMENT FOR A TRANSMISSION LINE FOR WHICH A NOTICE TO CONSTRUCT IS ISSUED MUST BE CALCULATED PURSUANT TO THE OPEN ACCESS TRANSMISSION, ENERGY, AND OPERATING RESERVE MARKETS TARIFF ADMINISTERED BY THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR.

(30) THE BOARD SHALL COOPERATE WITH THE RECIPIENT OF THE NOTICE TO CONSTRUCT, THE COMMISSION, AND THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR IN MAKING ANY FILINGS NECESSARY TO IMPLEMENT THE COST ALLOCATION ESTABLISHED IN THIS SECTION.

(31) THE COMMISSION SHALL ISSUE A REPORT TO THE GOVERNOR AND THE LEGISLATURE ON OR BEFORE THE FIRST MONDAY OF MARCH OF EACH YEAR. THE REPORT SHALL INCLUDE BOTH OF THE FOLLOWING:

(A) A SUMMARY OF THE IMPACT OF THIS SECTION.

(B) A LIST OF ANY TRANSMISSION LINES CONSTRUCTED OR APPROVED UNDER THIS SECTION DURING THE PREVIOUS YEAR.

(32) EXCEPT FOR A TRANSMISSION LINE FOR WHICH ANOTHER ENTITY HOLDS A VALID NOTICE TO CONSTRUCT THAT HAS NOT EXPIRED UNDER THIS SECTION, THIS SECTION DOES NOT PROHIBIT AN ENTITY FROM CONSTRUCTING A TRANSMISSION LINE WITHOUT OBTAINING AN EXPEDITED SITING CERTIFICATE.

(33) A COMMISSION ORDER RELATING TO ANY MATTER PROVIDED FOR UNDER THIS SECTION IS SUBJECT TO REVIEW AS PROVIDED IN SECTION 26 OF 1909 PA 300, MCL 462.26.

(34) IN ADMINISTERING THIS SECTION, THE COMMISSION HAS ONLY THOSE POWERS AND DUTIES GRANTED TO IT UNDER THIS SECTION.

(35) THIS SECTION DOES NOT CONFER THE POWER OF EMINENT DOMAIN.

(36) AS USED IN THIS SECTION:

(A) "AFFILIATED TRANSMISSION COMPANY" MEANS A PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR OTHER LEGAL ENTITY OR ITS SUCCESSORS OR ASSIGNS, THAT HAS FULLY SATISFIED THE REQUIREMENTS TO JOIN A REGIONAL TRANSMISSION ORGANIZATION AS DETERMINED BY THE FEDERAL ENERGY REGULATORY COMMISSION, IS ENGAGED IN THIS STATE IN THE TRANSMISSION OF ELECTRICITY USING FACILITIES IT OWNS THAT WERE TRANSFERRED TO THE ENTITY BY AN ELECTRIC UTILITY THAT WAS ENGAGED IN THE GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRICITY IN THIS STATE ON DECEMBER 31, 2000, AND IS NOT INDEPENDENT OF AN ELECTRIC UTILITY, OR AN AFFILIATE OF THE UTILITY, GENERATING OR DISTRIBUTING ELECTRICITY TO RETAIL CUSTOMERS IN THIS STATE.

(B) "BOARD" MEANS THE MICHIGAN ELECTRIC INFRASTRUCTURE BOARD CREATED IN SUBSECTION (1).

(C) "COMMISSION" MEANS THE MICHIGAN PUBLIC SERVICE COMMISSION CREATED IN SECTION 1.

(D) "CONSTRUCTION" MEANS ANY SUBSTANTIAL ACTION CONSTITUTING PLACEMENT OR ERECTION OF THE FOUNDATIONS, TRENCHES, FACILITIES, EQUIPMENT, OR STRUCTURES SUPPORTING A TRANSMISSION LINE, INCLUDING, BUT NOT LIMITED TO, THE CONDUCTORS, WIRES, OR OTHER EQUIPMENT ATTACHED TO THE STRUCTURES. CONSTRUCTION DOES NOT INCLUDE PRECONSTRUCTION ACTIVITY OR THE ADDITION OF CIRCUITS TO AN EXISTING TRANSMISSION LINE.

(E) "ELECTRIC UTILITY" MEANS A PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR OTHER LEGAL ENTITY WHOSE TRANSMISSION OR DISTRIBUTION OF ELECTRICITY THE COMMISSION REGULATES UNDER 1909 PA 106, MCL 460.551 TO 460.559, OR THIS ACT. ELECTRIC UTILITY DOES NOT INCLUDE AN AFFILIATED TRANSMISSION COMPANY OR AN INDEPENDENT TRANSMISSION COMPANY.

(F) "GOOD CAUSE" MEANS AN EVENT OR CIRCUMSTANCE, WHETHER OR NOT FORESEEABLE, NOT CAUSED BY A QUALIFIED DEVELOPER THAT PREVENTS THE QUALIFIED DEVELOPER FROM COMPLYING WITH AN OBLIGATION UNDER THIS ACT. GOOD CAUSE DOES NOT INCLUDE A STRIKE OR OTHER LABOR UNREST THAT AFFECTS ONLY THE QUALIFIED DEVELOPER, AN INCREASE IN PRICES OR OTHER CHANGE IN GENERAL ECONOMIC CONDITIONS, OR A CHANGE IN LAW OR REGULATIONS.

(G) "GREAT LAKES" MEANS LAKE SUPERIOR, LAKE MICHIGAN, LAKE HURON, LAKE ERIE, AND THE CONNECTING WATERS BETWEEN LAKE MICHIGAN AND LAKE HURON.

(H) "INDEPENDENT TRANSMISSION COMPANY" MEANS A PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR OTHER LEGAL ENTITY, OR ITS SUCCESSORS OR ASSIGNS, ENGAGED IN THIS STATE IN THE TRANSMISSION OF ELECTRICITY USING FACILITIES IT OWNS THAT HAVE BEEN DIVESTED TO THE ENTITY BY AN ELECTRIC UTILITY THAT WAS ENGAGED IN THE GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRICITY IN THIS STATE ON DECEMBER 31, 2000, AND IS INDEPENDENT OF AN ELECTRIC UTILITY, OR AN AFFILIATE OF THE UTILITY, GENERATING OR DISTRIBUTING ELECTRICITY TO RETAIL CUSTOMERS IN THIS STATE.

(I) "MUNICIPALITY" MEANS A CITY, TOWNSHIP, OR VILLAGE.

(J) "NOTICE TO CONSTRUCT" MEANS A NOTICE ISSUED BY THE BOARD GRANTING AN ENTITY THE SOLE RIGHT TO CONSTRUCT A TRANSMISSION LINE UNTIL THE NOTICE TO CONSTRUCT EXPIRES.

(K) "PRECONSTRUCTION ACTIVITY" MEANS ANY ACTIVITY ON A PROPOSED ROUTE CONDUCTED BEFORE CONSTRUCTION OF A TRANSMISSION LINE BEGINS. PRECONSTRUCTION ACTIVITY INCLUDES SURVEYS, MEASUREMENTS, EXAMINATIONS, SOUNDINGS, BORINGS, SAMPLE-TAKING, OR OTHER TESTING PROCEDURES, PHOTOGRAPHY, APPRAISAL, OR TESTS OF SOIL, GROUNDWATER, STRUCTURES, OR OTHER MATERIALS IN OR ON THE REAL PROPERTY FOR CONTAMINATION. PRECONSTRUCTION ACTIVITY DOES NOT INCLUDE AN ACTION THAT PERMANENTLY OR IRREPARABLY ALTERS THE REAL PROPERTY ON OR ACROSS THE PROPOSED ROUTE.

(l) "QUALIFIED DEVELOPER" MEANS AN ENTITY THAT DEMONSTRATES ALL OF THE FOLLOWING:

(i) THAT THE ENTITY HAS OWNED AND OPERATED A TRANSMISSION LINE IN THIS STATE WITHIN THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR FOOTPRINT FOR AT LEAST 5 YEARS.

(ii) THAT THE ENTITY HAS BEEN REGISTERED WITH THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION AS A TRANSMISSION OWNER, TRANSMISSION OPERATOR, AND TRANSMISSION PLANNER FOR THE 5 YEARS BEFORE A PROPOSAL IS SUBMITTED UNDER THIS SECTION.

(iii) THAT THE ENTITY HAS COMPLIED WITH THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION REGISTRATION REQUIREMENTS AND REGIONAL ENTITY RELIABILITY STANDARDS FOR THE 5 YEARS BEFORE A PROPOSAL IS SUBMITTED UNDER THIS SECTION.

(M) "ROUTE" MEANS REAL PROPERTY OR OTHER INFRASTRUCTURE ON OR ACROSS WHICH A TRANSMISSION LINE IS CONSTRUCTED OR PROPOSED TO BE CONSTRUCTED.

(N) "TRANSMISSION LINE" MEANS ALL STRUCTURES, EQUIPMENT, AND REAL PROPERTY NECESSARY TO TRANSFER ELECTRICITY AT SYSTEM BULK SUPPLY VOLTAGE OF 100 KILOVOLTS OR MORE.

(O) "UTILITY CONSUMER PARTICIPATION BOARD" MEANS THE UTILITY CONSUMER PARTICIPATION BOARD CREATED IN SECTION 6I.

(P) "UTILITY CORRIDOR" MEANS THE GEOGRAPHIC AREA NECESSARY TO ACCOMMODATE THE CONSTRUCTION AND OPERATION OF 1 OR MORE ELECTRIC TRANSMISSION OR DISTRIBUTION LINES."

The question being on the adoption of the amendment offered by Rep. McBroom, Rep. McBroom demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. McBroom,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 749

Yeas—47

Barrett	Guerra	LaFontaine	Price
Bumstead	Hoadley	LaGrand	Rendon
Canfield	Hooker	Liberati	Roberts, S.
Chang	Howell	Love	Runestad
Chatfield	Howrylak	McBroom	Santana
Cochran	Inman	Moss	Schor
Cole	Irwin	Muxlow	Smiley
Crawford	Jenkins	Neeley	Tedder
Faris	Johnson	Pagan	Theis
Garrett	Kelly	Phelps	Townsend
Geiss	Kesto	Plawecki, L.	Yanez
Glenn	Kivela	Potvin	

Nays—60

Afendoulis	Farrington	Kosowski	Pscholka
Banks	Forlini	Lane	Roberts, B.
Bizon	Franz	Lauwers	Rutledge
Brinks	Garcia	LaVoy	Sheppard
Brunner	Gay-Dagnogo	Leonard	Singh
Byrd	Gardon	Leutheuser	Somerville
Callton	Goike	Lucido	Talabi
Chirkun	Graves	Lyons	Vaupel
Clemente	Green	Maturen	VerHeulen
Cotter	Greig	McCready	Victory
Cox	Greimel	Miller, A.	Webber
Darany	Hovey-Wright	Nesbitt	Whiteford
Dianda	Hughes	Outman	Wittenberg
Driskell	Iden	Pagel	Yonker
Durhal	Jacobsen	Poleski	Zemke

In The Chair: Cotter

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

The motion prevailed.

Senate Bill No. 438, entitled

A bill to amend 2008 PA 295, entitled "Clean, renewable, and efficient energy act," by amending the title, the headings of subparts B and C of part 2 and the heading of part 5, and sections 1, 3, 5, 7, 9, 11, 13, 29, 39, 41, 45, 47, 49, 71, 73, 75, 77, 81, 83, 85, 87, 89, 91, 93, 95, 97, 113, 173, 175, 177, and 179 (MCL 460.1001, 460.1003, 460.1005, 460.1007, 460.1009, 460.1011, 460.1013, 460.1029, 460.1039, 460.1041, 460.1045, 460.1047, 460.1049, 460.1071, 460.1073, 460.1075, 460.1077, 460.1081, 460.1083, 460.1085, 460.1087, 460.1089, 460.1091, 460.1093, 460.1095, 460.1097, 460.1113, 460.1173, 460.1175, 460.1177, and 460.1179), section 29 as amended by 2008 PA 295, section 93 as amended by 2010 PA 269, and by adding subpart B to part 2, sections 22, 28, 78, 99, 183, and 185, and part 7; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Hughes and Kelly moved to amend the bill as follows:

1. Amend page 20, line 21, after "**PORTFOLIO**" by striking out the balance of the subsection and inserting "**IN 2017 AND EACH YEAR THEREAFTER OF AT LEAST 10%, AS CALCULATED UNDER SUBSECTION (2).**".
2. Amend page 79, line 13, by striking out all of line 13 and inserting "**OR OPERATE 1 OR MORE SELF-GENERATION OR COGENERATION FACILITIES, AND NONE OF THE PROVISIONS OF PART 5 APPLY TO SUCH FACILITIES.**".

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

Rep. VerHeulen moved to substitute (H-7) the bill.

The motion prevailed and the substitute (H-7) was adopted, a majority of the members serving voting therefor.

Rep. Dianda moved to amend the bill as follows:

1. Amend page 78, line 23, by striking out all of subsection (3) and renumbering the remaining subsections.
2. Amend page 79, line 11, after "customers" by inserting "**WHO HAVE SUBMITTED A COMPLETED APPLICATION**".
3. Amend page 79, line 12, after "based" by striking out the balance of the subsection and inserting "**SOLELY ON MEETING THE INTERCONNECTION AND EQUIPMENT REQUIREMENTS FOR PARTICIPATION. AN ELECTRIC UTILITY OR ALTERNATIVE ELECTRIC SUPPLIER SHALL NOT RESTRICT THE NUMBER OF PARTICIPANTS IN THE DISTRIBUTED GENERATION PROGRAM UNLESS IT DEMONSTRATES TO THE SATISFACTION OF THE COMMISSION THAT THE RESTRICTION IS NECESSARY TO PROTECT THE PUBLIC HEALTH AND SAFETY OR THE INTEGRITY OF THE DISTRIBUTION SYSTEM IN A HEARING BEFORE THE COMMISSION.**".
4. Amend page 81, line 6, by striking out all of subdivisions (d) and (e).

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

Rep. Singh moved to amend the bill as follows:

1. Amend page 50, line 7, after "energy" by striking out "efficiency" and inserting "**WASTE REDUCTION**".
 2. Amend page 50, line 21, after "**ENERGY**" by striking out "**EFFICIENCY**" and inserting "**WASTE REDUCTION**".
 3. Amend page 51, line 7, after "**ENERGY**" by striking out "**OPTIMIZATION**" and inserting "**WASTE REDUCTION**".
 4. Amend page 51, line 8, after "**ENERGY**" by striking out "**EFFICIENCY**" and inserting "**WASTE REDUCTION**".
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Cotter moved to amend the bill as follows:

1. Amend page 85, line 17, after the first "**OWN,**" by striking out the balance of the line through "**AND**" on line 18 and inserting "**OR OPERATE, OR HAVE A THIRD PARTY BUILD, OWN, OR**".
2. Amend page 85, line 18, after "**FACILITIES**" by inserting a comma and "**AND NONE OF THE PROVISIONS OF PART 5 SHALL BE CONSTRUED OR INTERPRETED TO APPLY TO SUCH FACILITIES**".

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

Rep. Cole moved to amend the bill as follows:

1. Amend page 5, line 18, after "wood" by striking out the period and inserting a comma and "but only if derived from sustainably managed forests or procurement systems, as defined in section 261c of the management and budget act, 1984 PA 431, MCL 18.1261c."

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

Rep. Leutheuser moved to amend the bill as follows:

1. Amend page 42, following line 7, by inserting:

“SEC. 54. NOTHING IN THIS SUBPART ABROGATES THE POWERS GRANTED TO LOCAL UNITS OF GOVERNMENT UNDER THE MICHIGAN ZONING ENABLING ACT, 2006 PA 110, MCL 125.3101 TO 125.3702.”

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Nesbitt moved that **Senate Bill No. 437** be placed on its immediate passage.

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

Senate Bill No. 437, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending the title and sections 6a, 6j, 6k, 6l, 6m, 6s, 10, 10a, 10c, 10f, 10p, 10r, 10t, 10dd, and 11 (MCL 460.6a, 460.6j, 460.6k, 460.6l, 460.6m, 460.6s, 460.10, 460.10a, 460.10c, 460.10f, 460.10p, 460.10r, 460.10t, 460.10dd, and 460.11), the title as amended by 2005 PA 190, sections 6a, 10, 10a, 10p, and 10r as amended and sections 6s and 10dd as added by 2008 PA 286, section 6j as amended by 1987 PA 81, section 6k as added by 1982 PA 304, section 6l as amended and sections 10c, 10f, and 10t as added by 2000 PA 141, section 6m as amended by 2014 PA 170, and section 11 as amended by 2014 PA 169, and by adding sections 6t, 6u, 6v, 6w, 6x, 6y, 10ee, and 10ff; and to repeal acts and parts of acts.

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

Roll Call No. 750

Yeas—79

Afendoulis	Garcia	LaGrand	Pscholka
Banks	Garrett	Lane	Rendon
Brinks	Gay-Dagnogo	Lauwers	Roberts, B.
Brunner	Geiss	LaVoy	Rutledge
Byrd	Graves	Leonard	Schor
Callton	Green	Leutheuser	Sheppard
Chang	Greig	Liberati	Singh
Chirkun	Greimel	Love	Smiley
Clemente	Guerra	Lucido	Talabi
Cochran	Hoadley	Lyons	Tedder
Cotter	Hovey-Wright	Maturen	Townsend
Cox	Hughes	McCready	Vaupel
Crawford	Iden	Moss	VerHeulen
Darany	Inman	Neeley	Victory
Driskell	Jacobsen	Nesbitt	Webber
Durhal	Jenkins	Outman	Whiteford
Faris	Johnson	Pagan	Yanez
Farrington	Kesto	Pagel	Yonker

Forlini
Franz

Kosowski
LaFontaine

Phelps
Poleski

Zemke

Nays—28

Barrett
Bizon
Bumstead
Canfield
Chatfield
Cole
Dianda

Glardon
Glenn
Goike
Hooker
Howell
Howrylak
Irwin

Kelly
Kivela
McBroom
Miller, A.
Muxlow
Plawecki, L.
Potvin

Price
Roberts, S.
Runestad
Santana
Somerville
Theis
Wittenberg

In The Chair: Cotter

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

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

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending the title and sections 6a, 6j, 6k, 6l, 6m, 6s, 10, 10a, 10c, 10f, 10p, 10r, 10t, 10dd, and 11 (MCL 460.6a, 460.6j, 460.6k, 460.6l, 460.6m, 460.6s, 460.10, 460.10a, 460.10c, 460.10f, 460.10p, 460.10r, 460.10t, 460.10dd, and 460.11), the title as amended by 2005 PA 190, sections 6a, 10, 10a, 10p, and 10r as amended and sections 6s and 10dd as added by 2008 PA 286, section 6j as amended by 1987 PA 81, section 6k as added by 1982 PA 304, section 6l as amended and sections 10c, 10f, and 10t as added by 2000 PA 141, section 6m as amended by 2014 PA 170, and section 11 as amended by 2014 PA 169, and by adding sections 6t, 6u, 6v, 6w, 6x, 6z, 10ee, and 10ff; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Howrylak, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I cannot in good conscience vote in favor of a bill whose language was provided to me only a couple of hours prior to the vote. That would be legislative malpractice. While I believe there are many good elements in this bill, time is not on the side of a yes vote. Ideally the legislative session would be extended for another week to allow for members to fully vet and discern this bill. That is not the case and therefore I vote no.”

Rep. Barrett, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I appreciate the work and effort that was put into this legislation and the improvements that were included. However, I am not satisfied that private investment in net metering would be protected. My concern is that the existing bill language could pass on unfair and unrealistic fees to individuals who net meter. I introduced a simple amendment to correct this discrepancy and it was rejected.”

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

We began session on Wednesday, December 14 at 10:00 a.m. and voted on several dozen bills remaining in session until 5:30 a.m. The last hour of the our Friday morning session, we began discussing House Bills 437 and 438. These two bills are 234 pages. At 5:30 a.m., the House went at ease so that we could get some sleep and possibly the two bills. House Bills 437 and 438 are very complicated. They do several good things :eliminating self-implementation of rate increases by the utilities, preserving choice, adding transparency to the list of folks waiting to be on choice, and implementing a IRP process.

I voted against them for several reasons:

- 1) The process. Bills came out of the Senate, did not receive a hearing in the House, and we were given very little time to read, digest, or discuss the bills. A poor process with very complicated legislation.
- 2) While the bills did have some good provisions, I believe they included several rate increases and lowering of standards by which the Public Service Commission will rule.

We were able to have access to them around 6:00 am, from our onThe bills were passed out of the Senate yesterday and totaled after receiving copies of the bills believe that Michigan citizens deserve reliable, affordable energy.

I believe that our incumbent utilities need to provide reliable energy to our residents at a reasonable rate of return. These two bills are not the assurance of either affordable energy, or”

Rep. Nesbitt moved that **Senate Bill No. 438** be placed on its immediate passage.

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

Senate Bill No. 438, entitled

A bill to amend 2008 PA 295, entitled “Clean, renewable, and efficient energy act,” by amending the title, the headings of subparts B and C of part 2 and the heading of part 5, and sections 1, 3, 5, 7, 9, 11, 13, 29, 39, 41, 45, 47, 49, 71, 73, 75, 77, 81, 83, 85, 87, 89, 91, 93, 95, 97, 113, 173, 175, 177, and 179 (MCL 460.1001, 460.1003, 460.1005, 460.1007, 460.1009, 460.1011, 460.1013, 460.1029, 460.1039, 460.1041, 460.1045, 460.1047, 460.1049, 460.1071, 460.1073, 460.1075, 460.1077, 460.1081, 460.1083, 460.1085, 460.1087, 460.1089, 460.1091, 460.1093, 460.1095, 460.1097, 460.1113, 460.1173, 460.1175, 460.1177, and 460.1179), section 29 as amended by 2008 PA 295, section 93 as amended by 2010 PA 269, and by adding subpart B to part 2, sections 22, 28, 78, 99, 183, and 185, and part 7; and to repeal acts and parts of acts.

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

Roll Call No. 751

Yeas—76

Afendoulis	Forlini	LaFontaine	Poleski
Banks	Garcia	LaGrand	Pscholka
Brinks	Garrett	Lane	Rendon
Brunner	Gay-Dagnogo	Lauwers	Roberts, B.
Byrd	Geiss	LaVoy	Rutledge
Callton	Graves	Leutheuser	Schor
Canfield	Green	Liberati	Sheppard
Chang	Greig	Love	Singh
Chirkun	Greimel	Lucido	Smiley
Clemente	Guerra	Lyons	Talabi
Cochran	Hoadley	Maturen	Townsend
Cotter	Hovey-Wright	Moss	Vaupel
Cox	Hughes	Muxlow	VerHeulen
Crawford	Iden	Neeley	Victory
Darany	Inman	Nesbitt	Webber
Driskell	Jacobsen	Outman	Whiteford
Durhal	Jenkins	Pagan	Yanez
Faris	Johnson	Pagel	Yonker
Farrington	Kosowski	Phelps	Zemke

Nays—31

Barrett	Glenn	Kivela	Roberts, S.
Bizon	Goike	Leonard	Runestad
Bumstead	Hooker	McBroom	Santana
Chatfield	Howell	McCready	Somerville
Cole	Howrylak	Miller, A.	Tedder
Dianda	Irwin	Plawecki, L.	Theis
Franz	Kelly	Potvin	Wittenberg
Gardon	Kesto	Price	

In The Chair: Cotter

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

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

A bill to amend 2008 PA 295, entitled “An act to require certain providers of electric service to establish renewable energy programs; to require certain providers of electric or natural gas service to establish energy optimization programs; to authorize the use of certain energy systems to meet the requirements of those programs; to provide for the approval of energy optimization service companies; to provide for certain charges on electric and natural gas bills; to promote energy conservation by state agencies and the public; to create a wind energy resource zone board and provide for its power and duties; to authorize the creation and implementation of wind energy resource zones; to provide for expedited transmission line siting certificates; to provide for a net metering program and the responsibilities of certain providers of electric service and customers with respect to net metering; to provide for fees; to prescribe the powers and duties of certain state agencies and officials; to require the promulgation of rules and the issuance of orders; and to provide for civil sanctions, remedies, and penalties,” by amending the title, the headings of subparts B and C of part 2 and the heading of part 5, and sections 1, 3, 5, 7, 9, 11, 13, 29, 39, 41, 45, 47, 49, 71, 73, 75, 77, 81, 83, 85, 87, 89, 91, 93, 95, 97, 113, 173, 175, 177, and 179 (MCL 460.1001, 460.1003, 460.1005, 460.1007, 460.1009, 460.1011, 460.1013, 460.1029, 460.1039, 460.1041, 460.1045, 460.1047, 460.1049, 460.1071, 460.1073, 460.1075, 460.1077, 460.1081, 460.1083, 460.1085, 460.1087, 460.1089, 460.1091, 460.1093, 460.1095, 460.1097, 460.1113, 460.1173, 460.1175, 460.1177, and 460.1179), section 93 as amended by 2010 PA 269, and by adding subpart B to part 2, sections 22, 28, 54, 74, 78, 99, 183, and 185, and part 7; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

We began session on Wednesday, December 14 at 10:00 a.m. and voted on several dozen bills remaining in session until 5:30 a.m. The last hour of the our Friday morning session, we began discussing House Bills 437 and 438. These two bills are 234 pages. At 5:30 a.m., the House went at ease so that we could get some sleep and possibly the two bills. House Bills 437 and 438 are very complicated. They do several good things :eliminating self-implementation of rate increases by the utilities, preserving choice, adding transparency to the list of folks waiting to be on choice, and implementing a IRP process.

I voted against them for several reasons:

- 1) The process. Bills came out of the Senate, did not receive a hearing in the House, and we were given very little time to read, digest, or discuss the bills. A poor process with very complicated legislation.
- 2) While the bills did have some good provisions, I believe they included several rate increases and lowering of standards by which the Public Service Commission will rule.

We were able to have access to them around 6:00 am, from our onThe bills were passed out of the Senate yesterday and totaled after receiving copies of the bills believe that Michigan citizens deserve reliable, affordable energy.

I believe that our incumbent utilities need to provide reliable energy to our residents at a reasonable rate of return.

These two bills are not the assurance of either affordable energy, or”

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5421, entitled

A bill to amend 1999 PA 149, entitled “Public employee health care fund investment act,” by amending section 2 (MCL 38.1212) and by adding sections 4a, 4b, and 4c.

(The bill was received from the Senate on December 14, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2449.)

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

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

Roll Call No. 752

Yeas—105

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

Nays—2

Hovey-Wright

Smiley

In The Chair: Franz

The House agreed to the title as amended.

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

House Bill No. 4136, entitled

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

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

Roll Call No. 753**Yeas—105**

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

Nays—2

Bizon

Pagel

In The Chair: Franz

The House agreed to the full title.

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

House Bill No. 5626, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 55 of chapter X (MCL 710.55), as added by 1994 PA 222.

The Senate has amended the bill as follows:

1. Amend page 2, line 23, after the first “No.” by striking out the balance of the line through “04701’15 a)” on line 24 and inserting “924”.

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 754

Yeas—107

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

Nays—0

In The Chair: Franz

The House agreed to the full title.

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

House Bill No. 5782, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 748 (MCL 330.1748), as amended by 1998 PA 497.

The Senate has amended the bill as follows:

1. Amend page 4, line 6, after “**CARE,**” by striking out the balance of the line through “**SERVICES**” on line 7 and inserting “**OR PAYMENT**”.

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.
The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Garcia moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 755**Yeas—106**

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

Nays—1

Howrylak

In The Chair: Franz

The House agreed to the full title.

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

House Bill No. 5928, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2016 PA 7.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Nesbitt moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

Roll Call No. 756**Yeas—87**

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

Nays—20

Brunner	Green	Liberati	Singh
Chang	Greig	Love	Talabi
Cochran	Hoadley	Pagan	Townsend
Driskell	Howrylak	Plawecki, L.	Whiteford
Gay-Dagnogo	Irwin	Roberts, S.	Wittenberg

In The Chair: Franz

The House agreed to the full title.

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

Third Reading of Bills**Senate Bill No. 746, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 15 (MCL 722.125), as amended by 1993 PA 218.

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

Roll Call No. 757**Yeas—76**

Afendoulis	Forlini	Kivela	Nesbitt
Banks	Garcia	Kosowski	Outman
Brinks	Garrett	LaFontaine	Pagan

Brunner	Geiss	Lane	Phelps
Byrd	Glardon	Lauwers	Price
Callton	Graves	LaVoy	Pscholka
Chang	Green	Leonard	Rutledge
Chatfield	Greig	Leutheuser	Santana
Chirkun	Greimel	Liberati	Schor
Clemente	Guerra	Love	Sheppard
Cochran	Hoadley	Lucido	Singh
Cotter	Hooker	Lyons	Smiley
Cox	Hovey-Wright	Maturen	Talabi
Crawford	Howell	McBroom	Townsend
Darany	Hughes	McCready	VerHeulen
Driskell	Iden	Miller, A.	Webber
Durhal	Inman	Moss	Whiteford
Faris	Jacobsen	Muxlow	Yanez
Farrington	Kesto	Neeley	Zemke

Nays—31

Barrett	Glenn	Pagel	Somerville
Bizon	Goike	Plawecki, L.	Tedder
Bumstead	Howrylak	Poleski	Theis
Canfield	Irwin	Potvin	Vaupel
Cole	Jenkins	Rendon	Victory
Dianda	Johnson	Roberts, B.	Wittenberg
Franz	Kelly	Roberts, S.	Yonker
Gay-Dagnogo	LaGrand	Runestad	

In The Chair: Franz

The House agreed to the title of the bill.

Senate Bill No. 747, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 136b (MCL 750.136b), as amended by 2012 PA 194.

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

Roll Call No. 758**Yeas—74**

Afendoulis	Forlini	LaFontaine	Outman
Banks	Garcia	Lane	Pagan
Brinks	Garrett	Lauwers	Phelps
Brunner	Geiss	LaVoy	Price
Byrd	Glardon	Leonard	Pscholka
Callton	Graves	Leutheuser	Roberts, S.
Canfield	Green	Liberati	Rutledge
Chang	Greig	Love	Santana
Chirkun	Greimel	Lucido	Schor
Clemente	Guerra	Lyons	Sheppard
Cochran	Hoadley	Maturen	Singh
Cotter	Hovey-Wright	McBroom	Smiley
Cox	Howell	McCready	Talabi
Crawford	Hughes	Miller, A.	Townsend

Darany	Iden	Moss	VerHeulen
Driskell	Inman	Muxlow	Webber
Durhal	Kesto	Neeley	Yanez
Faris	Kivela	Nesbitt	Zemke
Farrington	Kosowski		

Nays—33

Barrett	Goike	LaGrand	Somerville
Bizon	Hooker	Pagel	Tedder
Bumstead	Howrylak	Plawecki, L.	Theis
Chatfield	Irwin	Poleski	Vaupel
Cole	Jacobsen	Potvin	Victory
Dianda	Jenkins	Rendon	Whiteford
Franz	Johnson	Roberts, B.	Wittenberg
Gay-Dagnogo	Kelly	Runestad	Yonker
Glenn			

In The Chair: Franz

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Nesbitt, Pscholka and Poleski offered the following resolution:

House Resolution No. 410.

A resolution to urge the Michigan Public Service Commission to reject the premature termination of the power purchase agreement between Entergy and Consumers Energy for the Palisades Nuclear Power Plant.

Whereas, The Palisades Nuclear Power Plant produces over 800 megawatts of virtually emission free energy and is licensed to operate into the 2030s with a power purchase agreement in place through 2022; and

Whereas, Entergy announced on December 8, 2016, that it agreed to the early termination of its power purchase agreement with Consumers Energy for the Palisades Nuclear Power Plant; and

Whereas, If the Michigan Public Service Commission approves the termination of the power purchase agreement, and federal regulators do not intervene, Entergy intends to close the plant early, in October 2018, leading to the loss of nearly 600 Michigan jobs; and

Whereas, The Palisades Nuclear Power Plant is a significant source of energy within our state and is important to continued electric reliability across Michigan. Michigan Public Service Commission Chairwoman Sally Talberg has testified in both houses of the Legislature that Michigan faces serious electric reliability issues in the near term, even with the Palisades Nuclear Power Plant online through 2022; and

Whereas, The Michigan Public Service Commission has an obligation to protect electric reliability in the state and it is clear the premature termination of this power purchase agreement would be detrimental to electric reliability in this state; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan Public Service Commission to reject the premature termination of the power purchase agreement between Entergy and Consumers Energy for the Palisades Nuclear Power Plant; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan, the commissioners of the Michigan Public Service Commission, the executive director of the Michigan Agency for Energy, and the chief executive officers of the Midcontinent Independent System Operator, Entergy Corporation, and Consumers Energy.

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, December 14:

House Bill No. 6113
Senate Bill Nos. 1189 1190 1191 1192

Messages from the Senate**House Bill No. 4142, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 724 (MCL 257.724), as amended by 2012 PA 498.

The Senate has passed the bill 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. 4235, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2617a.

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. 4982, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 27, 32, 54, and 62 (MCL 421.27, 421.32, 421.54, and 421.62), section 27 as amended by 2012 PA 496, section 32 as amended by 2013 PA 144, section 54 as amended by 2013 PA 143, and section 62 as amended by 2013 PA 147.

The Senate has passed the bill 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. 5120, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 19 (MCL 325.1019).

The Senate has passed the bill 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. 5250, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305).

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. 5422, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145n (MCL 750.145n), as amended by 2004 PA 559.

The Senate has passed the bill 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. 5532, entitled

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

The Senate has passed the bill 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. 5720, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 500 (MCL 208.1500), as amended by 2013 PA 233.

The Senate has passed the bill 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. 5815, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 83 (MCL 791.283).

The Senate has passed the bill 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. 5838, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 459 (MCL 750.459), as amended by 2014 PA 331.

The Senate has passed the bill 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. 5839, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2014 PA 327.

The Senate has passed the bill 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. 5877, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17702, 17703, and 17707 (MCL 333.17702, 333.17703, and 333.17707), section 17702 as amended by 2014 PA 280 and sections 17703 and 17707 as amended by 2014 PA 285, and by adding section 17760.

The Senate has passed the bill 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. 5912, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78k (MCL 211.78k), as amended by 2006 PA 611.

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.

The Speaker resumed the Chair.

Senate Concurrent Resolution No. 33.

A concurrent resolution providing for the final adjournment of the Legislature.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, December 15, 2016, it stands adjourned until Wednesday, December 28, 2016, at 11:30 a.m.; and be it further

Resolved, That when the Legislature adjourns on Wednesday, December 28, 2016, it stands adjourned without day.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Nesbitt moved that when the House adjourns today it stand adjourned until Wednesday, December 28, at 11:30 a.m.

The motion prevailed.

Rep. Hooker moved that the House adjourn.

The motion prevailed, the time being 7:05 p.m.

The Speaker declared the House adjourned until Wednesday, December 28, at 11:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

