

No. 87
STATE OF MICHIGAN
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House of Representatives
97th Legislature
REGULAR SESSION OF 2014

House Chamber, Lansing, Friday, December 19, 2014.

12:01 a.m.

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

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

Abed—present	Glaridon—present	LaVoy—present	Roberts—present
Banks—present	Goike—present	Leonard—present	Robinson—present
Barnett—present	Graves—present	Lipton—present	Rogers—present
Bolger—present	Greimel—present	Lori—present	Rutledge—present
Brinks—present	Haines—present	Lund—present	Santana—present
Brown—present	Haugh—present	Lyons—present	Schmidt—present
Brunner—present	Haveman—present	MacGregor—present	Schor—present
Bumstead—present	Heise—present	MacMaster—present	Segal—present
Callton—present	Hobbs—present	McBroom—present	Shirkey—present
Cavanagh—present	Hooker—present	McCann—present	Singh—present
Clemente—present	Hovey-Wright—present	McCready—present	Slavens—present
Cochran—present	Howrylak—present	McMillin—present	Smiley—present
Cotter—present	Irwin—present	Muxlow—present	Somerville—present
Crawford—present	Jacobsen—present	Nathan—present	Stallworth—present
Daley—present	Jenkins—present	Nesbitt—present	Stamas—present
Darany—present	Johnson—present	O'Brien—present	Stanley—present
Denby—present	Kandrevas—present	Oakes—present	Switalski—present
Dianda—present	Kelly—present	Olumba—present	Talabi—present
Dillon—present	Kesto—present	Outman—present	Tlaib—present
Driskell—present	Kivela—present	Pagel—present	Townsend—present
Durhal—present	Knezek—present	Pettalia—present	VerHeulen—present
Faris—present	Kosowski—present	Phelps—present	Victory—present
Farrington—present	Kowall—present	Poleski—present	Walsh—present
Forlini—present	Kurtz—present	Potvin—present	Yanez—present
Foster—present	LaFontaine—present	Price—present	Yonker—present
Franz—present	Lamonte—present	Pscholka—present	Zemke—present
Geiss—present	Lane—present	Rendon—present	Zorn—present
Genetski—present	Lauwers—present		

e/d/s = entered during session

Rep. Kenneth Kurtz, from the 58th District, offered the following invocation:

“Dear God, this night we have experienced the moments of laughter, we have heard the sounds of little ones, and we have shared food together to nourish our bodies.

Now, to finish our assigned work we pause to ask for strength and endurance. Our deliberation is blended with the realization that we will soon part and our time together will never be the same.

With that in mind, as we do our work may we be mindful of all those around us, and cherish greatly this time together.

For those of us that are apart from family, we ask that You watch over them, keeping them safe and free from care and worry.

In Jesus name I pray,
Amen.”

Motions and Resolutions

Rep. Farrington moved that the Committee on Tax Policy be discharged from further consideration of **Senate Bill No. 847**.

(For first notice see House Journal No. 86, p. 2426.)

The question being on the motion made by Rep. Farrington,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Farrington moved that the Committee on Tax Policy be discharged from further consideration of **Senate Bill No. 658**.

(For first notice see House Journal No. 86, p. 2425.)

The question being on the motion made by Rep. Farrington,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Farrington moved that the Committee on Tax Policy be discharged from further consideration of **Senate Bill No. 659**.

(For first notice see House Journal No. 86, p. 2426.)

The question being on the motion made by Rep. Farrington,

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

The bill was placed on the order of Second Reading of Bills.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4251, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” (MCL 220.1 to 239.6) by adding section 19c to chapter IV.

(The bill was received from the Senate on June 11, with substitute (S-3) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 12, see House Journal No. 57, p. 1519.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Cotter moved to substitute (H-5) the Senate substitute (S-3).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3), as substituted (H-5), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 777**Yeas—108**

Abed	Glardon	Lauwers	Rendon
Banks	Goike	LaVoy	Roberts
Barnett	Graves	Leonard	Rogers
Bolger	Greimel	Lipton	Rutledge
Brinks	Haines	Lori	Santana
Brown	Haugh	Lund	Schmidt
Brunner	Haveman	Lyons	Schor
Bumstead	Heise	MacGregor	Segal
Callton	Hobbs	MacMaster	Shirkey
Cavanagh	Hooker	McBroom	Singh
Clemente	Hovey-Wright	McCann	Slavens
Cochran	Howrylak	McCready	Smiley
Cotter	Irwin	McMillin	Somerville
Crawford	Jacobsen	Muxlow	Stallworth
Daley	Jenkins	Nathan	Stamas
Darany	Johnson	Nesbitt	Stanley
Denby	Kandrevas	O'Brien	Switalski
Dianda	Kelly	Oakes	Talabi
Dillon	Kesto	Olumba	Tlaib
Driskell	Kivela	Outman	Townsend
Durhal	Knezek	Pagel	VerHeulen
Faris	Kosowski	Pettalia	Victory
Farrington	Kowall	Phelps	Walsh
Forlini	Kurtz	Poleski	Yanez
Foster	LaFontaine	Potvin	Yonker
Geiss	Lamonte	Price	Zemke
Genetski	Lane	Pscholka	Zorn

Nays—2

Franz

Robinson

In The Chair: Walsh

The Speaker laid before the House

House Bill No. 5167, 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 11 and 11c (MCL 247.661 and 247.661c), section 11 as amended by 2002 PA 639 and section 11c as amended by 2002 PA 498.

(The bill was received from the Senate on June 11, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 12, see House Journal No. 57, p. 1519.)

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

Rep. Schmidt moved to substitute (H-3) the Senate substitute (S-2).

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

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

The substitute (S-2), as substituted (H-3), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 778

Yeas—107

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal
Bumstead	Heise	MacGregor	Shirkey
Callton	Hobbs	MacMaster	Singh
Cavanagh	Hooker	McBroom	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Somerville
Cotter	Irwin	Muxlow	Stallworth
Crawford	Jacobsen	Nathan	Stamas
Daley	Jenkins	Nesbitt	Stanley
Darany	Johnson	O'Brien	Switalski
Denby	Kandrevas	Oakes	Talabi
Dianda	Kelly	Olumba	Tlaib
Dillon	Kesto	Outman	Townsend
Driskell	Kivela	Pagel	VerHeulen
Durhal	Knezek	Pettalia	Victory
Faris	Kosowski	Phelps	Walsh
Farrington	Kowall	Poleski	Yanez
Forlini	Kurtz	Potvin	Yonker
Foster	LaFontaine	Price	Zemke
Geiss	Lamonte	Pscholka	Zorn
Genetski	Lane	Rendon	

Nays—3

Franz	McMillin	Robinson
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In The Chair: Walsh

The House agreed to the title as amended.

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

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 4539, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 2, 4, 6a, and 25 (MCL 205.52, 205.54, 205.56a, and 205.75), sections 2 and 4 as amended by 2004 PA 173, section 6a as amended by 2013 PA 1, and section 25 as amended by 2012 PA 226, and by adding section 2b.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 2, 4, 6a, and 25 (MCL 205.52, 205.54, 205.56a, and 205.75), sections 2 and 4 as amended by 2004 PA 173, section 6a as amended by 2013 PA 1, and section 25 as amended by 2012 PA 226, and by adding section 4dd.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2. (1) Except as provided in section 2a, there is levied upon and there shall be collected from all persons engaged in the business of making sales at retail, by which ownership of tangible personal property is transferred for consideration, an annual tax for the privilege of engaging in that business equal to ~~6%~~**7%** of the gross proceeds of the business, plus the penalty and interest if applicable as provided by law, less deductions allowed by this act.

(2) The tax under subsection (1) also applies to the following:

(a) The transmission and distribution of electricity, whether the electricity is purchased from the delivering utility or from another provider, if the sale is made to the consumer or user of the electricity for consumption or use rather than for resale.

(b) The sale of a prepaid telephone calling card or a prepaid authorization number for telephone use, rather than for resale, including the reauthorization of a prepaid telephone calling card or a prepaid authorization number.

(c) A conditional sale, installment lease sale, or other transfer of property, if title is retained as security for the purchase but is intended to be transferred later.

(3) Any person engaged in the business of making sales at retail who is at the same time engaged in some other kind of business, occupation, or profession not taxable under this act shall keep books to show separately the transactions used in determining the tax levied by this act. If the person fails to keep separate books, there shall be levied upon him or her the tax provided for in subsection (1) equal to ~~6%~~**7%** of the entire gross proceeds of both or all of his or her businesses. The taxes levied by this section are a personal obligation of the taxpayer.

(4) A meal provided free of charge or at a reduced rate to an employee during work hours by a food service establishment licensed by the Michigan department of agriculture for the convenience of the employer is not considered transferred for consideration.

Sec. 4. (1) In computing the amount of tax levied under this act for any month, a taxpayer not subject to section 6(2) may deduct the amount provided by subdivision (a) or (b), whichever is greater:

(a) If the tax that accrued to this state from the sales at retail during the preceding month is remitted to the department on or before the twelfth day of the month in which remittance is due, 0.75% of the tax due at a rate of ~~4%~~**NOT MORE THAN 5%** for the preceding monthly period, but not to exceed \$20,000.00 of the tax due for that month. If the tax that accrued to this state from the sales at retail during the preceding month is remitted to the department after the twelfth day and on or before the twentieth day of the month in which remittance is due, 0.50% of the tax due at a rate of ~~4%~~**NOT MORE THAN 5%** for the preceding monthly period, but not to exceed \$15,000.00 of the tax due for that month.

(b) The tax at a rate of ~~4%~~**NOT MORE THAN 5%** due on \$150.00 of taxable gross proceeds for the preceding monthly period, or a prorated portion of \$150.00 of the taxable gross proceeds for the preceding month if the taxpayer engaged in business for less than a month.

(2) Beginning January 1, 1999, in computing the amount of tax levied under this act for any month, a taxpayer who is subject to section 6(2) may deduct from the amount of the tax paid 0.50% of the tax due at a rate of ~~4%~~**NOT MORE THAN 5%**.

(3) A deduction is not allowed under this section for payments of taxes made to the department after the day the taxpayer is required to pay, pursuant to section 6, the tax imposed by this act.

(4) If, pursuant to section 6(4), the department prescribes the filing of returns and the payment of the tax for periods in excess of 1 month, a taxpayer is entitled to a deduction from the tax collections remitted to the department for the extended payment period that is equivalent to the deduction allowed under subsection (1) or (2) for monthly periods.

(5) The department may prescribe the filing of estimated returns and annual periodic reconciliations as necessary to carry out the purposes of this section.

(6) A seller registered under the streamlined sales and use tax agreement may claim a deduction under this section if provided for in the streamlined sales and use tax administration act.

SEC. 4DD. BEGINNING OCTOBER 1, 2015, THE TAX LEVIED UNDER THIS ACT DOES NOT APPLY TO THE SALE OF GASOLINE OR DIESEL FUEL USED TO OPERATE A MOTOR VEHICLE ON THE PUBLIC ROADS OR HIGHWAYS OF THIS STATE.

Sec. 6a. (1) Through March 31, 2013, at the time of purchase or shipment from a refiner, pipeline terminal operator, or marine terminal operator, a purchaser or receiver of gasoline shall prepay a portion of the tax imposed by this act at the rate provided in this section to the refiner, pipeline terminal operator, or marine terminal operator for the purchase or receipt of gasoline. If the purchase or receipt of gasoline is made outside this state for shipment into and subsequent sale within this state, the purchaser or receiver, other than a refiner, pipeline terminal operator, or marine terminal operator, shall make the prepayment required by this section directly to the department. Prepayments for gasoline shall be made at a cents-per-gallon rate determined by the department and shall be based on 6% of the statewide average retail price of a gallon of self-serve unleaded regular gasoline as determined and certified by the department rounded up to the nearest 1/10 of 1 cent. A person that makes prepayments directly to the department shall make those prepayments according to the schedule in subsection (6).

(2) Beginning April 1, 2013 **THROUGH OCTOBER 1, 2015**, at the time of purchase or shipment from a refiner, pipeline terminal operator, or marine terminal operator, a purchaser or receiver of fuel shall prepay a portion of the tax imposed by this act at the rates provided in this section to the refiner, pipeline terminal operator, or marine terminal operator for the purchase or receipt of fuel. If the purchase or receipt of fuel is made outside this state for shipment into and subsequent sale within this state, the purchaser or receiver, other than a refiner, pipeline terminal operator, or marine terminal operator, shall make the prepayment required by this section directly to the department. Prepayments for gasoline shall be made at a cents-per-gallon rate determined by the department and shall be based on 6% of the statewide average retail price of a gallon of self-serve unleaded regular gasoline as determined and certified by the department rounded up to the nearest 1/10 of 1 cent. Prepayments for diesel fuel shall be made at a cents-per-gallon rate determined by the department and shall be based on 6% of the statewide average retail price of a gallon of undyed No. 2 ultra-low sulfur diesel fuel as determined and certified by the department rounded up to the nearest 1/10 of 1 cent. A person that makes prepayments directly to the department shall make those prepayments according to the schedule in subsection (6).

(3) Through March 31, 2013, the rate of prepayment applied pursuant to subsection (1) shall be determined every 3 months by the department unless the department certifies that the change in the statewide average retail price of a gallon of self-serve unleaded regular gasoline has been less than 10% since the establishment of the rate of prepayment then in effect.

(4) Beginning April 1, 2013, the rates of prepayment applied pursuant to subsection (2) shall be determined every month by the department. Notwithstanding subsection (3), the department shall publish notice of the rates of prepayment applicable to gasoline and diesel fuel pursuant to subsection (2) not later than the tenth day of the month immediately preceding the month in which the rate is effective.

(5) A person subject to tax under this act that makes prepayment to another person as required by this section for gasoline may claim an estimated prepayment credit on its regular monthly return filed pursuant to section 6. The credit shall be for prepayments made during the month for which the return is required and shall be based upon the difference between prepayments made in the immediately preceding month and collections of prepaid tax received from sales or transfers during the month for which the return required under section 6 is made. A sale or transfer for which collection of prepaid tax is due the taxpayer is subject to a bad debt deduction under section 4i, whether or not the sale or transfer is a sale at retail. The credit shall not be reduced because of actual shrinkage. A taxpayer that does not, in the ordinary course of business, sell gasoline in each month of the year may, with the approval of the department, base the initial prepayment deduction in each tax year on prepayments made in a month other than the immediately preceding month. The difference in actual prepayments shall be reconciled on the annual return in accordance with procedures prescribed by the department.

(6) Notwithstanding the other provisions for the payment and remitting of tax due under this act, a refiner, pipeline terminal operator, or marine terminal operator shall account for and remit to the department the prepayments received pursuant to this section in accordance with the following schedule:

(a) On or before the twenty-fifth of each month, prepayments received after the end of the preceding month and before the sixteenth of the month in which the prepayments are made.

(b) On or before the tenth of each month, payments received after the fifteenth and before the end of the preceding month.

(7) A refiner, pipeline terminal operator, or marine terminal operator that fails to remit prepayments made by a purchaser or receiver of fuel is subject to the penalties provided by 1941 PA 122, MCL 205.1 to 205.31.

(8) The refiner, pipeline terminal operator, or marine terminal operator shall not receive a deduction under section 4 for receiving and remitting prepayments from a purchaser or receiver pursuant to this section.

(9) The purchaser or receiver of fuel that makes prepayments is not subject to further liability for the amount of the prepayment if the refiner, pipeline terminal operator, or marine terminal operator fails to remit the prepayment.

(10) A person subject to tax under this act that makes prepayment to another person as required by this section for diesel fuel may claim an estimated prepayment credit on its regular monthly return filed pursuant to section 6. The credit shall be for prepayments made during the month for which the return is required and shall be based upon the difference between the prepayments made in the immediately preceding month and collections of prepaid tax received from sales or transfers during

the month for which the return required under section 6 is made. A sale or transfer for which collection of prepaid tax is due the taxpayer is subject to a bad debt deduction under section 4i, whether or not the sale or transfer is a sale at retail. The credit shall not be reduced because of actual shrinkage. A taxpayer that does not, in the ordinary course of business, sell diesel fuel in each month of the year may, with the approval of the department, base the initial prepayment deduction in each tax year on prepayments made in a month other than the immediately preceding month. Estimated prepayment credits claimed with the return due in April 2013 shall be based on the taxpayer's retail sales of diesel fuel in March 2013. The difference in actual prepayments shall be reconciled on the annual return in accordance with procedures prescribed by the department. Repayment of the credit claimed on the return due in April 2013 shall be made by the earlier of the date that the taxpayer stops selling diesel fuel or October 15, 2013.

(11) As used in this section:

(a) "Blendstock" includes all of the following:

(i) Any petroleum product component of fuel, such as naphtha, reformat, or toluene.

(ii) Any oxygenate that can be blended for use in a motor fuel.

(b) "Boat terminal transfer" means a dock, a tank, or equipment contiguous to a dock or a tank, including equipment used in the unloading of fuel from a ship and in transferring the fuel to a tank pending wholesale bulk reshipment.

(c) "Diesel fuel" means any liquid other than gasoline that is capable of use as a fuel or a component of a fuel in a motor vehicle that is propelled by a diesel-powered engine or in a diesel-powered train. Diesel fuel includes number 1 and number 2 fuel oils and mineral spirits. Diesel fuel also includes any blendstock or additive that is sold for blending with diesel fuel and any liquid prepared, advertised, offered for sale, sold for use as, or used in the generation of power for the propulsion of a diesel-powered engine, airplane, or marine vessel. An additive or blendstock is presumed to be sold for blending unless a certification is obtained for federal purposes that the substance is for a use other than blending for diesel fuel. Diesel fuel does not include dyed diesel fuel, kerosene, or an excluded liquid.

(d) "Dyed diesel fuel" means diesel fuel that is dyed in accordance with internal revenue service rules or pursuant to any other internal revenue service requirements, including any invisible marker requirements.

(e) "Excluded liquid" means that term as defined in 26 CFR 48.4081-1.

(f) "Fuel" means gasoline and diesel fuel that is subject to tax under this act, collectively, except when gasoline or diesel fuel is referred to separately.

(g) "Gasoline" means and includes gasoline, alcohol, gasohol, casing head or natural gasoline, benzol, benzine, naphtha, methanol, any blendstock additive, or other product that is sold for blending with gasoline or for use on the road, other than products typically sold in containers of less than 5 gallons. Gasoline also includes a liquid prepared, advertised, offered for sale, sold for use as, or used in the generation of power for the propulsion of a motor vehicle, airplane, or marine vessel, including a product obtained by blending together any 1 or more products of petroleum, with or without another product, and regardless of the original character of the petroleum products blended, if the product obtained by the blending is capable of use in the generation of power for the propulsion of a motor vehicle, airplane, or marine vessel. The blending of all of the above-named products, regardless of their name or characteristics, shall conclusively be presumed to have been done to produce fuel, unless the product obtained by the blending is entirely incapable of use as fuel. An additive or blendstock is presumed to be sold for blending unless a certification is obtained for federal purposes that the substance is for a use other than blending for gasoline. Gasoline does not include diesel fuel, dyed diesel fuel, kerosene, or an excluded liquid.

(h) "Kerosene" means all grades of kerosene, including, but not limited to, the 2 grades of kerosene, No. 1-K and No. 2-K, commonly known as K-1 kerosene and K-2 kerosene, respectively, described in American society for testing and materials specification D-3699, in effect on January 1, 1999, and kerosene-type jet fuel described in American society for testing and materials specification D-1655 and military specifications MIL-T-5624r and MIL-T-83133d (grades jp-5 and jp-8), and any successor internal revenue service rules or regulations, as the specification for kerosene and kerosene-type jet fuel. Kerosene does not include an excluded liquid.

(i) "Marine terminal operator" means a person that stores fuel at a boat terminal transfer.

(j) "Pipeline terminal operator" means a person that stores fuel in tanks and equipment used in receiving and storing fuel from interstate and intrastate pipelines pending wholesale bulk reshipment.

(k) "Purchase" or "shipment" does not include an exchange of fuel or an exchange transaction between refiners, pipeline terminal operators, or marine terminal operators.

(l) "Refiner" means a person that manufactures or produces fuel by any process involving substantially more than the blending of fuel.

Sec. 25. (1) All money received and collected under this act shall be deposited by the department in the state treasury to the credit of the general fund, except as otherwise provided in this section.

(2) Fifteen percent of the collections of the tax imposed at a rate of ~~4%~~ **NOT MORE THAN 5%** shall be distributed to cities, villages, and townships pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921.

(3) Sixty percent of the collections of the tax imposed at a rate of ~~4%~~ **NOT MORE THAN 5%** shall be deposited in the state school aid fund established in section 11 of article IX of the state constitution of 1963 and distributed as provided by law. In addition, all of the collections of the tax imposed at the additional rate of 2% approved by the electors March 15, 1994 shall be deposited in the state school aid fund.

(4) Not less than 27.9% of 25% of the collections of the general sales tax imposed at a rate of ~~4%~~ **NOT MORE THAN 5%** directly or indirectly on fuels sold to propel motor vehicles upon highways, on the sale of motor vehicles, and on the sale of the parts and accessories of motor vehicles by new and used car businesses, used car businesses, accessory dealer businesses, and gasoline station businesses as classified by the department of treasury shall be deposited each year into the comprehensive transportation fund created in section 10b of 1951 PA 51, MCL 247.660b.

(5) For the fiscal year ending September 30, 2013 only, an amount equal to 18% of the collections of the tax imposed at a rate of ~~4%~~ **NOT MORE THAN 5%** under this act from the sale of motor fuel, as that term is defined in section 4 of the motor fuel tax act, 2000 PA 403, MCL 207.1004, shall be distributed as follows:

(a) An amount sufficient to match available federal highway funds shall be deposited into the state trunk line fund created in section 11 of 1951 PA 51, MCL 247.661, for the purpose of matching federal aid highway funds as those federal funds are made available to this state, but not less than 39.1% subject to subdivision (c).

(b) After the distribution under subdivision (a), any remaining balance, subject to subdivision (c), shall be distributed as follows:

(i) 66% to the county road commissions of this state, which distribution shall be administered under section 12 of 1951 PA 51, MCL 247.662.

(ii) 34% to the cities and villages of this state, which distribution shall be administered under section 13 of 1951 PA 51, MCL 247.663.

(c) Funds distributed under this subsection shall not exceed \$100,000,000.00.

~~(6) For the fiscal year ending September 30, 2013 only and except as otherwise limited in this subsection after the allocations and distributions are made pursuant to subsections (2) and (3), an amount equal to the collections of the tax imposed at a rate of 4% under this act from the sale at retail of aviation fuel and aviation products shall be deposited in the state aeronautics fund and shall be expended, on appropriation, only for those purposes authorized in the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208. Not more than \$10,000,000.00 shall be deposited in the state aeronautics fund under this subsection. As used in this subsection, "state aeronautics fund" means the state aeronautics fund created in section 34 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.34.~~

~~(6) (7)~~ An amount equal to the collections of the tax imposed at a rate of ~~4%~~ **NOT MORE THAN 5%** under this act from the sale at retail of computer software as defined in section 1a shall be deposited in the Michigan health initiative fund created in section 5911 of the public health code, 1978 PA 368, MCL 333.5911, and shall be considered in addition to, and is not intended as a replacement for any other money appropriated to the department of community health. The funds deposited in the Michigan health initiative fund on an annual basis shall not be less than \$9,000,000.00 or more than \$12,000,000.00.

~~(7) (8)~~ The balance in the state general fund shall be disbursed only on an appropriation or appropriations by the legislature. Enacting section 1. This amendatory act does not take effect unless House Joint Resolution UU of the 97th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 97th Legislature are enacted into law:

- (a) Senate Bill No. 80.
- (b) Senate Bill No. 423.
- (c) Senate Bill No. 847.
- (d) House Bill No. 5477.
- (e) House Bill No. 5492.

Enacting section 3. This amendatory act takes effect October 1, 2015.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1933 PA 167, entitled "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," by amending sections 2, 4, 6a, and 25 (MCL 205.52, 205.54, 205.56a, and 205.75), sections 2 and 4 as amended by 2004 PA 173, section 6a as amended by 2013 PA 1, and section 25 as amended by 2012 PA 226, and by adding section 4dd.

Jim Stamas
Rob VerHeulen
Marilyn Lane
Conferees for the House

Arlan B. Meekhof
Mike Kowall
Jim Ananich
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Stamas moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 779**Yeas—88**

Abed	Glardon	Lipton	Rutledge
Banks	Greimel	Lori	Santana
Barnett	Haines	Lyons	Schmidt
Bolger	Haugh	McBroom	Schor
Brinks	Haveman	McCann	Segal
Brown	Heise	McCready	Shirkey
Brunner	Hobbs	Muxlow	Singh
Callton	Hovey-Wright	Nathan	Slavens
Cavanagh	Irwin	O'Brien	Smiley
Cochran	Jacobsen	Oakes	Stallworth
Cotter	Jenkins	Olumba	Stamas
Crawford	Kandrevas	Outman	Stanley
Daley	Kelly	Pagel	Switalski
Darany	Kivela	Pettalia	Talabi
Denby	Knezek	Phelps	Tlaib
Dillon	Kosowski	Poleski	Townsend
Driskell	Kowall	Potvin	VerHeulen
Durhal	Kurtz	Price	Victory
Faris	LaFontaine	Pscholka	Walsh
Forlini	Lamonte	Rendon	Yanez
Foster	Lane	Roberts	Yonker
Geiss	Lauwers	Rogers	Zemke

Nays—22

Bumstead	Goike	LaVoy	McMillin
Clemente	Graves	Leonard	Nesbitt
Dianda	Hooker	Lund	Robinson
Farrington	Howrylak	MacGregor	Somerville
Franz	Johnson	MacMaster	Zorn
Genetski	Kesto		

In The Chair: Walsh

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5477, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 3, 5, 6, 8, and 152 (MCL 207.1002, 207.1003, 207.1005, 207.1006, 207.1008, and 207.1152), sections 2 and 5 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

Recommends:

First: That the House recede from the House Substitute for the Senate Substitute as passed by the House.

Second: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 3, 5, 6, 8, 22, 40, 45, 53, 63, 122, 143, 151, 152, 153, 154, and 155 (MCL 207.1002, 207.1003, 207.1005, 207.1006, 207.1008, 207.1022, 207.1040, 207.1045, 207.1053, 207.1063, 207.1122, 207.1143, 207.1151, 207.1152, 207.1153, 207.1154, and 207.1155), sections 2, 5, and 122 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2. As used in this act:

(a) "Alcohol" means fuel grade ethanol or a mixture of fuel grade ethanol and another product.

(B) "AVERAGE WHOLESALE DIESEL FUEL PRICE" MEANS THE STATEWIDE AVERAGE WHOLESALE PRICE OF DIESEL FUEL AS DETERMINED BY THE DEPARTMENT BASED UPON A 12-MONTH ROLLING AVERAGE OF THE WHOLESALE DIESEL FUEL PRICE. FOR THE RATE EFFECTIVE OCTOBER 1, 2015 UNDER SECTION 8(1)(B), THE 12-MONTH ROLLING AVERAGE PERIOD BEGINS ON JULY 1, 2013 AND ENDS ON JUNE 30, 2014. FOR THE RATE EFFECTIVE OCTOBER 1, 2016 AND THE RATE IN EFFECT EACH YEAR THEREAFTER, THE 12-MONTH ROLLING AVERAGE PERIOD ENDS ON THE LAST DAY OF THE MONTH THAT IS 3 MONTHS PRIOR TO THE DATE ON WHICH THE RATE DETERMINED UNDER SECTION 8(1)(B) BECOMES EFFECTIVE.

(C) "AVERAGE WHOLESALE GASOLINE PRICE" MEANS THE STATEWIDE AVERAGE WHOLESALE PRICE OF GASOLINE AS DETERMINED BY THE DEPARTMENT BASED UPON A 12-MONTH ROLLING AVERAGE OF THE WHOLESALE GASOLINE PRICE. FOR THE RATE EFFECTIVE OCTOBER 1, 2015 UNDER SECTION 8(1)(A), THE 12-MONTH ROLLING AVERAGE PERIOD BEGINS ON JULY 1, 2013 AND ENDS ON JUNE 30, 2014. FOR THE RATE EFFECTIVE OCTOBER 1, 2016 AND THE RATE IN EFFECT EACH YEAR THEREAFTER, THE 12-MONTH ROLLING AVERAGE PERIOD ENDS ON THE LAST DAY OF THE MONTH THAT IS 3 MONTHS PRIOR TO THE DATE ON WHICH THE RATE DETERMINED UNDER SECTION 8(1)(A) BECOMES EFFECTIVE.

(D) ~~(b)~~ "Blendstock" means and includes any petroleum product component of motor fuel, such as naphtha, reformat, or toluene; or any oxygenate that can be blended for use in a motor fuel.

(E) ~~(e)~~ "Blended motor fuel" means a mixture of motor fuel and another liquid, other than a de minimis amount of a product including, but not limited to, carburetor detergent or oxidation inhibitor, that can be used as motor fuel in a motor vehicle.

(F) ~~(d)~~ "Blender" means and includes any person who produces blended motor fuel outside of the bulk transfer/terminal system.

(G) ~~(e)~~ "Blends" or "blending" means the mixing of 1 or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use in the generation of power for the propulsion of a motor vehicle, an airplane, or a marine vessel. Blending does not include mixing that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil in the production of lubricating oils and greases.

(H) ~~(f)~~ "Bulk end user" means a person who receives into the person's own storage facilities by transport truck or tank wagon motor fuel for the person's own consumption.

(I) ~~(g)~~ "Bulk plant" means a motor fuel storage and distribution facility that is not a terminal and from which motor fuel may be withdrawn by a tank wagon, a transport truck, or a marine vessel.

(J) ~~(h)~~ "Bulk transfer" means a transfer of motor fuel from 1 location to another by pipeline tender or marine delivery within the bulk transfer/terminal system, including, but not limited to, all of the following transfers:

(i) A marine vessel movement of motor fuel from a refinery or terminal to a terminal.

(ii) Pipeline movements of motor fuel from a refinery or terminal to a terminal.

(iii) Book transfers of motor fuel within a terminal between licensed suppliers before completion of removal across the terminal rack.

(iv) Two-party exchanges between licensed suppliers.

(K) ~~(i)~~ "Bulk transfer/terminal system" means the motor fuel distribution system consisting of refineries, pipelines, marine vessels, and terminals. Motor fuel in a refinery, pipeline, terminal, or a marine vessel transporting motor fuel to a refinery or terminal is in the bulk transfer/terminal system. Motor fuel in a fuel storage facility including, but not limited to, a bulk plant that is not part of a refinery or terminal, in the fuel supply tank of any engine or motor vehicle, in a marine vessel transporting motor fuel to a fuel storage facility that is not in the bulk transfer/terminal system, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system.

(L) ~~(j)~~ "Carrier" means an operator of a pipeline or marine vessel engaged in the business of transporting motor fuel above the terminal rack.

(M) ~~(k)~~ "Commercial motor vehicle" means a motor vehicle licensed AS A QUALIFIED COMMERCIAL MOTOR VEHICLE under the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234, OR A MOTOR VEHICLE

LICENSED UNDER AN INTERNATIONAL FUEL TAX AGREEMENT UNDER SECTION 2A OF THE MOTOR CARRIER FUEL TAX ACT, 1980 PA 119, MCL 207.212A.

(N) ~~(#)~~ “Dead storage” is the amount of motor fuel that cannot be pumped out of a motor fuel storage tank because the motor fuel is below the mouth of the tank’s draw pipe. The amount of motor fuel in dead storage is 200 gallons for a tank with a capacity of less than 10,000 gallons and 400 gallons for a tank with a capacity of 10,000 gallons or more.

(O) ~~(m)~~ “Denaturants” means ~~and includes~~ gasoline, natural gasoline, gasoline components, or toxic or noxious materials added to fuel grade ethanol to make it unsuitable for beverage use but not unsuitable for automotive use.

(P) ~~(n)~~ “Department” means the ~~bureau of revenue within the~~ department of treasury or its designee.

(Q) ~~(o)~~ “Destination state” means ~~the~~ A state, Canadian province or territory, or foreign country to which motor fuel is directed for export.

(R) ~~(p)~~ “Diesel fuel” means any liquid other than gasoline that is capable of use as a fuel or a component of a fuel in a motor vehicle that is propelled by a diesel-powered engine or in a diesel-powered train. Diesel fuel includes number 1 and number 2 fuel oils, kerosene, dyed diesel fuel, and mineral spirits. Diesel fuel also includes any blendstock or additive that is sold for blending with diesel fuel, any liquid prepared, advertised, offered for sale, sold for use as, or used in the generation of power for the propulsion of a diesel-powered engine, airplane, or marine vessel. An additive or blendstock is presumed to be sold for blending unless a certification is obtained for federal purposes that the substance is for a use other than blending for diesel fuel. Diesel fuel does not include an excluded liquid.

(S) ~~(q)~~ “Dyed diesel fuel” means diesel fuel that is dyed in accordance with internal revenue service rules or pursuant to any other internal revenue service requirements, including any invisible marker requirements.

(T) ~~(r)~~ “Eligible purchaser” means a person who has been authorized by the department under section 75 to make ~~the~~ AN election under section 74.

(U) ~~(s)~~ “Excluded liquid” means that term as defined in 26 ~~C.F.R.~~ CFR 48.4081-1.

(V) ~~(t)~~ “Export” means to obtain motor fuel in this state for sale or other distribution outside of this state. Motor fuel delivered outside of this state by or for the seller constitutes an export by the seller and motor fuel delivered outside of this state by or for the purchaser constitutes an export by the purchaser.

(W) ~~(u)~~ “Exporter” means a person who exports motor fuel.

Sec. 3. As used in this act:

(a) “Fuel feedstock user” means a person who receives motor fuel for the person’s own use in the manufacture or production of any substance other than motor fuel.

(b) “Fuel grade ethanol” means the American society for testing and materials standard in effect on ~~the effective date of this act~~ APRIL 1, 2001 as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline.

(c) “Fuel transportation vehicle” means a vehicle designed or used to transport motor fuel on the public roads or highways. Fuel transportation vehicle includes, but is not limited to, a transport truck and a tank wagon. Fuel transportation vehicle does not include a vehicle transporting a nurse tank or limited volume auxiliary-mounted supply tank used for fueling an implement of husbandry.

(d) “Gallon” means a unit of liquid measure as customarily used in the United States containing 231 cubic inches, or 4 quarts, or its metric equivalent expressed in liters. Where the term gallon appears in this act, the term liters is interchangeable so long as the equivalence of a gallon and 3.785 liters is preserved. A quantity required to be furnished under this act may be specified in liters when authorized by the department.

(e) “Gasohol” means a blended motor fuel composed of gasoline and fuel grade ethanol.

(f) “Gasoline” means ~~and includes~~ gasoline, alcohol, gasohol, casing head or natural gasoline, benzol, benzine, naphtha, and any blendstock additive, or other product including methanol that is sold for blending with gasoline or for use on the road other than products typically sold in containers of less than 5 gallons. Gasoline also includes a liquid prepared, advertised, offered for sale, sold for use as, or used in the generation of power for the propulsion of a motor vehicle, airplane, or marine vessel, including a product obtained by blending together any 1 or more products of petroleum, with or without another product, and regardless of the original character of the petroleum products blended, if the product obtained by the blending is capable of use in the generation of power for the propulsion of a motor vehicle, airplane, or marine vessel. The blending of all of the above named products, regardless of their name or characteristics, shall conclusively be presumed to have been done to produce motor fuel, unless the product obtained by the blending is entirely incapable of use as motor fuel. Gasoline also includes transmix. Gasoline does not include diesel fuel or leaded racing fuel. An additive or blendstock is presumed to be sold for blending unless a certification is obtained for federal purposes that the substance is for a use other than blending for gasoline.

(g) “Gross gallons” means the total measured product, exclusive of any temperature or pressure adjustments, considerations, or deductions, in gallons.

(h) ~~“Heating oil” means a motor fuel including dyed diesel fuel that is burned in a boiler, furnace, or stove for heating, agricultural, or industrial processing purposes.~~

(H) ~~(i)~~ “Implement of husbandry” means ~~and includes~~ a farm tractor, a vehicle designed to be drawn or pulled by a farm tractor or animal, a vehicle that directly harvests farm products, ~~and~~ OR a vehicle that directly applies fertilizer, spray, or seeds to a farm field. Implement of husbandry does not include a motor vehicle licensed for use on the public roads or highways of this state.

(I) ~~(j)~~ “Import” means to bring motor fuel into this state by motor vehicle, marine vessel, pipeline, or any other means. However, ~~import~~ **IMPORT** does not include bringing motor fuel into this state in the fuel supply tank of a motor vehicle if the motor fuel is used to power that motor vehicle. Motor fuel delivered into this state from outside of this state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from ~~out~~ **OUTSIDE** of this state by or for the purchaser constitutes an import by the purchaser.

(J) ~~(k)~~ “Importer” means a person who imports motor fuel into this state.

(K) ~~(l)~~ “Import verification number” means the number assigned by the department to an individual delivery of motor fuel by a transport truck, tank wagon, marine vessel, or rail car in response to a request for a number from an importer or transporter carrying motor fuel into this state for the account of an importer.

(L) ~~(m)~~ “In this state” means the area within the borders of this state, including all territories within the borders owned by, held in trust by, or added to the United States of America.

(M) **“INDEX” MEANS THE DETROIT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS PUBLISHED BY THE UNITED STATES BUREAU OF LABOR STATISTICS OR, IF THAT INDEX CEASES TO BE PUBLISHED BY THE UNITED STATES BUREAU OF LABOR STATISTICS, THE PUBLISHED INDEX THAT MOST CLOSELY REFLECTS THE MEASURE OF INFLATION PREVIOUSLY REPORTED BY THE DETROIT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, AS DETERMINED BY THE DEPARTMENT.**

(N) **“INFLATION RATE” MEANS THE PERCENTAGE CHANGE BETWEEN THE INDEX FOR THE PERIOD BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014 AND THE MOST RECENT INDEX FOR THE PERIOD BEGINNING ON JULY 1 AND ENDING ON JUNE 30, CONVERTED TO DECIMALS AND REDUCED BY THE TOTAL PERCENTAGE CHANGE BETWEEN 41.7 CENTS AND THE RATE FLOOR IN EFFECT ON OCTOBER 1 OF THE YEAR IMMEDIATELY PRECEDING THE YEAR IN WHICH THE CURRENT RATE IS IN EFFECT, CONVERTED TO DECIMALS. IF THAT NUMBER IS NEGATIVE, THE INFLATION RATE IS 0.**

(O) ~~(n)~~ “Invoiced gallons” means the number of gallons actually billed on an invoice.

Sec. 5. (1) As used in this act:

(a) “Rack” means a mechanism for delivering motor fuel from a refinery, a terminal, or a marine vessel into a railroad tank car, a transport truck, a tank wagon, the fuel supply tank of a marine vessel, or other means of transfer outside of the bulk transfer/terminal system.

(B) **“RATE CEILING” MEANS A CENTS PER GALLON UPPER LIMIT ON THE TAX RATE DETERMINED BY THE DEPARTMENT AND IMPOSED ON GASOLINE OR DIESEL FUEL UNDER SECTION 8(1)(A) AND (B). BEGINNING WITH THE RATE IN EFFECT ON OCTOBER 1, 2015, RATE CEILING MEANS, FOR EACH RATE DETERMINED UNDER SECTION 8(1), THE SUM OF THE RATE FLOOR FOR THE APPLICABLE PERIOD PLUS 5 CENTS PER GALLON.**

(C) **“RATE FLOOR” MEANS A CENTS PER GALLON LOWER LIMIT ON THE TAX RATE DETERMINED BY THE DEPARTMENT AND IMPOSED ON GASOLINE OR DIESEL FUEL UNDER SECTION 8(1)(A) AND (B). BEGINNING WITH THE RATE IN EFFECT ON OCTOBER 1, 2015, RATE FLOOR MEANS 41.7 CENTS. BEGINNING ON OCTOBER 1, 2016, THE RATE FLOOR SHALL BE THE RATE FLOOR IN EFFECT FOR THE IMMEDIATELY PRECEDING YEAR MULTIPLIED BY 1 PLUS THE LESSER OF THE FOLLOWING:**

(i) **0.05.**

(ii) **THE INFLATION RATE.**

(D) ~~(b)~~ “Refiner” means a person who owns, operates, or otherwise controls a refinery within the United States.

(E) ~~(c)~~ “Refinery” means a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by marine vessel, or at a rack.

(F) ~~(d)~~ “Removal” or “removed” means a physical transfer other than by evaporation, loss, or destruction of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, marine vessel, or refinery that stores motor fuel.

(G) ~~(e)~~ “Retail diesel dealer” means a person who sells or distributes diesel fuel to an end user in this state.

(H) ~~(f)~~ “Retail marine diesel dealer” means a person who sells or distributes diesel fuel to an end user in this state for use in boats or other marine vessels.

(I) ~~(g)~~ “Source state” means the state, Canadian province or territory, or foreign country from which motor fuel is imported.

(J) ~~(h)~~ “Stationary engine” means a temporary or permanently affixed engine designed and used to supply power primarily for agricultural or construction work. Stationary engine includes, but is not limited to, an engine powering irrigation equipment, generators, or earth-moving equipment.

(K) ~~(i)~~ “Supplier”, in addition to subsection (2), means a person who meets all of the following requirements:

(i) Is subject to the general taxing jurisdiction of this state.

(ii) Is registered under section 4101 of the internal revenue code for transactions in motor fuel in the bulk transfer/terminal distribution system.

(iii) Is any 1 of the following:

(A) The position holder in a terminal or refinery in this state.

(B) A person who imports fuel grade ethanol into this state.

(C) A person who acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to a 2-party exchange.

(D) The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state on its account.

(2) Supplier also means a person who either produces alcohol or alcohol derivative substances in this state or produces alcohol or alcohol derivative substances for import into a terminal in this state, or who acquires immediately upon import by transport truck, tank wagon, rail car, or marine vessel into a terminal or refinery or other storage facility that is not part of a terminal or refinery, alcohol or alcohol derivative substances. A terminal operator is not considered a supplier merely because the terminal operator handles motor fuel consigned to it within a terminal. Supplier includes a permissive supplier unless otherwise specifically provided in this act.

Sec. 6. As used in this act:

(a) "Tank wagon" means a straight truck having 1 or more compartments other than the fuel supply tank designed or used to carry motor fuel.

(b) "Tank wagon operator-importer" means a person who operates a tank wagon and imports motor fuel into this state from another state.

(c) "Tax" means a tax, interest, or penalty levied under this act.

(d) "Terminal" means a motor fuel storage and distribution facility that meets all of the following requirements:

(i) Is registered as a qualified terminal by the internal revenue service.

(ii) Is supplied by pipeline or marine vessel.

(iii) Has a rack from which motor fuel may be removed.

(e) "Terminal operator" means a person who owns, operates, or otherwise controls a terminal.

(f) "Transmix" means the mixed product that results from the buffer or interface of 2 different products in a pipeline shipment, or a mixture of 2 different products within a refinery or terminal that results in an off-grade mixture.

(g) "Transport truck" means a semitrailer combination rig designed or used for the purpose of transporting motor fuel over the public roads or highways.

(h) "Transporter" means an operator of a railroad or rail car, tank wagon, transport truck, or other fuel transportation vehicle engaged in the business of transporting motor fuel below the terminal rack.

(i) "Two-party exchange" means a transaction in which motor fuel is transferred from 1 licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier where all of the following occur:

(i) The transaction includes a transfer from the person who holds the original inventory position for motor fuel in the terminal as reflected in the records of the terminal operator.

(ii) The exchange transaction is completed before removal across the rack from the terminal by the receiving licensed supplier or licensed permissive supplier.

(iii) The terminal operator in its books and records treats the receiving exchange party as the supplier that removes the product across a terminal rack for purposes of reporting the transaction to the department.

(j) "Ultimate vendor" means the person who sells motor fuel to the end user of the fuel.

(K) "WHOLESALE DIESEL FUEL PRICE" MEANS THE PRICE PER GALLON OF SELF-SERVE UNDYED NO. 2 ULTRA-LOW SULFUR DIESEL FUEL CHARGED BY A LICENSED SUPPLIER TO A PURCHASER AT THE TIME OF REMOVAL FROM A TERMINAL ACROSS THE RACK, AS DETERMINED BY THE DEPARTMENT, BASED ON AVAILABLE PRICING DATA THAT BEST REFLECT OR APPROXIMATE MICHIGAN RACK PRICES AS REPORTED BY THE UNITED STATES ENERGY INFORMATION ADMINISTRATION, THE OIL PRICE INFORMATION SERVICE, OR A SIMILAR NATIONALLY RECOGNIZED SOURCE FOR SUCH PRICING DATA, WHETHER PUBLICLY AVAILABLE OR AVAILABLE ONLY BY SUBSCRIPTION. WHOLESALE DIESEL FUEL PRICE DOES NOT INCLUDE THE TAX IMPOSED BY THIS ACT, PREPAID SALES TAX UNDER SECTION 6A OF THE GENERAL SALES TAX ACT, 1933 PA 167, MCL 205.56A, FEDERAL EXCISE TAX UNDER SECTION 4081 OF THE INTERNAL REVENUE CODE, 26 USC 4081, ANY OTHER FEDERAL TAX UPON MOTOR FUEL, OR AN ENVIRONMENTAL PROTECTION REGULATORY FEE IMPOSED UNDER SECTION 21508 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.21508.

(L) "WHOLESALE GASOLINE PRICE" MEANS THE PRICE PER GALLON OF SELF-SERVE UNLEADED REGULAR GASOLINE CHARGED BY A LICENSED SUPPLIER TO A PURCHASER AT THE TIME OF REMOVAL FROM A TERMINAL ACROSS THE RACK, AS DETERMINED BY THE DEPARTMENT, BASED ON AVAILABLE PRICING DATA THAT BEST REFLECT OR APPROXIMATE MICHIGAN RACK PRICES AS REPORTED BY THE UNITED STATES ENERGY INFORMATION ADMINISTRATION, THE OIL PRICE INFORMATION SERVICE, OR A SIMILAR NATIONALLY RECOGNIZED SOURCE FOR SUCH PRICING DATA, WHETHER PUBLICLY AVAILABLE OR AVAILABLE ONLY BY SUBSCRIPTION. WHOLESALE GASOLINE PRICE DOES NOT INCLUDE THE TAX IMPOSED BY THIS ACT, PREPAID SALES TAX UNDER SECTION 6A OF THE GENERAL SALES TAX ACT, 1933 PA 167, MCL 205.56A, FEDERAL EXCISE TAX UNDER SECTION 4081 OF THE INTERNAL REVENUE CODE, 26 USC 4081, ANY OTHER FEDERAL TAX UPON MOTOR FUEL, OR AN ENVIRONMENTAL PROTECTION REGULATORY FEE IMPOSED UNDER SECTION 21508 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.21508.

(M) ~~(K)~~ "Wholesaler" means a person who acquires motor fuel from a supplier or from another wholesaler for subsequent sale and distribution at wholesale by a fuel transportation vehicle, rail car, or other motor vehicle.

Sec. 8. (1) ~~Subject~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS ACT AND SUBJECT** to the exemptions provided for in this act, tax is imposed on motor fuel imported into or sold, delivered, or used in this state at the following rates:

(a) ~~Except as otherwise provided in subdivision (c),~~ **THROUGH SEPTEMBER 30, 2015,** 19 cents per gallon on gasoline. **SUBJECT TO SUBSECTION (2), BEGINNING WITH THE RATE EFFECTIVE OCTOBER 1, 2015 AND OCTOBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL DETERMINE A CENTS PER GALLON RATE ON GASOLINE THAT SHALL BE DERIVED BY MULTIPLYING THE AVERAGE WHOLESALE GASOLINE PRICE BY 14.9%, ROUNDED UP TO THE NEAREST 1/10 OF 1 CENT.**

(b) ~~Except as otherwise provided in subdivision (d),~~ **THROUGH SEPTEMBER 30, 2015,** 15 cents per gallon on diesel fuel. **SUBJECT TO SUBSECTION (2), BEGINNING WITH THE RATE EFFECTIVE OCTOBER 1, 2015 AND OCTOBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL DETERMINE A CENTS PER GALLON RATE ON DIESEL FUEL THAT SHALL BE DERIVED BY MULTIPLYING THE AVERAGE WHOLESALE DIESEL FUEL PRICE BY 14.9%, ROUNDED UP TO THE NEAREST 1/10 OF 1 CENT.**

(c) ~~Subject to subsections (10) and (11),~~ 12 cents per gallon on gasoline that is at least 70% ethanol. Under this subdivision, blenders of ethanol and gasoline outside of the bulk transfer terminal system shall obtain a blender's license and are subject to the blender reporting requirements under this act. A licensed supplier who blends ethanol and gasoline shall also obtain a blender's license.

(d) ~~Subject to subsections (10) and (11),~~ 12 cents per gallon on diesel fuel that contains at least 5% biodiesel. Under this subdivision, blenders of biodiesel and diesel fuel outside of the bulk transfer terminal system are required to obtain a blender's license and are subject to the blender reporting requirements under this act. A licensed supplier who blends biodiesel and diesel fuel shall also obtain a blender's license.

(2) **BEGINNING OCTOBER 1, 2015, THE RATE DETERMINED UNDER SUBSECTION (1)(A) OR (B) SHALL NOT EXCEED THE RATE CEILING OR BE BELOW THE RATE FLOOR FOR ANY YEAR FOR WHICH THE RATE IS IN EFFECT. IF THE RATE DETERMINED UNDER SUBSECTION (1)(A) OR (B) EXCEEDS THE RATE CEILING FOR ANY YEAR FOR WHICH THE RATE IS IN EFFECT, THE RATE SHALL BE EQUAL TO THE RATE CEILING. IF THE RATE DETERMINED UNDER SUBSECTION (1)(A) OR (B) IS BELOW THE RATE FLOOR FOR ANY YEAR FOR WHICH THE RATE IS IN EFFECT, THE RATE SHALL BE EQUAL TO THE RATE FLOOR.**

(3) ~~(2)~~ Tax shall not be imposed under this section on motor fuel that is in the bulk transfer/terminal system.

(4) ~~(3)~~ The collection, payment, and remittance of the tax imposed by this section shall be accomplished in the manner and at the time provided for in this act.

(5) ~~(4)~~ Tax is also imposed at the rate described in subsection (1) on net gallons of motor fuel, including transmix, lost or unaccounted for, at each terminal in this state. The tax shall be measured annually and shall apply to the net gallons of motor fuel lost or unaccounted for that are in excess of 1/2 of 1% of all net gallons of fuel removed from the terminal across the rack or in bulk.

(6) ~~(5)~~ It is the intent of this act:

(a) To require persons who operate a motor vehicle on the public roads or highways of this state to pay for the privilege of using those roads or highways.

(b) To impose on suppliers a requirement to collect and remit the tax imposed by this act at the time of removal of motor fuel unless otherwise specifically provided in this act.

(c) To allow persons who pay the tax imposed by this act and who use the fuel for a nontaxable purpose to seek a refund or claim a deduction as provided in this act.

(d) That the tax imposed by this act be collected and paid at those times, in the manner, and by those persons specified in this act.

(7) ~~(6)~~ Bills of lading and invoices shall identify the blended product and the correct fuel product code. The motor fuel tax rate for each product shall be listed separately on each invoice. Licensees shall report the correct fuel product code for the blended product as required by the department. When fuel is blended below the terminal rack, new bills of lading and invoices shall be generated and submitted to the department upon request. All bills of lading and invoices shall meet the requirements provided under this act.

(8) ~~(7)~~ Notwithstanding any other provision of this act, ~~all facilities~~ **A FACILITY** in this state that ~~produce~~ **PRODUCES** motor fuel and ~~distribute~~ **DISTRIBUTES** the fuel from a rack for purposes of this act ~~are~~ **IS** a terminal, and shall obtain a terminal operator license, and shall comply with all terminal operator reporting requirements under this act. ~~At a position holders~~ **HOLDER** in these facilities **A FACILITY** shall be licensed as a supplier and shall comply with all supplier requirements under this act.

(8) ~~If the tax on gasoline that contains at least 70% ethanol or diesel fuel that contains at least 5% biodiesel held in storage outside of the bulk transfer/terminal system on the effective date of the amendatory act that added this subsection has previously been paid at the rates imposed by subsection (1)(a) and (b), the person who paid the tax may claim a refund for the difference~~

between the rates imposed by subsection (1)(a) and (b) and the rates imposed by subsection (1)(c) and (d). All of the following shall apply to a refund claimed under this subsection:

(a) The refund shall be claimed on a form prescribed by the department.

(b) The refund shall apply only to:

(i) Previously taxed gasoline containing at least 70% ethanol or diesel fuel containing at least 5% biodiesel in excess of 3,000 gallons held in storage by an end user.

(ii) Previously taxed gasoline containing at least 70% ethanol or diesel fuel containing at least 5% biodiesel held for sale that is in excess of dead storage.

(9) A refund request shall be filed within 60 days after the last day of the month in which the amendatory act that added this subsection took effect. A taxpayer shall provide documentation that the department requires in order to verify the request for refund. A person who may claim a refund under subsection (8) shall do all of the following to claim the refund:

(a) Not later than 12 a.m. on the effective date of the amendatory act that added this subsection, take an inventory of gasoline containing at least 70% ethanol or undyed diesel fuel containing at least 5% biodiesel.

(b) Deduct 3,000 gallons if the person claiming the refund is an end user.

(c) Deduct the number of gallons in dead storage if the gasoline containing at least 70% ethanol or the undyed diesel fuel containing at least 5% biodiesel is held for subsequent sale.

(10) Beginning on the effective date of the amendatory act that added this subsection, the state treasurer shall annually determine, for the 12-month period ending May 1 and for any additional times that the treasurer may determine, the difference between the amount of motor fuel tax collected and the amount of motor fuel tax that would have been collected but for the differential rates on gasoline pursuant to subsection (1)(c) and biodiesel pursuant to subsection (1)(d). Subsection (1)(c) and (d) is no longer effective the earlier of 10 years after the effective date of the amendatory act that added this subsection or the first day of the first month that is not less than 90 days after the state treasurer certifies that the total cumulative rate differential from the effective date of this amendatory act is greater than \$2,500,000.00.

(11) The legislature shall annually appropriate to the Michigan transportation fund created in 1951 PA 51, MCL 247.651 to 247.675, the amount determined as the rate differential certified by the state treasurer for the 12-month period ending on May 1 of the calendar year in which the fiscal year begins. Subsection (1)(c) and (d) shall not be effective beginning January of any fiscal year for which the appropriation required under this subsection has not been made by the first day of the fiscal year.

(12) As used in this section:

(a) "Biodiesel" means a fuel composed of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats and, in accordance with standards specified by the American society for testing and materials, designated B100 and meeting the requirements of D-6751, as approved by the department of agriculture.

(b) "Ethanol" means denatured fuel ethanol that is suitable for use in a spark-ignition engine when mixed with gasoline so long as the mixture meets the American society for testing and materials D-5798 specifications.

(9) BEGINNING WITH THE RATES IN EFFECT ON OCTOBER 1, 2015 AND OCTOBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PUBLISH NOTICE OF THE TAX RATES UNDER THIS SECTION NOT LATER THAN 30 DAYS BEFORE THE EFFECTIVE DATE OF THE RATES.

(10) A DETERMINATION BY THE DEPARTMENT OF THE AVERAGE WHOLESALE DIESEL FUEL PRICE, THE AVERAGE WHOLESALE GASOLINE PRICE, INFLATION RATE, RATE CEILING, RATE FLOOR, THE WHOLESALE DIESEL FUEL PRICE, THE WHOLESALE GASOLINE PRICE, OR THE TAX RATES UNDER THIS SECTION IS PRESUMED TO BE CORRECT AND SHALL NOT BE SET ASIDE UNLESS AN ADMINISTRATIVE TRIBUNAL OR A COURT OF COMPETENT JURISDICTION FINDS THE DEPARTMENT'S DETERMINATION TO BE CLEARLY ERRONEOUS.

Sec. 22. (1) The tax imposed on gasoline shall be in lieu of all other taxes imposed or to be imposed upon the sale or use of gasoline by ~~the THIS~~ state or any political subdivision of this state except for the taxes imposed by the general sales tax act, 1933 PA 167, MCL 205.51 to 205.78, and the use tax act, 1937 PA 94, MCL 205.91 to 205.111.

(2) The tax imposed on diesel fuel **AND ALTERNATIVE FUEL** shall be imposed in lieu of all other taxes imposed or to be imposed upon the sale or use of diesel fuel **OR ALTERNATIVE FUEL** by ~~the THIS~~ state or a political subdivision of the **THIS** state, except the taxes imposed by the general sales tax act, 1933 PA 167, MCL 205.51 to 205.78, the use tax act, 1937 PA 94, MCL 205.91 to 205.111, and the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234. The exception for taxes imposed by **THE GENERAL SALES TAX ACT, 1933 PA 167, MCL 205.51 TO 205.78, and THE USE TAX ACT, 1937 PA 94, shall MCL 205.91 TO 205.111, DOES** not apply to diesel fuel used in passenger vehicles of a capacity of 10 or more operated for hire under a certificate issued by the state transportation department. **AS USED IN THIS SUBSECTION, "ALTERNATIVE FUEL" MEANS THAT TERM AS DEFINED IN SECTION 151.**

Sec. 40. (1) A person may seek a refund for tax paid under this act on motor fuel **OR ALTERNATIVE FUEL** that is **1 OR MORE OF THE FOLLOWING**:

(a) Accidentally contaminated by dye or another contaminant, including but not limited to gasoline that is mixed with diesel fuel, if the resulting product cannot be used to operate a motor vehicle on the public roads or highways without violating this act or other state or federal law.

(b) Accidentally lost or destroyed as a direct result of a sudden and unexpected casualty loss.

(2) ~~This~~**THE** refund **DESCRIBED IN SUBSECTION (1)** does not apply if the person **SEEKING THE REFUND** has been reimbursed for the cost of the tax by **ANY PERSON, INCLUDING, BUT NOT LIMITED TO**, an insurance company, for the loss or contamination. **IF A PERSON SEEKING A REFUND UNDER THIS SECTION IS REIMBURSED FOR ANY AMOUNT, THAT PERSON SHALL DEMONSTRATE TO THE DEPARTMENT THAT THE AMOUNT REIMBURSED DOES NOT INCLUDE TAX PAID UNDER THIS ACT ON THE MOTOR FUEL OR ALTERNATIVE FUEL IN ORDER TO BE ELIGIBLE FOR THE REFUND.**

Sec. 45. (1) An end user operating a motor vehicle with a common fuel supply tank from which motor fuel **OR ALTERNATIVE FUEL** is used both to propel the vehicle and to operate attached equipment may seek a refund for tax paid under this act on ~~diesel~~**MOTOR fuel OR ALTERNATIVE FUEL** consumed from that fuel supply tank in the amount of 15% of the tax paid.

(2) Notwithstanding subsection (1), an end user operating a motor vehicle with a common fuel supply tank from which ~~diesel~~**MOTOR fuel OR ALTERNATIVE FUEL** is used both to propel the vehicle and to operate attached equipment may seek a refund for tax paid under this act on ~~diesel~~**MOTOR fuel OR ALTERNATIVE FUEL** consumed from that fuel supply tank in an amount that is more than 15% of the tax paid if the operator provides evidence to the department that a refund or deduction of more than 15% is justified. The department shall determine the evidence that is necessary under this section to justify a refund of more than 15% of the tax paid.

(3) A refund provided under this section only applies to a motor vehicle that is used by the end user exclusively for business or other commercial purposes and does not apply to an automobile whether or not it is used by the end user for business or other commercial purposes.

(4) If the department determined before ~~the effective date of this section~~**APRIL 1, 2001** that a class of motor vehicles with attached equipment was eligible for a motor fuel refund in an amount different than 15% of the tax paid, that percentage ~~shall apply~~**APPLIES** to those motor vehicles on and after ~~the effective date of this section~~**APRIL 1, 2001** unless, following notice and hearing, a later determination under subsection (2) is made.

(5) As used in this section: ~~“attached equipment”~~

(A) **“ALTERNATIVE FUEL” MEANS THAT TERM AS DEFINED IN SECTION 151.**

(B) **“ATTACHED EQUIPMENT”** means equipment used by the end user in the regular course of his or her business that is powered by ~~diesel~~**MOTOR fuel OR ALTERNATIVE FUEL** from the common fuel supply tank. Attached equipment includes, but is not limited to, certain pumping, spraying, seeding, spreading, shredding, lifting, winching, dumping, cleaning, mixing, processing, and refrigeration equipment. Attached equipment does not include a heater, air conditioner, radio, or any other equipment that is used in the cab of the motor vehicle and does not include any other equipment that the department reasonably determines does not meet this definition.

Sec. 53. (1) A person shall not engage in a business activity in this state where a license is required by this act unless the person is licensed under this act.

(2) A person required to be licensed under this act shall apply for a license on a form or in a format prescribed by the department.

(3) An application for a license under this act may contain any information the department may reasonably require to administer this act including the applicant’s federal identification number.

(4) The following persons currently licensed on ~~the effective date of this act~~**APRIL 1, 2001** are not required to obtain a new license under this act and shall be considered licensed under this act:

(a) A person licensed in this state as a supplier on ~~the effective date of this act~~**APRIL 1, 2001** shall be considered licensed as a supplier under this act but only if the person is a terminal operator or a position holder in a terminal on ~~the effective date of this act~~**APRIL 1, 2001**.

(b) A wholesale distributor who on ~~the effective date of this act~~**APRIL 1, 2001** possesses a valid exemption certificate issued under former section 12 of 1927 PA 150 shall be considered licensed as a fuel vendor under this act.

(c) A person licensed in this state as an exporter on ~~the effective date of this act~~**APRIL 1, 2001** shall be considered licensed as an exporter under this act.

(d) A person licensed in this state as a liquid fuel hauler on ~~the effective date of this act~~**APRIL 1, 2001** shall be considered licensed as a transporter under this act.

(e) A person licensed in this state as a retail dealer of diesel motor fuel on ~~the effective date of this act~~**APRIL 1, 2001** shall be considered licensed as a retail diesel dealer under this act.

(5) A person considered licensed under subsection (4) is subject to all of the provisions of this act except those requiring an application for a new license.

(6) Except as otherwise provided in this act, a person who is engaged in more than 1 business activity for which a license is required under this act shall be licensed for each business activity.

(7) A person who is licensed as a supplier is not required to obtain a separate license for any other business activity for which a license is required under this act except as a retail diesel dealer or **AS an LPG-ALTERNATIVE FUEL dealer OR ALTERNATIVE FUEL COMMERCIAL USER** under sections 151 to 155.

~~(8) A person licensed in this state as an LPG dealer on the effective date of this act shall be considered licensed as an LPG dealer under this act.~~

~~(8) (9)~~A person who negligently violates this section is subject to a civil penalty of \$1,000.00.

(9) ~~(10)~~ A person who knowingly violates or knowingly aids and abets another to violate this section is guilty of a felony.

Sec. 63. (1) If an application and the accompanying bond or cash deposit, if any, are approved, the department shall issue a license to the applicant.

(2) A licensee shall retain a copy of its license at each of its business locations unless the department waives this requirement.

(3) A licensee is not required to renew a license and a license is valid unless and until it is suspended, canceled, or revoked for cause by the department, or discontinued by the licensee. However, the department may require a licensee to update the information required under section 53 **OR 153**.

(4) The department shall maintain a list containing the name and address of each person licensed under this act. The department may post the list on the department's website. The department shall regularly update the list in order to reflect the current status of a licensee.

Sec. 122. (1) A person shall not operate or maintain a motor vehicle on the public roads or highways of this state with dyed diesel fuel in the vehicle's fuel supply tank.

(2) This section does not apply to dyed diesel fuel used in any of the following:

(a) A motor vehicle owned and operated or leased and operated by the federal or state government or a political subdivision of this state.

(b) A motor vehicle used exclusively by the American red cross.

(c) An implement of husbandry.

(d) A passenger vehicle that has a capacity of 10 or more and that operates over regularly traveled routes expressly provided for in 1 or more of the following that applies to the passenger vehicle:

(i) A certificate of authority issued by the state transportation department.

(ii) A municipal franchise.

(iii) A municipal license.

(iv) A municipal permit.

(v) A municipal agreement.

(vi) A municipal grant.

(3) An owner, operator, or driver of a vehicle who uses dyed diesel fuel on the public roads or highways of this state is subject to a civil penalty of ~~\$200.00~~ **\$1,000.00** for each of the first 2 violations within a 12-month period. ~~For a third violation within a 12-month period, and VIOLATION, AND A CIVIL PENALTY OF \$5,000.00~~ for each subsequent violation. ~~thereafter, the person is subject to a civil penalty of \$5,000.00.~~ An owner, operator, or driver of a motor vehicle who knowingly violates the prohibition against the sale or use of dyed diesel fuel upon the public roads or highways of this state is subject to a civil penalty equal to that imposed by section 6714 of the internal revenue code.

Sec. 143. (1) Except as otherwise provided in **SUBSECTIONS (2) AND (3) AND** section 142, all sums of money received and collected under this act, except for license fees, and after the payment of the necessary expenses incurred in the enforcement of this act, are appropriated to and shall be deposited in the state treasury to the credit of the Michigan transportation fund.

(2) FOR THE PERIOD BEGINNING ON OCTOBER 1, 2015 AND ENDING ON SEPTEMBER 30, 2016, THE FIRST \$400,000,000.00 RECEIVED AND COLLECTED UNDER THIS ACT IS APPROPRIATED TO AND SHALL BE DEPOSITED IN THE STATE TREASURY TO THE CREDIT OF THE MICHIGAN TRANSPORTATION FUND AND ALLOCATED AS PROVIDED IN SECTION 10(1) OF 1951 PA 51, MCL 247.660, AND THE REMAINDER SHALL BE ALLOCATED TO INDEBTEDNESS INCURRED FOR PROJECTS DESCRIBED IN SECTION 11 OF 1951 PA 51, MCL 247.661.

(3) FOR THE PERIOD BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017, THE FIRST \$800,000,000.00 RECEIVED AND COLLECTED UNDER THIS ACT IS APPROPRIATED TO AND SHALL BE DEPOSITED IN THE STATE TREASURY TO THE CREDIT OF THE MICHIGAN TRANSPORTATION FUND AND ALLOCATED AS PROVIDED IN SECTION 10(1) OF 1951 PA 51, MCL 247.660, AND THE REMAINDER SHALL BE ALLOCATED TO INDEBTEDNESS INCURRED FOR PROJECTS DESCRIBED IN SECTION 11 OF 1951 PA 51, MCL 247.661.

(4) THE MONEY REQUIRED TO BE ALLOCATED TO INDEBTEDNESS INCURRED FOR PROJECTS DESCRIBED IN SECTION 11 OF 1951 PA 51, MCL 247.661, UNDER SUBSECTIONS (2) AND (3) SHALL BE EXPENDED ON THAT INDEBTEDNESS NO LATER THAN SEPTEMBER 30, 2017.

Sec. 151. As used in this section and sections 152 to 155:

(A) **"ALTERNATIVE FUEL" MEANS A GAS, LIQUID, OR OTHER FUEL THAT, WITH OR WITHOUT ADJUSTMENT OR MANIPULATION SUCH AS ADJUSTMENT OR MANIPULATION OF PRESSURE OR TEMPERATURE, IS CAPABLE OF BEING USED FOR THE GENERATION OF POWER TO PROPEL A MOTOR VEHICLE, INCLUDING, BUT NOT LIMITED TO, NATURAL GAS, COMPRESSED NATURAL GAS, LIQUEFIED NATURAL GAS, LIQUEFIED PETROLEUM GAS, HYDROGEN, HYDROGEN COMPRESSED NATURAL GAS, OR HYTHANE. ALTERNATIVE FUEL DOES NOT INCLUDE MOTOR FUEL, ELECTRICITY, LEADED RACING FUEL, OR AN EXCLUDED LIQUID.**

(B) **"ALTERNATIVE FUEL COMMERCIAL USER" MEANS A COMMERCIAL OR OTHER BUSINESS ENTERPRISE OR ENTITY THAT IS A CONSUMER OR END USER OF ALTERNATIVE FUEL TO PROPEL**

A MOTOR VEHICLE ON THE PUBLIC ROADS AND HIGHWAYS OF THIS STATE. ALTERNATIVE FUEL COMMERCIAL USER DOES NOT INCLUDE A PERSON LICENSED AS AN ALTERNATIVE FUEL DEALER UNDER SECTION 153.

(C) “ALTERNATIVE FUEL DEALER” MEANS A PERSON THAT IS LICENSED OR REQUIRED TO BE LICENSED UNDER SECTION 153, THAT IS IN THE BUSINESS OF SELLING AT RETAIL ALTERNATIVE FUEL, AND THAT USES ALTERNATIVE FUEL AS DESCRIBED IN SUBDIVISION (K).

(D) “ALTERNATIVE FUEL FILLING STATION” MEANS A MACHINE OR OTHER DEVICE LOCATED WITHIN THIS STATE THAT IS SUPPLIED WITH ALTERNATIVE FUEL AND THAT IS DESIGNED OR USED FOR PLACING OR DELIVERING ALTERNATIVE FUEL INTO THE FUEL SUPPLY TANK OF A MOTOR VEHICLE. AS USED IN THIS SUBDIVISION, “LOCATED WITHIN THIS STATE” INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING LOCATIONS:

(i) AN ALTERNATIVE FUEL DEALER’S PLACE OF BUSINESS.

(ii) A COMMERCIAL OR INDUSTRIAL ESTABLISHMENT OR FACILITY.

(iii) A RESIDENCE OR RESIDENTIAL PROPERTY.

(iv) A LANDFILL LICENSED OR REQUIRED TO BE LICENSED UNDER PART 115 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.11501 TO 324.11554.

(E) “BRITISH THERMAL UNIT” OR “BTU” MEANS THE AMOUNT OF HEAT REQUIRED TO RAISE THE TEMPERATURE OF 1 POUND OF WATER 1 DEGREE FAHRENHEIT.

(F) “COMPRESSED NATURAL GAS” MEANS A MIXTURE OF HYDROCARBON GASES AND VAPORS THAT CONSISTS PRIMARILY OF METHANE IN GASEOUS FORM THAT HAS BEEN COMPRESSED FOR USE AS A FUEL TO PROPEL A MOTOR VEHICLE.

(G) “DIESEL BASE RATE” MEANS THE RATE PER GALLON ON DIESEL FUEL IN EFFECT FOR THE APPLICABLE PERIOD UNDER SECTION 8(1).

(H) “DIESEL GALLON EQUIVALENT” MEANS 1 OF THE FOLLOWING OR ITS METRIC EQUIVALENT:

(i) FOR COMPRESSED NATURAL GAS, 6,380 POUNDS.

(ii) FOR HYDROGEN, THE VOLUME OR WEIGHT THAT IS EQUAL TO 128,450 BTUS. FOR PURPOSES OF THIS SUBDIVISION, THERE ARE 27,000 BTUS PER 100 STANDARD CUBIC FEET, AND 480.11 STANDARD CUBIC FEET PER DIESEL GALLON EQUIVALENT.

(iii) FOR HYDROGEN COMPRESSED NATURAL GAS, THE VOLUME OR WEIGHT THAT IS EQUAL TO 128,450 BTUS. FOR PURPOSES OF THIS SUBDIVISION, THERE ARE 79,800 BTUS PER 100 STANDARD CUBIC FEET, AND 162.44 STANDARD CUBIC FEET PER DIESEL GALLON EQUIVALENT.

(iv) FOR LIQUEFIED NATURAL GAS, 6,060 POUNDS.

(I) “LIQUEFIED NATURAL GAS” MEANS METHANE OR NATURAL GAS IN THE FORM OF A CRYOGENIC OR REFRIGERATED LIQUID THAT IS SUITABLE FOR USE OR USED AS FUEL TO PROPEL A MOTOR VEHICLE.

(J) (a)–“Liquefied petroleum gas” means gases derived from petroleum or natural gases which–THAT are in the gaseous state at normal atmospheric temperature and pressure, but which–THAT may be maintained in the liquid state at normal atmospheric temperature by suitable pressure. Liquefied petroleum gas includes those–products predominately composed of propane, propylene, butylene, butane, and similar products. LIQUEFIED PETROLEUM GAS DOES NOT INCLUDE COMPRESSED NATURAL GAS, LIQUEFIED NATURAL GAS, HYDROGEN, OR HYTHANE.

(b)–“LPG dealer” means a person who is licensed under this chapter to use liquefied petroleum gas.

(K) (c)–“Use”, “used”, or “uses” means any of the following:

(i) Selling or delivering liquefied petroleum gas–ALTERNATIVE FUEL not otherwise subject to tax under this act, either by placing it into a permanently attached fuel supply tank of a motor vehicle, or exchanging or replacing of the fuel supply tank of a motor vehicle.

(ii) Delivery of liquefied petroleum gas–ALTERNATIVE FUEL into storage, devoted exclusively to the storage of liquefied petroleum gas–ALTERNATIVE FUEL to be consumed in motor vehicles on the public roads or highways OF THIS STATE.

(iii) Withdrawing liquefied petroleum gas–ALTERNATIVE FUEL from the cargo tank of a truck, trailer or semi-trailer for the operation of a motor vehicle upon the public roads and highways of this state, whether used in vapor or liquid form.

(iv) PLACING OR DELIVERING ALTERNATIVE FUEL INTO THE FUEL SUPPLY TANK OF A MOTOR VEHICLE BY OR THROUGH THE OPERATION OF AN ALTERNATIVE FUEL FILLING STATION OR BY ANY OTHER MEANS NOT INVOLVING THE DELIVERY, RECEIPT, OR PURCHASE OF ALTERNATIVE FUEL FROM AN ALTERNATIVE FUEL DEALER OR ANY OTHER MEANS NOT OTHERWISE DESCRIBED IN SUBPARAGRAPHS (i) TO (iii).

Sec. 152. (1) A–EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION AND SECTIONS 154 AND 155, A tax at a–THE rate of 15 cents per gallon EQUAL TO THE DIESEL BASE RATE is imposed upon all liquefied petroleum gas ALTERNATIVE FUEL used in this state. The–EXCEPT AS PROVIDED IN SECTION 154 OR 155, THE tax shall be paid at the times and in the manner specified in this section. The tax on liquefied petroleum gas–ALTERNATIVE fuel sold or delivered either by placing IT into a permanently attached fuel supply tank on a motor vehicle, or BY exchanging or replacing

the fuel supply tank of a motor vehicle, shall be collected by the ~~LPG-ALTERNATIVE FUEL~~ dealer from the purchaser, **CONSUMER, OR END USER** and paid over ~~quarterly-MONTHLY~~ to the department as provided in this act. ~~Liquefied petroleum gas-ALTERNATIVE~~ fuel delivered in this state into the storage facility of any person when the exclusive purpose of the storage facility is for resale or use in a motor vehicle on the public roads or highways of this state, shall, upon delivery to storage facility, be subject to tax. An ~~LPG-ALTERNATIVE FUEL~~ dealer shall, upon delivery of the ~~liquefied petroleum gas-ALTERNATIVE FUEL~~, collect and remit the tax to the department as provided in this act. A person shall not operate a motor vehicle on the public roads or highways of this state from the cargo containers of a truck, trailer, or semitrailer with ~~liquefied petroleum gas-ALTERNATIVE FUEL~~ in vapor or liquid form, **AS APPLICABLE**, except when the **ALTERNATIVE** fuel in the liquid or vapor phase is withdrawn from the cargo container for use in motor vehicles through a permanently installed and approved metering device. The tax on ~~liquefied petroleum gas-ALTERNATIVE FUEL~~ withdrawn from a cargo container through a permanently installed and approved metering device shall apply in accordance with measured gallons **OR GALLON EQUIVALENTS, IF APPLICABLE**, as reflected by meter reading, and shall be paid ~~quarterly-MONTHLY~~ by the ~~LPG-ALTERNATIVE FUEL~~ dealer to the department as provided in this act.

(2) THE RATE OF TAX ON THE FOLLOWING ALTERNATIVE FUELS SHALL BE THE DIESEL BASE RATE PER DIESEL GALLON EQUIVALENT OR FRACTIONAL PART THEREOF ROUNDED TO THE NEAREST 1/10 OF 1 GALLON:

- (A) COMPRESSED NATURAL GAS.**
- (B) HYDROGEN.**
- (C) HYDROGEN COMPRESSED NATURAL GAS.**
- (D) LIQUEFIED NATURAL GAS.**

(3) THE TAX IMPOSED UNDER THIS SECTION DOES NOT APPLY TO AN ALTERNATIVE FUEL COMMERCIAL USER DESCRIBED IN SECTION 154(2) UNTIL JANUARY 1, 2016.

(4) THE TAX IMPOSED UNDER THIS SECTION DOES NOT APPLY TO A PERSON DESCRIBED IN SECTION 154(3) UNTIL JULY 1, 2016.

Sec. 153. (1) A person shall not act as an ~~LPG-ALTERNATIVE FUEL~~ dealer **OR AN ALTERNATIVE FUEL COMMERCIAL USER** unless the person is licensed under this act.

(2) To obtain a license **AS AN ALTERNATIVE FUEL DEALER OR AN ALTERNATIVE FUEL COMMERCIAL USER**, an applicant shall file with the department an application upon a form or in a format prescribed by the department. The application shall include the name and address of the applicant and of each place of business to be operated by the applicant at which ~~liquefied petroleum gas-ALTERNATIVE FUEL~~ will be used and other information the department may reasonably require.

(3) At the time of applying for the license, an applicant **FOR AN ALTERNATIVE FUEL DEALER LICENSE** shall pay to the department a license fee of ~~\$50.00~~ **\$500.00**.

(4) AT THE TIME OF APPLYING FOR THE LICENSE, AN APPLICANT FOR AN ALTERNATIVE FUEL COMMERCIAL USER LICENSE SHALL PAY TO THE DEPARTMENT A LICENSE FEE OF \$50.00.

(5) ~~(4)~~ An applicant for an ~~LPG-dealer~~ **A license OR A LICENSEE UNDER THIS SECTION** is subject to the general licensing and bonding requirements of this act.

(5) A person licensed in this state as an ~~LPG dealer~~ on the effective date of this act shall be considered licensed as an ~~LPG dealer~~ under this act.

Sec. 154. (1) For the purpose of determining the amount of tax payable to the department, an ~~LPG-ALTERNATIVE FUEL~~ dealer shall, on or before the twentieth day of each ~~calendar-month~~, following the close of the reporting calendar quarter, file with the department on a form or in a format prescribed by the department a report which shall include **THAT INCLUDES** the number of gallons **OR GALLON EQUIVALENTS, IF APPLICABLE**, of ~~liquefied petroleum gas-ALTERNATIVE FUEL~~ used by the ~~LPG-ALTERNATIVE FUEL~~ dealer during the preceding calendar ~~quarter-MONTH~~, together with any other information the department may require. An ~~LPG-ALTERNATIVE FUEL~~ dealer at the time of filing the report shall pay to the department at the time of filing the report the full amount of the tax owed.

(2) BEGINNING ON JANUARY 1, 2016, FOR THE PURPOSE OF DETERMINING THE AMOUNT OF TAX OWED TO THE DEPARTMENT, AN ALTERNATIVE FUEL COMMERCIAL USER THAT USES ALTERNATIVE FUEL AS DESCRIBED IN SECTION 151(K) UPON WHICH THE TAX IMPOSED UNDER SECTION 152 HAS NOT BEEN COLLECTED BY OR PAID TO AN ALTERNATIVE FUEL DEALER SHALL, ON OR BEFORE THE TWENTIETH DAY OF EACH MONTH, FILE WITH THE DEPARTMENT A REPORT THAT INCLUDES THE NUMBER OF GALLONS OR GALLON EQUIVALENTS, IF APPLICABLE, OF THE ALTERNATIVE FUEL DESCRIBED IN THIS SUBSECTION THAT WAS USED OR CONSUMED BY THE ALTERNATIVE FUEL COMMERCIAL USER DURING THE PRECEDING CALENDAR MONTH, TOGETHER WITH ANY OTHER INFORMATION THE DEPARTMENT REQUIRES. AN ALTERNATIVE FUEL COMMERCIAL USER SHALL PAY THE FULL AMOUNT OF THE TAX DUE TO THE DEPARTMENT AT THE TIME OF FILING THE REQUIRED REPORT.

(3) BEGINNING ON JULY 1, 2016, FOR THE PURPOSE OF DETERMINING THE AMOUNT OF TAX OWED TO THE DEPARTMENT, A PERSON THAT IS NOT AN ALTERNATIVE FUEL DEALER OR AN ALTERNATIVE

FUEL COMMERCIAL USER SHALL PAY THE TAX IMPOSED UNDER SECTION 152 ON ALTERNATIVE FUEL FOR WHICH THE TAX HAS NOT BEEN COLLECTED BY OR PAID TO AN ALTERNATIVE FUEL DEALER, AND SHALL FILE WITH THE DEPARTMENT ON OR BEFORE THE TWENTIETH DAY FOLLOWING THE END OF EACH QUARTER A FORM THAT INDICATES THE NUMBER OF GALLONS OR GALLON EQUIVALENTS, IF APPLICABLE, USED OR CONSUMED BY THAT PERSON DURING THE PRECEDING CALENDAR QUARTER. A PERSON DESCRIBED IN THIS SUBSECTION SHALL PAY TO THE DEPARTMENT THE FULL AMOUNT OF THE TAX DUE AT THE TIME OF FILING THE REQUIRED FORM.

(4) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON THAT USES ALTERNATIVE FUEL FOR A TAXABLE PURPOSE AND DOES NOT PAY THE TAX IMPOSED UNDER THIS SECTION SHALL PAY TO THE DEPARTMENT THE TAX IMPOSED UNDER SECTION 152, ALONG WITH ANY APPLICABLE PENALTIES OR INTEREST, AT THE TIME AND IN THE MANNER PRESCRIBED BY THE DEPARTMENT.

Sec. 155. (†) Each of the following persons is entitled to a refund of the tax on liquefied petroleum gas imposed by this act:

(1) (a) A person consuming liquefied petroleum gas-ALTERNATIVE FUEL for any purpose other than the operation of TO OPERATE a motor vehicle on the public roads or highways of this state MAY SEEK A REFUND OF THE TAX ON ALTERNATIVE FUEL IMPOSED BY THIS ACT, INCLUDING A REFUND AS PROVIDED IN SECTION 45, IF THAT PERSON HAS ALREADY PAID THE TAX IMPOSED UNDER SECTION 152 ON THAT ALTERNATIVE FUEL.

(b) The federal government, state government, or a political subdivision of this state consuming liquefied petroleum gas in a motor vehicle owned and operated or leased and operated by the federal government, state government, or political subdivision of this state:

(c) A person consuming liquefied petroleum gas in the operation of a passenger vehicle of a capacity of 5 or more under a municipal franchise, license, permit, agreement, or grant, upon which gas the tax imposed by this section has been paid:

(2) To obtain a refund UNDER THIS SECTION, a person shall file a claim with the department within 18 months after the date of purchase, as shown on the invoice and shall comply with the requirements set forth in section 48.

(3) A claim for refund UNDER THIS SECTION shall be on a form or in a format prescribed by the department and shall have attached the original invoice that was provided to the purchaser.

(4) AN ALTERNATIVE FUEL IS EXEMPT FROM THE TAX IMPOSED BY THIS ACT AND THE TAX IMPOSED BY THIS ACT SHALL NOT BE COLLECTED BY AN ALTERNATIVE FUEL DEALER IF ANY OF THE FOLLOWING APPLY:

(A) THE ALTERNATIVE FUEL IS SOLD DIRECTLY BY AN ALTERNATIVE FUEL DEALER TO THE FEDERAL GOVERNMENT, THE STATE GOVERNMENT, OR A POLITICAL SUBDIVISION OF THIS STATE FOR USE IN A MOTOR VEHICLE OWNED AND OPERATED OR LEASED AND OPERATED BY THE FEDERAL GOVERNMENT, STATE GOVERNMENT, OR POLITICAL SUBDIVISION OF THIS STATE.

(B) THE ALTERNATIVE FUEL IS SOLD DIRECTLY BY AN ALTERNATIVE FUEL DEALER TO A NONPROFIT, PRIVATE, PAROCHIAL, OR DENOMINATIONAL SCHOOL, COLLEGE, OR UNIVERSITY AND IS USED IN A SCHOOL BUS OWNED AND OPERATED OR LEASED AND OPERATED BY THE EDUCATIONAL INSTITUTION THAT IS USED IN THE TRANSPORTATION OF STUDENTS TO AND FROM THE INSTITUTION OR TO AND FROM SCHOOL FUNCTIONS AUTHORIZED BY THE ADMINISTRATION OF THE INSTITUTION.

(C) THE ALTERNATIVE FUEL IS IMPORTED INTO THIS STATE IN THE FUEL SUPPLY TANK OF A MOTOR VEHICLE USED SOLELY FOR NONCOMMERCIAL PURPOSES, IF THE AGGREGATE CAPACITY OF THE MOTOR VEHICLE'S FUEL SUPPLY TANK DOES NOT EXCEED 30 GALLONS OR THE EQUIVALENT OF 30 GALLONS.

(5) BOTH OF THE FOLLOWING ARE EXEMPT FROM THE TAX ON ALTERNATIVE FUEL IMPOSED BY THIS ACT:

(A) THE FEDERAL GOVERNMENT, STATE GOVERNMENT, OR A POLITICAL SUBDIVISION OF THIS STATE CONSUMING ALTERNATIVE FUEL IN A MOTOR VEHICLE OWNED AND OPERATED OR LEASED AND OPERATED BY THE FEDERAL GOVERNMENT, STATE GOVERNMENT, OR A POLITICAL SUBDIVISION OF THIS STATE.

(B) A NONPROFIT, PRIVATE, PAROCHIAL, OR DENOMINATIONAL SCHOOL, COLLEGE, OR UNIVERSITY CONSUMING ALTERNATIVE FUEL IN A SCHOOL BUS OWNED AND OPERATED OR LEASED AND OPERATED BY THE NONPROFIT, PRIVATE, PAROCHIAL, OR DENOMINATIONAL SCHOOL, COLLEGE, OR UNIVERSITY.

(6) (†) A person who THAT sells liquefied petroleum gas-ALTERNATIVE FUEL shall provide the purchaser with an invoice OR RECEIPT showing the amount EXPRESSED IN GALLONS OR GALLON EQUIVALENTS, AS APPLICABLE, of gas-ALTERNATIVE FUEL purchased, the date of purchase, and the amount of tax paid.

(7) AN ALTERNATIVE FUEL DEALER THAT SELLS ALTERNATIVE FUEL AT RETAIL SHALL CLEARLY LIST IN PLAIN VIEW OF THE CUSTOMER THE PRICE OF THE ALTERNATIVE FUEL IN DIESEL GALLON EQUIVALENTS, AS APPLICABLE, ON THE ALTERNATIVE FUEL FILLING STATION AND ANY OTHER MARKINGS OR INFORMATION REQUIRED BY LAW.

(8) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON THAT USES OR CONSUMES ALTERNATIVE FUEL FOR A TAXABLE PURPOSE AND DOES NOT PAY THE TAX IMPOSED UNDER SECTION 154 IS LIABLE FOR THE PAYMENT OF THAT TAX AND SHALL PAY TO THE DEPARTMENT THE TAX IMPOSED UNDER SECTION 152 AND ANY APPLICABLE PENALTIES OR INTEREST, AT THE TIME AND IN THE MANNER PRESCRIBED BY THE DEPARTMENT.

Enacting section 1. This amendatory act takes effect October 1, 2015.

Enacting section 2. This amendatory act does not take effect unless House Joint Resolution UU of the 97th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963.

Enacting section 3. This amendatory act does not take effect unless House Bill No. 4539 of the 97th Legislature is enacted into law.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 2000 PA 403, entitled "An act to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 2, 3, 5, 6, 8, 22, 40, 45, 53, 63, 122, 143, 151, 152, 153, 154, and 155 (MCL 207.1002, 207.1003, 207.1005, 207.1006, 207.1008, 207.1022, 207.1040, 207.1045, 207.1053, 207.1063, 207.1122, 207.1143, 207.1151, 207.1152, 207.1153, 207.1154, and 207.1155), sections 2, 5, and 122 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

Jim Stamas
Rob VerHeulen
Marilyn Lane
Conferees for the House

Arlan B. Meekhoff
Mike Kowall
Jim Ananich
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Stamas moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 780

Yeas—93

Abed	Goike	Lipton	Rutledge
Banks	Greimel	Lori	Santana
Barnett	Haines	Lyons	Schmidt
Bolger	Haugh	MacGregor	Schor
Brinks	Haveman	MacMaster	Segal
Brown	Heise	McBroom	Shirkey
Brunner	Hobbs	McCann	Singh
Callton	Hovey-Wright	McCready	Slavens
Cavanagh	Irwin	Muxlow	Smiley
Cochran	Jacobsen	Nathan	Stallworth
Cotter	Jenkins	O'Brien	Stamas
Crawford	Kandrevas	Oakes	Stanley
Daley	Kelly	Olumba	Switalski
Darany	Kesto	Outman	Talabi
Denby	Kivela	Pagel	Tlaib
Dillon	Knezek	Pettalia	Townsend

Driskell	Kosowski	Poleski	VerHeulen
Durhal	Kowall	Potvin	Victory
Faris	Kurtz	Price	Walsh
Farrington	LaFontaine	Pscholka	Yanez
Forlini	Lamonte	Rendon	Yonker
Foster	Lane	Roberts	Zemke
Geiss	Lauwers	Rogers	Zorn
Gardon			

Nays—17

Bumstead	Graves	LaVoy	Nesbitt
Clemente	Hooker	Leonard	Phelps
Dianda	Howrylak	Lund	Robinson
Franz	Johnson	McMillin	Somerville
Genetski			

In The Chair: Walsh

Messages from the Senate

The Speaker laid before the House

House Bill No. 5493, entitled

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending sections 2 and 6a (MCL 207.212 and 207.216a), section 2 as amended by 2006 PA 346 and section 6a as added by 1996 PA 584.

(The bill was received from the Senate on June 12, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 16, see House Journal No. 58, p. 1577.)

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

Rep. VerHeulen moved to substitute (H-3) the Senate substitute (S-1).

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

Rep. VerHeulen moved to substitute (H-4) the Senate substitute (S-1).

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

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

The substitute (S-1), as substituted (H-4), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 781

Yeas—87

Abed	Goike	Lori	Santana
Banks	Greimel	Lyons	Schmidt
Barnett	Haines	MacGregor	Schor
Bolger	Haveman	MacMaster	Segal
Brinks	Heise	McBroom	Shirkey
Brown	Hobbs	McCann	Singh
Brunner	Hovey-Wright	McCready	Slavens
Callton	Irwin	Muxlow	Smiley
Cavanagh	Jacobsen	O’Brien	Stallworth
Cochran	Jenkins	Oakes	Stamas
Cotter	Kandrevas	Olumba	Stanley
Crawford	Kelly	Outman	Switalski
Daley	Kesto	Pagel	Talabi
Darany	Kivela	Pettalia	Tlaib

Denby	Knezek	Poleski	Townsend
Driskell	Kowall	Potvin	VerHeulen
Durhal	Kurtz	Price	Victory
Faris	LaFontaine	Pscholka	Walsh
Farrington	Lamonte	Rendon	Yonker
Forlini	Lane	Roberts	Zemke
Foster	Lauwers	Rogers	Zorn
Glardon	Lipton	Rutledge	

Nays—23

Bumstead	Genetski	Kosowski	Nesbitt
Clemente	Graves	LaVoy	Phelps
Dianda	Haugh	Leonard	Robinson
Dillon	Hooker	Lund	Somerville
Franz	Howrylak	McMillin	Yanez
Geiss	Johnson	Nathan	

In The Chair: Walsh

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

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

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending sections 1, 2, 2a, 4, 5, 6a, 8, 9, and 10 (MCL 207.211, 207.212, 207.212a, 207.214, 207.215, 207.216a, 207.218, 207.219, and 207.220), section 1 as amended by 2002 PA 667, sections 2 and 4 as amended by 2006 PA 346, section 2a as added by 1994 PA 353, section 5 as amended and section 6a as added by 1996 PA 584, and section 8 as amended by 2006 PA 449.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 4630, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 801, 802, 803, 803b, 803e, 806, and 809 (MCL 257.801, 257.802, 257.803, 257.803b, 257.803e, 257.806, and 257.809), section 801 as amended by 2012 PA 498, sections 802, 803b, 806, and 809 as amended by 2011 PA 159, section 803 as amended by 2002 PA 490, and section 803e as amended by 2011 PA 46; and to repeal acts and parts of acts.

Recommendations:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2012 PA 498.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 801. (1) The secretary of state shall collect the following taxes at the time of registering a vehicle, which shall exempt the vehicle from all other state and local taxation, except the fees and taxes provided by law to be paid by certain carriers operating motor vehicles and trailers under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234; and except as otherwise provided by this act:

(a) For a motor vehicle, including a motor home, except as otherwise provided, and a pickup truck or van that weighs not more than 8,000 pounds, except as otherwise provided, according to the following schedule of empty weights:

Empty weights	Tax
0 to 3,000 pounds	\$ 29.00

3,001 to 3,500 pounds	32.00
3,501 to 4,000 pounds	37.00
4,001 to 4,500 pounds	43.00
4,501 to 5,000 pounds	47.00
5,001 to 5,500 pounds	52.00
5,501 to 6,000 pounds	57.00
6,001 to 6,500 pounds	62.00
6,501 to 7,000 pounds	67.00
7,001 to 7,500 pounds	71.00
7,501 to 8,000 pounds	77.00
8,001 to 8,500 pounds	81.00
8,501 to 9,000 pounds	86.00
9,001 to 9,500 pounds	91.00
9,501 to 10,000 pounds	95.00
over 10,000 pounds	\$ 0.90 per 100 pounds of empty weight

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States department of commerce or its successor agency. A van that is owned by an individual who uses a wheelchair or by an individual who transports a member of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

(b) For a trailer coach attached to a motor vehicle, the tax shall be assessed as provided in subdivision (l). A trailer coach not under 1959 PA 243, MCL 125.1035 to 125.1043, and while located on land otherwise assessable as real property under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, if the trailer coach is used as a place of habitation, and whether or not permanently affixed to the soil, is not exempt from real property taxes.

(c) For a road tractor, modified agricultural vehicle, truck, or truck tractor owned by a farmer and used exclusively in connection with a farming operation, including a farmer hauling livestock or farm equipment for other farmers for remuneration in kind or in labor, but not for money, or used for the transportation of the farmer and the farmer’s family, and not used for hire, 74 cents per 100 pounds of empty weight of the road tractor, truck, or truck tractor. If the road tractor, modified agricultural vehicle, truck, or truck tractor owned by a farmer is also used for a nonfarming operation, the farmer is subject to the highest registration tax applicable to the nonfarm use of the vehicle but is not subject to more than 1 tax rate under this act.

(d) For a road tractor, truck, or truck tractor owned by a wood harvester and used exclusively in connection with the wood harvesting operations or a truck used exclusively to haul milk from the farm to the first point of delivery, 74 cents per 100 pounds of empty weight of the road tractor, truck, or truck tractor. A registration secured by payment of the tax prescribed in this subdivision continues in full force and effect until the regular expiration date of the registration. As used in this subdivision:

(i) “Wood harvester” includes the person or persons hauling and transporting raw materials in the form produced at the harvest site or hauling and transporting wood harvesting equipment. Wood harvester does not include a person or persons whose primary activity is tree-trimming or landscaping.

(ii) “Wood harvesting equipment” includes all of the following:

(A) A vehicle that directly harvests logs or timber, including, but not limited to, a processor or a feller buncher.

(B) A vehicle that directly processes harvested logs or timber, including, but not limited to, a slasher, delimeter, processor, chipper, or saw table.

(C) A vehicle that directly processes harvested logs or timber, including, but not limited to, a forwarder, grapple skidder, or cable skidder.

(D) A vehicle that directly loads harvested logs or timber, including, but not limited to, a knuckle-boom loader, front-end loader, or forklift.

(E) A bulldozer or road grader being transported to a wood harvesting site specifically for the purpose of building or maintaining harvest site roads.

(iii) “Wood harvesting operations” does not include the transportation of processed lumber, Christmas trees, or processed firewood for a profit making venture.

(e) For a hearse or ambulance used exclusively by a licensed funeral director in the general conduct of the licensee’s funeral business, including a hearse or ambulance whose owner is engaged in the business of leasing or renting the hearse or ambulance to others, \$1.17 per 100 pounds of the empty weight of the hearse or ambulance.

(f) For a vehicle owned and operated by this state, a state institution, a municipality, a privately incorporated, nonprofit volunteer fire department, or a nonpublic, nonprofit college or university, \$5.00 per plate. A registration plate issued under this subdivision expires on June 30 of the year in which new registration plates are reissued for all vehicles by the secretary of state.

(g) For a bus including a station wagon, carryall, or similarly constructed vehicle owned and operated by a nonprofit parents' transportation corporation used for school purposes, parochial school or society, church Sunday school, or any other grammar school, or by a nonprofit youth organization or nonprofit rehabilitation facility; or a motor vehicle owned and operated by a senior citizen center, \$10.00, if the bus, station wagon, carryall, or similarly constructed vehicle or motor vehicle is designated by proper signs showing the organization operating the vehicle.

(h) For a vehicle owned by a nonprofit organization and used to transport equipment for providing dialysis treatment to children at camp; for a vehicle owned by the civil air patrol, as organized under 36 USC 40301 to 40307, \$10.00 per plate, if the vehicle is designated by a proper sign showing the civil air patrol's name; for a vehicle owned and operated by a nonprofit veterans center; for a vehicle owned and operated by a nonprofit recycling center or a federally recognized nonprofit conservation organization; for a motor vehicle having a truck chassis and a locomotive or ship's body that is owned by a nonprofit veterans organization and used exclusively in parades and civic events; or for an emergency support vehicle used exclusively for emergencies and owned and operated by a federally recognized nonprofit charitable organization, \$10.00 per plate.

(i) For each truck owned and operated free of charge by a bona fide ecclesiastical or charitable corporation, or red cross, girl scout, or boy scout organization, 65 cents per 100 pounds of the empty weight of the truck.

(j) For each truck, weighing 8,000 pounds or less, and not used to tow a vehicle, for each privately owned truck used to tow a trailer for recreational purposes only and not involved in a profit making venture, and for each vehicle designed and used to tow a mobile home or a trailer coach, except as provided in subdivision (b), \$38.00 or an amount computed according to the following schedule of empty weights, whichever is greater:

Empty weights	Per 100 pounds
0 to 2,500 pounds	\$ 1.40
2,501 to 4,000 pounds	1.76
4,001 to 6,000 pounds	2.20
6,001 to 8,000 pounds	2.72
8,001 to 10,000 pounds	3.25
10,001 to 15,000 pounds	3.77
15,001 pounds and over	4.39

If the tax required under subdivision (p) for a vehicle of the same model year with the same list price as the vehicle for which registration is sought under this subdivision is more than the tax provided under the preceding provisions of this subdivision for an identical vehicle, the tax required under this subdivision is not less than the tax required under subdivision (p) for a vehicle of the same model year with the same list price.

(k) For each truck weighing 8,000 pounds or less towing a trailer or any other combination of vehicles and for each truck weighing 8,001 pounds or more, road tractor or truck tractor, except as provided in subdivision (j), according to the following schedule of elected gross weights: **AS FOLLOWS:**

(i) BEGINNING ON MARCH 1, 2016 AND ENDING ON FEBRUARY 28, 2017, ACCORDING TO THE FOLLOWING SCHEDULE OF ELECTED GROSS WEIGHTS:

ELECTED GROSS WEIGHT	TAX
0 TO 24,000 POUNDS.....	\$ 491.00
24,001 TO 26,000 POUNDS.....	558.00
26,001 TO 28,000 POUNDS.....	608.00
28,001 TO 32,000 POUNDS.....	715.67
32,001 TO 36,000 POUNDS.....	827.33
36,001 TO 42,000 POUNDS.....	974.00
42,001 TO 48,000 POUNDS.....	1,121.67
48,001 TO 54,000 POUNDS.....	1,268.33
54,001 TO 60,000 POUNDS.....	1,418.00
60,001 TO 66,000 POUNDS.....	1,564.67
66,001 TO 72,000 POUNDS.....	1,712.33
72,001 TO 80,000 POUNDS.....	1,860.00
80,001 TO 90,000 POUNDS.....	2,009.67
90,001 TO 100,000 POUNDS.....	2,235.33
100,001 TO 115,000 POUNDS.....	2,473.00
115,001 TO 130,000 POUNDS.....	2,714.67
130,001 TO 145,000 POUNDS.....	2,970.00
145,001 TO 160,000 POUNDS.....	3,227.33
OVER 160,000 POUNDS	3,450.33

(ii) BEGINNING ON MARCH 1, 2017 AND ENDING ON FEBRUARY 28, 2018, ACCORDING TO THE FOLLOWING SCHEDULE OF ELECTED GROSS WEIGHTS:

ELECTED GROSS WEIGHT	TAX
0 TO 24,000 POUNDS.....	\$ 491.00

24,001 TO 26,000 POUNDS.....	558.00
26,001 TO 28,000 POUNDS.....	658.00
28,001 TO 32,000 POUNDS.....	782.33
32,001 TO 36,000 POUNDS.....	910.67
36,001 TO 42,000 POUNDS.....	1,074.00
42,001 TO 48,000 POUNDS.....	1,238.33
48,001 TO 54,000 POUNDS.....	1,401.67
54,001 TO 60,000 POUNDS.....	1,568.00
60,001 TO 66,000 POUNDS.....	1,731.33
66,001 TO 72,000 POUNDS.....	1,895.67
72,001 TO 80,000 POUNDS.....	2,060.00
80,001 TO 90,000 POUNDS.....	2,226.33
90,001 TO 100,000 POUNDS.....	2,468.67
100,001 TO 115,000 POUNDS.....	2,723.00
115,001 TO 130,000 POUNDS.....	2,981.33
130,001 TO 145,000 POUNDS.....	3,270.00
145,001 TO 160,000 POUNDS.....	3,560.67
OVER 160,000 POUNDS.....	3,783.67

(iii) BEGINNING ON MARCH 1, 2018, ACCORDING TO THE FOLLOWING SCHEDULE OF ELECTED GROSS

WEIGHTS:

Elected gross weight	Tax
0 to 24,000 pounds	\$ 491.00
24,001 to 26,000 pounds	558.00
26,001 to 28,000 pounds	558.00 708.00
28,001 to 32,000 pounds	649.00 849.00
32,001 to 36,000 pounds	744.00 994.00
36,001 to 42,000 pounds	874.00 1,174.00
42,001 to 48,000 pounds	1,005.00 1,355.00
48,001 to 54,000 pounds	1,135.00 1,535.00
54,001 to 60,000 pounds	1,268.00 1,718.00
60,001 to 66,000 pounds	1,398.00 1,898.00
66,001 to 72,000 pounds	1,529.00 2,079.00
72,001 to 80,000 pounds	1,660.00 2,260.00
80,001 to 90,000 pounds	1,793.00 2,443.00
90,001 to 100,000 pounds	2,002.00 2,702.00
100,001 to 115,000 pounds	2,223.00 2,973.00
115,001 to 130,000 pounds	2,448.00 3,248.00
130,001 to 145,000 pounds	2,670.00 3,570.00
145,001 to 160,000 pounds	2,894.00 3,894.00
over 160,000 pounds	3,117.00 4,117.00

For each commercial vehicle registered under this subdivision, \$15.00 shall be deposited in a truck safety fund to be expended for the purposes prescribed ~~AS PROVIDED~~ in section 25 of 1951 PA 51, MCL 247.675.

If a truck **TRACTOR** or road tractor without trailer is leased from an individual owner-operator, the lessee, whether a person, ~~AN INDIVIDUAL~~, firm, or corporation, shall pay to the owner-operator 60% of the tax prescribed in this subdivision for the truck tractor or road tractor at the rate of 1/12 for each month of the lease or arrangement in addition to the compensation the owner-operator is entitled to for the rental of his or her equipment.

(l) For each pole trailer, semitrailer, trailer coach, or trailer, the tax shall be assessed according to the following schedule of empty weights:

Empty weights	Tax
0 to 2,499 pounds	\$ 75.00
2,500 to 9,999 pounds	200.00
10,000 pounds and over	300.00

The registration plate issued under this subdivision expires only when the secretary of state reissues a new registration plate for all trailers. Beginning October 1, 2005, if the secretary of state reissues a new registration plate for all trailers, a person who has once paid the tax as increased by 2003 PA 152 for a vehicle under this subdivision is not required to pay the tax for that vehicle a second time, but is required to pay only the cost of the reissued plate at the rate provided in section 804(2) for a standard plate. A registration plate issued under this subdivision is nontransferable.

(m) For each commercial vehicle used for the transportation of passengers for hire except for a vehicle for which a payment is made under 1960 PA 2, MCL 257.971 to 257.972, according to the following schedule of empty weights:

Empty weights	Per 100 pounds
0 to 4,000 pounds	\$ 1.76
4,001 to 6,000 pounds	2.20
6,001 to 10,000 pounds	2.72
10,001 pounds and over	3.25

(n) For each motorcycle, \$23.00.

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States department of commerce or its successor agency.

Beginning January 1, 1984, the registration tax for each motorcycle is increased by \$3.00. The \$3.00 increase is not part of the tax assessed under this subdivision for the purpose of the annual October 1 revisions but is in addition to the tax assessed as a result of the annual October 1 revisions. Beginning January 1, 1984, \$3.00 of each motorcycle fee shall be placed in a motorcycle safety fund in the state treasury and shall be used only for funding the motorcycle safety education program as provided for under sections 312b and 811a.

(o) For each truck weighing 8,001 pounds or more, road tractor, or truck tractor used exclusively as a moving van or part of a moving van in transporting household furniture and household effects or the equipment or those engaged in conducting carnivals, at the rate of 80% of the schedule of elected gross weights in subdivision (k) as modified by the operation of that subdivision.

(p) After September 30, 1983, each motor vehicle of the 1984 or a subsequent model year as shown on the application required under section 217 that has not been previously subject to the tax rates of this section and that is of the motor vehicle category otherwise subject to the tax schedule described in subdivision (a), and each low-speed vehicle according to the following schedule based upon registration periods of 12 months:

(i) Except as otherwise provided in this subdivision, for the first registration that is not a transfer registration under section 809 and for the first registration after a transfer registration under section 809, according to the following schedule based on the vehicle's list price:

List Price	Tax
\$ 0 - \$ 6,000.00	\$ 30.00
More than \$ 6,000.00 - \$ 7,000.00	\$ 33.00
More than \$ 7,000.00 - \$ 8,000.00	\$ 38.00
More than \$ 8,000.00 - \$ 9,000.00	\$ 43.00
More than \$ 9,000.00 - \$ 10,000.00	\$ 48.00
More than \$ 10,000.00 - \$ 11,000.00	\$ 53.00
More than \$ 11,000.00 - \$ 12,000.00	\$ 58.00
More than \$ 12,000.00 - \$ 13,000.00	\$ 63.00
More than \$ 13,000.00 - \$ 14,000.00	\$ 68.00
More than \$ 14,000.00 - \$ 15,000.00	\$ 73.00
More than \$ 15,000.00 - \$ 16,000.00	\$ 78.00
More than \$ 16,000.00 - \$ 17,000.00	\$ 83.00
More than \$ 17,000.00 - \$ 18,000.00	\$ 88.00
More than \$ 18,000.00 - \$ 19,000.00	\$ 93.00
More than \$ 19,000.00 - \$ 20,000.00	\$ 98.00
More than \$ 20,000.00 - \$ 21,000.00	\$ 103.00
More than \$ 21,000.00 - \$ 22,000.00	\$ 108.00
More than \$ 22,000.00 - \$ 23,000.00	\$ 113.00
More than \$ 23,000.00 - \$ 24,000.00	\$ 118.00
More than \$ 24,000.00 - \$ 25,000.00	\$ 123.00
More than \$ 25,000.00 - \$ 26,000.00	\$ 128.00
More than \$ 26,000.00 - \$ 27,000.00	\$ 133.00
More than \$ 27,000.00 - \$ 28,000.00	\$ 138.00
More than \$ 28,000.00 - \$ 29,000.00	\$ 143.00
More than \$ 29,000.00 - \$ 30,000.00	\$ 148.00

More than \$30,000.00, the tax of \$148.00 is increased by \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00 increment over \$30,000.00. If a current tax increases or decreases as a result of 1998 PA 384, only a vehicle purchased or transferred after January 1, 1999 shall be assessed the increased or decreased tax.

~~(ii) For the second registration, UNTIL JANUARY 1, 2016, FOR MODEL YEAR 2015 VEHICLES, 90% of the tax assessed under subparagraph (i).~~

~~(iii) For the third registration, UNTIL JANUARY 1, 2016, FOR MODEL YEAR 2014 VEHICLES, 90% of the tax assessed under subparagraph (ii).~~

~~(iv) For the fourth and subsequent registrations, UNTIL JANUARY 1, 2016, FOR MODEL YEAR 2013 VEHICLES, 90% of the tax assessed under subparagraph (iii).~~

THE REGISTRATION TAX FOR A MODEL YEAR 2013 THROUGH MODEL YEAR 1984 VEHICLE THAT HAD A VALID REGISTRATION ON JANUARY 1, 2016 SHALL BE THE SAME AS THE MOST RECENTLY PAID REGISTRATION TAX FOR THAT VEHICLE.

For a vehicle of the 1984 or a subsequent model year that has been previously registered by a person other than the person applying for registration or for a vehicle of the 1984 or a subsequent model year that has been previously registered in another state or country and is registered for the first time in this state, the tax under this subdivision shall be determined by subtracting the model year of the vehicle from the calendar year for which the registration is sought. If the result is zero or a negative figure, the first registration tax shall be paid. If the result is 1, 2, or 3 or more, then, respectively, the second, third, or subsequent registration tax shall be paid. A van that is owned by an individual who uses a wheelchair or by an individual who transports a member of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

(q) For a wrecker, \$200.00.

(r) When the secretary of state computes a tax under this act, a computation that does not result in a whole dollar figure shall be rounded to the next lower whole dollar when the computation results in a figure ending in 50 cents or less and shall be rounded to the next higher whole dollar when the computation results in a figure ending in 51 cents or more, unless specific taxes are specified, and the secretary of state may accept the manufacturer's shipping weight of the vehicle fully equipped for the use for which the registration application is made. If the weight is not correctly stated or is not satisfactory, the secretary of state shall determine the actual weight. Each application for registration of a vehicle under subdivisions (j) and (m) shall have attached to the application a scale weight receipt of the vehicle fully equipped as of the time the application is made. The scale weight receipt is not necessary if there is presented with the application a registration receipt of the previous year that shows on its face the weight of the motor vehicle as registered with the secretary of state and that is accompanied by a statement of the applicant that there has not been a structural change in the motor vehicle that has increased the weight and that the previous registered weight is the true weight.

(2) A manufacturer is not exempted under this act from paying ad valorem taxes on vehicles in stock or bond, except on the specified number of motor vehicles registered. A dealer is exempt from paying ad valorem taxes on vehicles in stock or bond.

(3) Until October 1, 2015, the tax for a vehicle with an empty weight over 10,000 pounds imposed under subsection (1)(a) and the taxes imposed under subsection (1)(c), (d), (e), (f), (i), (j), (m), (o), and (p) are each increased as follows:

(a) A regulatory fee of \$2.25 that shall be credited to the traffic law enforcement and safety fund created in section 819a and used to regulate highway safety.

(b) A fee of \$5.75 that shall be credited to the transportation administration collection fund created in section 810b.

(4) If a tax required to be paid under this section is not received by the secretary of state on or before the expiration date of the registration plate, the secretary of state shall collect a late fee of \$10.00 for each registration renewed after the expiration date. An application for a renewal of a registration using the regular mail and postmarked before the expiration date of that registration shall not be assessed a late fee. The late fee collected under this subsection shall be deposited into the general fund.

(5) In addition to the registration taxes under this section, the secretary of state shall collect taxes charged under section 801j and credit revenues to a regional transit authority created under the regional transit authority act, minus necessary collection expenses as provided in section 9 of article IX of the state constitution of 1963. Necessary collection expenses incurred by the secretary of state under this subsection shall be based upon an established cost allocation methodology.

(6) This section does not apply to a historic vehicle.

(7) THE REGISTRATION FEE IMPOSED UNDER THIS SECTION FOR AN ELECTRIC VEHICLE IS INCREASED AS FOLLOWS:

(A) AS CLASSIFIED BY THE SECRETARY OF STATE, IF THE VEHICLE IS OF A BRAND OR HAS BEEN MODIFIED TO BE POWERED SOLELY OR PREDOMINATELY BY ELECTRICITY UNDER NORMAL AVERAGE CLASS OPERATING CONDITIONS, THE REGISTRATION FEE FOR THAT VEHICLE UNDER THIS SECTION IS INCREASED BY \$75.00 FOR A VEHICLE WITH AN EMPTY WEIGHT OF 8,000 POUNDS OR LESS, AND \$200.00 FOR A VEHICLE WITH AN EMPTY WEIGHT OF MORE THAN 8,000 POUNDS.

(B) AS CLASSIFIED BY THE SECRETARY OF STATE, IF THE VEHICLE IS OF A BRAND OR HAS BEEN MODIFIED TO BE PARTIALLY POWERED, BUT NOT PREDOMINATELY POWERED, BY ELECTRICITY UNDER NORMAL AVERAGE CLASS OPERATING CONDITIONS, THE REGISTRATION FEE FOR THAT VEHICLE UNDER THIS SECTION IS INCREASED BY \$25.00 FOR A VEHICLE WITH AN EMPTY WEIGHT OF 8,000 POUNDS OR LESS, AND \$100.00 FOR A VEHICLE WITH AN EMPTY WEIGHT OF MORE THAN 8,000 POUNDS.

(8) ~~(7)~~ As used in this section:

(a) "Gross proceeds" means that term as defined in section 1 of the general sales tax act, 1933 PA 167, MCL 205.51, and includes the value of the motor vehicle used as part payment of the purchase price as that value is agreed to by the parties to the sale, as evidenced by the signed agreement executed under section 251.

(b) "List price" means the manufacturer's suggested base list price as published by the secretary of state, or the manufacturer's suggested retail price as shown on the label required to be affixed to the vehicle under 15 USC 1232, if the secretary of state has not at the time of the sale of the vehicle published a manufacturer's suggested retail price for that vehicle, or the purchase price of the vehicle if the manufacturer's suggested base list price is unavailable from the sources described in this subdivision.

(c) "Purchase price" means the gross proceeds received by the seller in consideration of the sale of the motor vehicle being registered.

Enacting section 1. The department shall implement the changes made by the amendatory act that added this enacting section no later than January 1, 2016.

Enacting section 2. This amendatory act does not take effect unless House Joint Resolution UU of the 97th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963.

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 801 (MCL 257.801), as amended by 2012 PA 498.

Jim Stamas
Rob VerHeulen
Marilyn Lane
Conferees for the House

Arlan B. Meekhof
Mike Kowall
Jim Ananich
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Stamas moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 782

Yeas—67

Banks	Foster	Lipton	Santana
Bolger	Geiss	Lori	Schmidt
Brunner	Glardon	Lyons	Schor
Callton	Greimel	McBroom	Shirkey
Cavanagh	Haines	McCann	Singh
Clemente	Haveman	McCready	Stallworth
Cochran	Heise	Nesbitt	Stamas
Cotter	Hobbs	O'Brien	Stanley
Crawford	Hovey-Wright	Olumba	Switalski
Darany	Jacobsen	Outman	Talabi

Denby	Kandrevas	Pagel	Tlaib
Dillon	Kesto	Phelps	Townsend
Driskell	Kowall	Poleski	Walsh
Durhal	Kurtz	Price	Yonker
Faris	LaFontaine	Pscholka	Zemke
Farrington	Lane	Rogers	Zorn
Forlini	LaVoy	Rutledge	

Nays—43

Abed	Haugh	Lauwers	Rendon
Barnett	Hooker	Leonard	Roberts
Brinks	Howrylak	Lund	Robinson
Brown	Irwin	MacGregor	Segal
Bumstead	Jenkins	MacMaster	Slavens
Daley	Johnson	McMillin	Smiley
Dianda	Kelly	Muxlow	Somerville
Franz	Kivela	Nathan	VerHeulen
Genetski	Knezek	Oakes	Victory
Goike	Kosowski	Pettalia	Yanez
Graves	Lamonte	Potvin	

In The Chair: Walsh

Messages from the Senate

The Speaker laid before the House

House Bill No. 5460, 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 11, 12, 13, and 14 (MCL 247.661, 247.662, 247.663, and 247.664), section 11 as amended by 2002 PA 639, sections 12 and 13 as amended by 2012 PA 298, and section 14 as amended by 1987 PA 234.

(The bill was received from the Senate on June 11, with substitute (S-3) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 12, see House Journal No. 57, p. 1520.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Lauwers moved to substitute (H-5) the Senate substitute (S-3).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Stallworth moved to amend the Senate substitute (S-3), as substituted (H-5), as follows:

1. Amend page 2, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 9b. (1) After ~~the effective date of the amendatory act that added this section, JULY 1, 1997,~~ the department shall do all of the following regarding contracts to construct, ~~or repair,~~ **OR MAINTAIN** roads or bridges:

(a) Establish technical assistance programs to prepare ~~minority-~~**SMALL** business enterprises to compete for contracts **ON PROJECTS THAT USE ONLY STATE FUNDS, AND TO PREPARE DISADVANTAGED BUSINESS ENTERPRISES TO COMPETE ON PROJECTS THAT INCLUDE FEDERAL AID FUNDS. THE TECHNICAL ASSISTANCE PROGRAMS DESCRIBED IN THIS SUBDIVISION MAY INCLUDE THE USE OF SMALL BUSINESS ENTERPRISE OR DISADVANTAGED BUSINESS ENTERPRISE TECHNICAL ASSISTANTS, BEST VALUE CONTRACTING PROCUREMENT, AND TRAINING FOR COMPETING FOR WORK UNDER A CONTRACT DESCRIBED IN THIS SUBDIVISION.**

(b) Assist in creating and developing sources of nontraditional capital to assist ~~minority-~~**SMALL** business enterprises **AND DISADVANTAGED BUSINESS ENTERPRISES** to compete for contracts. **THE DEPARTMENT, IN CONJUNCTION WITH THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION, SHALL INVESTIGATE THE CREATION OF A STATE REVOLVING LOAN FUND CREATED WITHIN THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE NECESSARY CAPITAL. THE DEPARTMENT AND THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION SHALL REPORT THE RESULTS OF THE INVESTIGATION TO THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES NO LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT AMENDED THIS SUBDIVISION.**

(c) Assist in creating and developing incentives for firms to mentor ~~minority-~~**SMALL** business enterprises **AND DISADVANTAGED BUSINESS ENTERPRISES** to assist ~~minority-~~**THOSE** business enterprises to ~~gain-~~**IN GAINING** the experience and resources necessary to compete for contracts. **THE INCENTIVES DESCRIBED IN THIS SUBDIVISION MAY INCLUDE PROGRAMS FOR THE TRAINING AND PLACEMENT OF SKILLED WORKERS FOR INFRASTRUCTURE TRADES AND RELATED OCCUPATIONS, EITHER INDEPENDENTLY OR COOPERATIVELY WITH OTHER STATE AGENCIES. THE DEPARTMENT SHALL INVESTIGATE THE POTENTIAL OF INCORPORATING A 5-YEAR SKILLED WORKER PROJECTION INTO ITS CURRENT 5-YEAR PLANS, AND SHALL REPORT THE RESULTS OF THAT INVESTIGATION TO THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES NO LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT AMENDED THIS SUBDIVISION.**

(d) Increase information programs to inform ~~minority-~~**SMALL** business enterprises **AND DISADVANTAGED BUSINESS ENTERPRISES** of opportunities to compete for contracts.

(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, WHEN PRACTICAL, DEVELOP SMALL BUSINESS ENTERPRISE OR DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLANS FOR LARGER AND MORE COMPLEX PROJECTS. THE DEPARTMENT SHALL USE SMALL BUSINESS ENTERPRISE OR DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLANS FOR PROJECTS IN WHICH THE FINAL COST IS ANTICIPATED TO EXCEED \$8,000,000.00 UNLESS THE PROJECT SPECIFICATIONS OR CURRENT BEST PRACTICES DO NOT JUSTIFY THE USE OF SUCH A PLAN. THE DEPARTMENT SHALL INCLUDE A LIST OF PROJECTS IN WHICH THE FINAL COST IS ANTICIPATED TO EXCEED \$8,000,000.00 FOR WHICH PROJECT SPECIFICATIONS OR CURRENT BEST PRACTICES DO NOT JUSTIFY THE USE OF A SMALL BUSINESS ENTERPRISE OR DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLAN IN THE REPORT REQUIRED BY SUBSECTION (2). THIS SUBDIVISION DOES NOT PRECLUDE THE USE OF A SMALL BUSINESS ENTERPRISE OR DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLAN FOR A PROJECT WITH A FINAL ANTICIPATED COST OF BELOW \$8,000,000.00 WHEN THE USE OF SUCH A PLAN IS APPROPRIATE FOR THE PROJECT, OR WHEN A DISADVANTAGED BUSINESS UTILIZATION GOAL HAS BEEN ESTABLISHED CONSISTENT WITH FEDERAL REQUIREMENTS. THE PROJECT THRESHOLD OF \$8,000,000.00 MAY BE ADJUSTED ANNUALLY TO REFLECT RESEARCH-BASED OR NATIONAL BEST PRACTICES.

(2) The department shall notify the majority and minority chairpersons of the house and senate appropriations committees and the majority and minority chairpersons of the house and senate committees that consider transportation matters of each contract awarded to ~~minority-~~**SMALL** business enterprises **AND DISADVANTAGED BUSINESS ENTERPRISES** under this

section. **THE DEPARTMENT SHALL ALSO PROVIDE A LIST OF CONTRACTS THAT USED SMALL BUSINESS ENTERPRISE OR DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLANS IMPLEMENTED UNDER SUBSECTION (1)(E), AND SHALL PROVIDE A RECOMMENDATION AS TO WHETHER THE BENCHMARK FIGURE DESCRIBED IN SUBSECTION (1)(E) SHOULD BE INCREASED OR DECREASED BASED ON THE EXPERIENCE OF THE DEPARTMENT AND NATIONAL BEST PRACTICES.**

(3) THE DEPARTMENT SHALL CONDUCT A DISPARITY STUDY ON THE USE OF SMALL BUSINESS ENTERPRISES AND DISADVANTAGED BUSINESS ENTERPRISES IN STATE CONTRACTS. THE STUDY REQUIRED UNDER THIS SUBSECTION SHALL USE STANDARDS DEVELOPED BY THE TRANSPORTATION RESEARCH BOARD'S NATIONAL COOPERATIVE HIGHWAY RESEARCH PROGRAM AS THOSE STANDARDS EXIST ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION. THE DEPARTMENT SHALL REPORT THE RESULTS OF THE STUDY REQUIRED BY THIS SUBSECTION AND ITS RECOMMENDATIONS FOR PROCESS IMPROVEMENTS THAT WILL ADDRESS DISPARITIES TO THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES NO LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.

(4) (3)-As used in this section:

(a) "Minority business enterprise" means a business enterprise located within an empowerment zone or an enterprise zone that is owned or controlled solely by 1 or more socially or economically disadvantaged persons. The disadvantage may arise from cultural, racial, gender, or chronic economic circumstances or background, or other similar cause.

(A) "SMALL BUSINESS ENTERPRISE" MEANS THAT TERM AS DEFINED IN 13 CFR PART 121.

(B) "DISADVANTAGED BUSINESS ENTERPRISE" MEANS THAT TERM AS DEFINED IN 49 CFR PART 26.

(C) (b) "Empowerment zone" means an area designated as an empowerment zone by the United States department of housing and urban development.

(D) (c) "Enterprise zone" means a neighborhood enterprise zone designated under the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.787.

(5) (4)-After the effective date of the amendatory act that added this section, JULY 28, 1997, the department shall do all of the following regarding contracts to construct or repair roads and bridges:

(a) Consult ANNUALLY CONSULT with the Michigan state chamber of commerce, THE MICHIGAN INFRASTRUCTURE AND TRANSPORTATION ASSOCIATION, THE BLACK CAUCUS FOUNDATION OF MICHIGAN EXCLUDING ANY CURRENTLY SERVING LEGISLATORS, THE MICHIGAN HISPANIC CHAMBER OF COMMERCE, and the Michigan minority business development council on requests for proposals and requests for quotations to ensure competitive and inclusive strategies which ensure an inclusive and competitive bid environment.

(b) Appoint not less than 1 representative from the Michigan minority business development council and the DBE division of the Michigan department of transportation to all requests for proposal and quote review panels. REVIEW CURRENT CONTRACT PROCESSES TO DETERMINE WHETHER SMALL BUSINESS ENTERPRISES OR DISADVANTAGED BUSINESS ENTERPRISES ARE ADEQUATELY INFORMED OF THE PROCESS FOR APPEALING CONTRACT DECISIONS OR LEARNING HOW TO IMPROVE BIDS FOR FUTURE CONTRACTS.

(c) Establish within the DBE division of the Michigan department of transportation a surety division to assist qualified bidders in securing bonding and in monitoring vendor and supplier payments."

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3), as substituted (H-5), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 783

Yeas—99

Abed	Glardon	Lauwers	Rogers
Banks	Goike	LaVoy	Rutledge
Barnett	Graves	Leonard	Santana
Bolger	Greimel	Lipton	Schmidt
Brinks	Haines	Lori	Schor
Brown	Haugh	Lund	Segal
Brunner	Haveman	Lyons	Shirkey
Callton	Heise	MacGregor	Singh
Cavanagh	Hobbs	McBroom	Slavens
Clemente	Hooker	McCann	Smiley
Cochran	Hovey-Wright	McCready	Stallworth

Cotter	Irwin	Muxlow	Stamas
Crawford	Jacobsen	Nathan	Stanley
Daley	Jenkins	Nesbitt	Switalski
Darany	Johnson	O'Brien	Talabi
Denby	Kandrevas	Oakes	Tlaib
Dianda	Kesto	Olumba	Townsend
Dillon	Kivela	Outman	VerHeulen
Driskell	Knezek	Pagel	Victory
Durhal	Kosowski	Phelps	Walsh
Faris	Kowall	Poleski	Yanez
Farrington	Kurtz	Price	Yonker
Forlini	LaFontaine	Pscholka	Zemke
Foster	Lamonte	Rendon	Zorn
Geiss	Lane	Roberts	

Nays—11

Bumstead	Howrylak	McMillin	Robinson
Franz	Kelly	Pettalia	Somerville
Genetski	MacMaster	Potvin	

In The Chair: Walsh

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

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

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 9b, 10, 11, 12, 13, and 14 (MCL 247.559b, 247.660, 247.661, 247.662, 247.663, and 247.664), section 10 as amended by 2007 PA 210, section 11 as amended by 2002 PA 639, sections 12 and 13 as amended by 2012 PA 298, section 14 as amended by 1987 PA 234, and section 9b as added by 1997 PA 79.

The motion prevailed.

The House agreed to the title as amended.

Third Reading of Bills

Senate Bill No. 80, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 18 (MCL 388.1618), as amended by 2012 PA 201.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Rutledge moved to amend the bill as follows:

1. Amend page 10, following line 16, by inserting:

"Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2014-2015 an amount not to exceed \$317,695,500.00 for payments to eligible districts, eligible public school academies, and the education achievement system for the purposes of ensuring that pupils are proficient in reading by the end of grade 3 and that high school graduates are career and college ready and for the purposes under subsections (6) and (7). **IN ADDITION TO THE APPROPRIATIONS UNDER SECTION 11, AN ADDITIONAL AMOUNT NOT TO EXCEED \$40,000,000.00 IS APPROPRIATED FROM THE STATE SCHOOL AID FUND FOR 2014-2015 FOR THE PURPOSES OF THIS SECTION.**

(2) For a district or public school academy, or the education achievement system, to be eligible to receive funding under this section, other than funding under subsection (6) or (7), the sum of the district's or public school academy's or the education achievement system's combined state and local revenue per membership pupil in the current state fiscal year, as calculated under section 20, must be less than or equal to the basic foundation allowance under section 20 for the current state fiscal year.

(3) Except as otherwise provided in this subsection, an eligible district or eligible public school academy or the education achievement system shall receive under this section for each membership pupil in the district or public school academy or the education achievement system who met the income eligibility criteria for free breakfast, lunch, or milk, as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769, and as reported to the department in the form and manner prescribed by the department not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year and adjusted not later than December 31 of the immediately preceding fiscal year, an amount per pupil equal to 11.5% of the sum of the district's foundation allowance or the public school academy's or the education achievement system's per pupil amount calculated under section 20, not to exceed the basic foundation allowance under section 20 for the current state fiscal year, or of the public school academy's or the education achievement system's per membership pupil amount calculated under section 20 for the current state fiscal year. However, a public school academy that began operations as a public school academy, or an achievement school that began operations as an achievement school, after the pupil membership count day of the immediately preceding school year shall receive under this section for each membership pupil in the public school academy or in the education achievement system who met the income eligibility criteria for free breakfast, lunch, or milk, as determined under the Richard B. Russell national school lunch act and as reported to the department not later than the fifth Wednesday after the pupil membership count day of the current fiscal year and adjusted not later than December 31 of the current fiscal year, an amount per pupil equal to 11.5% of the public school academy's or the education achievement system's per membership pupil amount calculated under section 20 for the current state fiscal year.

(4) Except as otherwise provided in this section, a district or public school academy, or the education achievement system, receiving funding under this section shall use that money only to provide instructional programs and direct noninstructional services, including, but not limited to, medical, mental health, or counseling services, for at-risk pupils; for school health clinics; and for the purposes of subsection (5), (6), (7), or (10). In addition, a district that is a school district of the first class or a district or public school academy in which at least 50% of the pupils in membership met the income eligibility criteria for free breakfast, lunch, or milk in the immediately preceding state fiscal year, as determined and reported as described in subsection (3), or the education achievement system if it meets this requirement, may use not more than 20% of the funds it receives under this section for school security. A district, the public school academy, or the education achievement system shall not use any of that money for administrative costs. The instruction or direct noninstructional services provided under this section may be conducted before or after regular school hours or by adding extra school days to the school year.

(5) A district or public school academy that receives funds under this section and that operates a school breakfast program under section 1272a of the revised school code, MCL 380.1272a, or the education achievement system if it operates a school breakfast program, shall use from the funds received under this section an amount, not to exceed \$10.00 per pupil for whom the district or public school academy or the education achievement system receives funds under this section, necessary to pay for costs associated with the operation of the school breakfast program.

(6) From the funds allocated under subsection (1), there is allocated for 2014-2015 an amount not to exceed \$3,557,300.00 to support child and adolescent health centers. These grants shall be awarded for 5 consecutive years beginning with 2003-2004 in a form and manner approved jointly by the department and the department of community health. Each grant recipient shall

remain in compliance with the terms of the grant award or shall forfeit the grant award for the duration of the 5-year period after the noncompliance. To continue to receive funding for a child and adolescent health center under this section a grant recipient shall ensure that the child and adolescent health center has an advisory committee and that at least one-third of the members of the advisory committee are parents or legal guardians of school-aged children. A child and adolescent health center program shall recognize the role of a child's parents or legal guardian in the physical and emotional well-being of the child. Funding under this subsection shall be used to support child and adolescent health center services provided to children up to age 21. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which they are allocated, those unused funds shall be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (14) for that fiscal year.

(7) From the funds allocated under subsection (1), there is allocated for 2014-2015 an amount not to exceed \$5,150,000.00 for the state portion of the hearing and vision screenings as described in section 9301 of the public health code, 1978 PA 368, MCL 333.9301. A local public health department shall pay at least 50% of the total cost of the screenings. The frequency of the screenings shall be as required under R 325.13091 to R 325.13096 and R 325.3271 to R 325.3276 of the Michigan administrative code. Funds shall be awarded in a form and manner approved jointly by the department and the department of community health. Notwithstanding section 17b, payments to eligible entities under this subsection shall be paid on a schedule determined by the department.

(8) Each district or public school academy receiving funds under this section and the education achievement system shall submit to the department by July 15 of each fiscal year a report, not to exceed 10 pages, on the usage by the district or public school academy or the education achievement system of funds under this section, which report shall include a brief description of each program conducted or services performed by the district or public school academy or the education achievement system using funds under this section, the amount of funds under this section allocated to each of those programs or services, the total number of at-risk pupils served by each of those programs or services, and the data necessary for the department and the department of human services to verify matching funds for the temporary assistance for needy families program. If a district or public school academy or the education achievement system does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district or public school academy or the education achievement system complies with this subsection. If the district or public school academy or the education achievement system does not comply with this subsection by the end of the state fiscal year, the withheld funds shall be forfeited to the school aid fund.

(9) In order to receive funds under this section, a district or public school academy or the education achievement system shall allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district or public school academy or the education achievement system shall reimburse the state for all disallowances found in the audit.

(10) Subject to subsections (5), (6), and (7), a district may use up to 100% of the funds it receives under this section to implement schoolwide reform in schools with 40% or more of their pupils identified as at-risk pupils by providing supplemental instructional or noninstructional services consistent with the school improvement plan.

(11) If necessary, and before any proration required under section 296, the department shall prorate payments under this section by reducing the amount of the per pupil payment under this section by a dollar amount calculated by determining the amount by which the amount necessary to fully fund the requirements of this section exceeds the maximum amount allocated under this section and then dividing that amount by the total statewide number of pupils who met the income eligibility criteria for free breakfast, lunch, or milk in the immediately preceding fiscal year, as described in subsection (3).

(12) If a district is formed by consolidation after June 1, 1995, and if 1 or more of the original districts was not eligible before the consolidation for an additional allowance under this section, the amount of the additional allowance under this section for the consolidated district shall be based on the number of pupils described in subsection (1) enrolled in the consolidated district who reside in the territory of an original district that was eligible before the consolidation for an additional allowance under this section. In addition, if a district is dissolved pursuant to section 12 of the revised school code, MCL 380.12, the intermediate district to which the dissolved school district was constituent shall determine the estimated number of pupils that meet the income eligibility criteria for free breakfast, lunch, or milk, as described under subsection (3), enrolled in each of the other districts within the intermediate district and provide that estimate to the department for the purposes of distributing funds under this section within 60 days after the school district is declared dissolved.

(13) As used in this section, "at-risk pupil" means a pupil for whom the district has documentation that the pupil meets any of the following criteria:

- (a) Is a victim of child abuse or neglect.
- (b) Is a pregnant teenager or teenage parent.
- (c) Has a family history of school failure, incarceration, or substance abuse.
- (d) For pupils for whom the results of the Michigan merit examination have been received, is a pupil who does not meet the other criteria under this subsection but who did not achieve proficiency on the reading, writing, mathematics, science, or social studies components of the most recent Michigan merit examination for which results for the pupil have been received.

(e) For pupils in grades K-3, is a pupil who is at risk of not meeting the district's core academic curricular objectives in English language arts or mathematics.

(f) The pupil is enrolled in a priority or priority-successor school, as defined in the elementary and secondary education act of 2001 flexibility waiver approved by the United States department of education.

(g) The pupil did not achieve a score of at least proficient on 2 or more state-administered assessments for English language arts, mathematics, science, or social studies.

(h) For high school pupils in grades not assessed by the state, the pupil did not receive a satisfactory score on 2 or more end-of-course examinations that are aligned with state standards in English language arts, mathematics, science, or social studies. For middle school pupils in grades not assessed by the state, the pupil did not receive a satisfactory score on 2 or more end-of-semester or end-of-trimester examinations that are aligned with state standards in science or social studies. For pupils in the elementary grades in grades and subjects not assessed by the state, the pupil did not receive a satisfactory score or did not have a satisfactory outcome on 2 or more interim assessments in English language arts, mathematics, science, or social studies.

(i) In the absence of state or local assessment data, the pupil meets at least 2 of the following criteria, as documented in a form and manner approved by the department:

(i) The pupil is eligible for free breakfast, lunch, or milk.

(ii) The pupil is absent more than 10% of enrolled days or 10 school days during the school year.

(iii) The pupil is homeless.

(iv) The pupil is a migrant.

(v) The pupil is an English language learner.

(vi) The pupil is an immigrant who has immigrated within the immediately preceding 3 years.

(vii) The pupil did not complete high school in 4 years and is still continuing in school as identified in the Michigan cohort graduation and dropout report.

(14) Beginning in 2014-2015, if a district, public school academy, or the education achievement system does not demonstrate to the satisfaction of the department that at least 50% of at-risk pupils are reading at grade level by the end of grade 3 as measured by the state assessment and demonstrate to the satisfaction of the department improvement over 3 consecutive years in the percentage of at-risk pupils that are career- and college-ready as measured by the pupil's score on each of the individual subject areas on the college entrance examination portion of the Michigan merit examination under section 1279g(2)(a) of the revised school code, MCL 380.1279g, the district, public school academy, or education achievement system shall ensure all of the following:

(a) The district, public school academy, or the education achievement system shall determine the proportion of total at-risk pupils that represents the number of pupils in grade 3 that are not reading at grade level by the end of grade 3, and the district, public school academy, or the education achievement system shall expend that same proportion multiplied by 1/2 of its total at-risk funds under this section on tutoring and other methods of improving grade 3 reading levels.

(b) The district, public school academy, or the education achievement system shall determine the proportion of total at-risk pupils that represent the number of pupils in grade 11 that are not career- and college-ready as measured by the student's score on each of the individual subject areas on the college entrance examination portion of the Michigan merit examination under section 1279g(2)(a) of the revised school code, MCL 380.1279g, and the district, public school academy, or the education achievement system shall expend that same proportion multiplied by 1/2 of its total at-risk funds under this section on tutoring and other activities to improve scores on the college entrance examination portion of the Michigan merit examination.

(15) As used in subsection (14), "total at risk pupils" means the sum of the number of pupils in grade 3 that are not reading at grade level by the end of third grade and the number of pupils in grade 11 that are not career- and college-ready as measured by the student's score on each of the individual subject areas on the college entrance examination portion of the Michigan merit examination under section 1279g(2)(a) of the revised school code, MCL 380.1279g.

(16) A district or public school academy that receives funds under this section or the education achievement system may use funds received under this section to provide an anti-bullying or crisis intervention program.

Enacting section 1. Section 31a of the state school aid act of 1979, 1979 PA 94, MCL 388.1631a, as amended by this amendatory act, does not take effect unless Senate Joint Resolution ____ or House Joint Resolution UU of the 97th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963." and renumbering the remaining enacting section.

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,

Rep. Lyons moved to amend the bill as follows:

1. Amend page 10, line 17, by striking out all of enacting section 1.

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. 784**Yeas—102**

Abed	Glardon	Leonard	Rogers
Banks	Goike	Lipton	Rutledge
Barnett	Graves	Lori	Santana
Bolger	Greimel	Lund	Schmidt
Brinks	Haines	Lyons	Schor
Brown	Haugh	MacGregor	Segal
Brunner	Haveman	MacMaster	Shirkey
Bumstead	Heise	McBroom	Singh
Callton	Hobbs	McCann	Slavens
Cavanagh	Hooker	McCready	Smiley
Clemente	Hovey-Wright	Muxlow	Somerville
Cochran	Irwin	Nathan	Stallworth
Cotter	Jacobsen	Nesbitt	Stamas
Crawford	Jenkins	O'Brien	Stanley
Daley	Kandrevas	Oakes	Switalski
Darany	Kesto	Olumba	Talabi
Denby	Kivela	Outman	Tlaib
Dianda	Knezek	Pettalia	Townsend
Dillon	Kosowski	Phelps	VerHeulen
Driskell	Kowall	Poleski	Victory
Durhal	Kurtz	Potvin	Walsh
Faris	LaFontaine	Price	Yanez
Farrington	Lamonte	Pscholka	Yonker
Forlini	Lane	Rendon	Zemke
Foster	Lauwers	Roberts	Zorn
Geiss	LaVoy		

Nays—8

Franz	Howrylak	Kelly	Pagel
Genetski	Johnson	McMillin	Robinson

In The Chair: Walsh

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

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 18 and 31a (MCL 388.1618 and MCL 388.1631a), as amended by 2014 PA 196.

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 am voting against the appropriation of funds contingent on the passage of a constitutional amendment that would increase the sales tax in the State of Michigan from 6% to 7%. The appropriate mechanism for the approval of this expenditure is by routing it through the House Appropriations Committee."

Second Reading of Bills

Senate Bill No. 847, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2013 PA 206.

The bill was read a second time.

Rep. Hovey-Wright 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. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Stamas 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. 847, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2013 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. 785

Yeas—78

Abed	Geiss	Lamonte	Santana
Banks	Gardon	Lane	Schmidt
Barnett	Greimel	LaVoy	Schor
Bolger	Haines	Lipton	Segal
Brinks	Haugh	Lori	Singh
Brown	Haveman	MacMaster	Slavens
Brunner	Hobbs	McCann	Smiley
Callton	Hovey-Wright	McCready	Stallworth
Cavanagh	Irwin	Nathan	Stamas
Clemente	Jacobsen	O'Brien	Stanley
Cochran	Jenkins	Oakes	Switalski
Crawford	Kandrevas	Olumba	Talabi
Darany	Kelly	Pagel	Tlaib
Denby	Kesto	Phelps	Townsend
Dianda	Kivela	Price	Walsh
Dillon	Knezek	Roberts	Yanez
Driskell	Kosowski	Robinson	Yonker
Durhal	Kowall	Rogers	Zemke
Faris	Kurtz	Rutledge	Zorn
Forlini	LaFontaine		

Nays—32

Bumstead	Graves	Lyons	Poleski
Cotter	Heise	MacGregor	Potvin
Daley	Hooker	McBroom	Pscholka
Farrington	Howrylak	McMillin	Rendon
Foster	Johnson	Muxlow	Shirkey
Franz	Lauwers	Nesbitt	Somerville

Genetski
Goike

Leonard
Lund

Outman
Pettalia

VerHeulen
Victory

In The Chair: Walsh

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

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

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending sections 272 and 522 (MCL 206.272 and 206.522), section 272 as amended by 2011 PA 38 and section 522 as amended by 2013 PA 206.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills

Senate Bill No. 423, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 2004 PA 596, and by adding sections 1167 and 1279h.

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

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

Rep. Dillon moved to substitute (H-3) the bill.

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

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

The motion prevailed.

Rep. Stamas 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. 423, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 2004 PA 596, and by adding sections 1167 and 1279h.

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

Roll Call No. 786

Yeas—72

Abed
Banks
Barnett
Bolger
Brinks
Brown
Brunner
Callton

Faris
Farrington
Foster
Geiss
Gardon
Greimel
Haines
Haugh

LaFontaine
Lamonte
Lane
Lauwers
Lipton
Lori
Lyons
McCann

Rutledge
Schmidt
Schor
Segal
Singh
Slavens
Smiley
Stallworth

Cavanagh	Haveman	McCready	Stamas
Cochran	Hobbs	Nathan	Stanley
Cotter	Hovey-Wright	O'Brien	Switalski
Crawford	Irwin	Oakes	Talabi
Darany	Jacobsen	Olumba	Tlaib
Denby	Kandrevas	Phelps	Townsend
Dianda	Kelly	Poleski	Walsh
Dillon	Kivela	Price	Yanez
Driskell	Knezek	Roberts	Yonker
Durhal	Kosowski	Rogers	Zemke

Nays—38

Bumstead	Howrylak	MacMaster	Pscholka
Clemente	Jenkins	McBroom	Rendon
Daley	Johnson	McMillin	Robinson
Forlini	Kesto	Muxlow	Santana
Franz	Kowall	Nesbitt	Shirkey
Genetski	Kurtz	Outman	Somerville
Goike	LaVoy	Pagel	VerHeulen
Graves	Leonard	Pettalia	Victory
Heise	Lund	Potvin	Zorn
Hooker	MacGregor		

In The Chair: Walsh

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

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

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1281a.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills

Senate Bill No. 658, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 2b. The bill was read a second time.

Rep. Kowall moved to amend the bill as follows:

1. Amend page 5, line 10, after "October 1," by striking out "2014" and inserting "2015".

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

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

The motion prevailed.

Rep. Stamas 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. 658, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 2b.

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

Roll Call No. 787

Yeas—83

Banks	Gardon	Lipton	Schmidt
Barnett	Haines	Lori	Schor
Bolger	Haugh	Lyons	Segal
Brown	Haveman	McCann	Shirkey
Callton	Heise	McCready	Singh
Cavanagh	Hobbs	Nathan	Slavens
Clemente	Hovey-Wright	O’Brien	Smiley
Cochran	Irwin	Oakes	Stallworth
Cotter	Jacobsen	Olumba	Stamas
Crawford	Jenkins	Outman	Stanley
Daley	Kandrevas	Pagel	Switalski
Darany	Kelly	Phelps	Talabi
Denby	Kivela	Poleski	Tlaib
Dillon	Knezek	Potvin	Townsend
Driskell	Kosowski	Price	VerHeulen
Durhal	Kowall	Pscholka	Victory
Faris	Kurtz	Rendon	Walsh
Farrington	Lamonte	Roberts	Yonker
Forlini	Lane	Rogers	Zemke
Foster	Lauwers	Rutledge	Zorn
Geiss	LaVoy	Santana	

Nays—27

Abed	Goike	LaFontaine	Muxlow
Brinks	Graves	Leonard	Nesbitt
Brunner	Greimel	Lund	Pettalia
Bumstead	Hooker	MacGregor	Robinson
Dianda	Howrylak	MacMaster	Somerville
Franz	Johnson	McBroom	Yanez
Genetski	Kesto	McMillin	

In The Chair: Walsh

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.

Second Reading of Bills

Senate Bill No. 659, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 5a.
The bill was read a second time.

Rep. VerHeulen moved to amend the bill as follows:

1. Amend page 5, line 13, after "October 1," by striking out "2014" and inserting "2015".

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

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

The motion prevailed.

Rep. Stamas 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. 659, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 5a.

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

Roll Call No. 788

Yeas—83

Banks	Gardon	Lipton	Schmidt
Barnett	Haines	Lori	Schor
Bolger	Haugh	Lyons	Segal
Brown	Haveman	McCann	Shirkey
Callton	Heise	McCready	Singh
Cavanagh	Hobbs	Nathan	Slavens
Clemente	Hovey-Wright	O'Brien	Smiley
Cochran	Irwin	Oakes	Stallworth
Cotter	Jacobsen	Olumba	Stamas
Crawford	Jenkins	Outman	Stanley
Daley	Kandrevas	Pagel	Switalski
Darany	Kelly	Phelps	Talabi
Denby	Kivela	Poleski	Tlaib
Dillon	Knezek	Potvin	Townsend
Driskell	Kosowski	Price	VerHeulen
Durhal	Kowall	Pscholka	Victory
Faris	Kurtz	Rendon	Walsh
Farrington	Lamonte	Roberts	Yonker
Forlini	Lane	Rogers	Zemke
Foster	Lauwers	Rutledge	Zorn
Geiss	LaVoy	Santana	

Nays—27

Abed	Goike	LaFontaine	Muxlow
Brinks	Graves	Leonard	Nesbitt
Brunner	Greimel	Lund	Pettalia
Bumstead	Hooker	MacGregor	Robinson

Dianda	Howrylak	MacMaster	Somerville
Franz	Johnson	McBroom	Yanez
Genetski	Kesto	McMillin	

In The Chair: Walsh

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

“An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations.”

The House agreed to the full title.

Second Reading of Bills

House Joint Resolution UU, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 8, 10, and 11 of article IX, to increase the maximum sales tax rate and use tax rate permitted under law, to exempt gasoline and diesel fuel from the sales tax and use tax, to dedicate a portion of sales tax revenue and use tax revenue, and to revise the permissible uses for payments from the school aid fund.

The joint resolution was read a second time.

Rep. Haveman moved that the joint resolution be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Stamas moved that the joint resolution be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Joint Resolution UU, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 8, 10, and 11 of article IX, to increase the maximum sales tax rate and use tax rate permitted under law, to exempt gasoline and diesel fuel from the sales tax and use tax, to dedicate a portion of sales tax revenue and use tax revenue, and to revise the permissible uses for payments from the school aid fund.

Was read a third time and adopted, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 789

Yeas—94

Abed	Glardon	Lipton	Rutledge
Banks	Greimel	Lori	Santana
Barnett	Haines	Lyons	Schmidt
Bolger	Haugh	MacGregor	Schor
Brinks	Haveman	McBroom	Segal
Brown	Heise	McCann	Shirkey
Brunner	Hobbs	McCready	Singh
Callton	Hovey-Wright	Muxlow	Slavens
Cavanagh	Irwin	Nathan	Smiley
Clemente	Jacobsen	O'Brien	Stallworth
Cochran	Jenkins	Oakes	Stamas
Cotter	Kandrevas	Olumba	Stanley
Crawford	Kelly	Outman	Switalski
Daley	Kesto	Pagel	Talabi
Darany	Kivela	Pettalia	Tlaib

Denby	Knezek	Phelps	Townsend
Dillon	Kosowski	Poleski	VerHeulen
Driskell	Kowall	Potvin	Victory
Durhal	Kurtz	Price	Walsh
Faris	LaFontaine	Pscholka	Yanez
Farrington	Lamonte	Rendon	Yonker
Forlini	Lane	Roberts	Zemke
Foster	Lauwers	Rogers	Zorn
Geiss	LaVoy		

Nays—16

Bumstead	Goike	Johnson	McMillin
Dianda	Graves	Leonard	Nesbitt
Franz	Hooker	Lund	Robinson
Genetski	Howrylak	MacMaster	Somerville

In The Chair: Walsh

The House agreed to the title of the joint resolution.

By unanimous consent the House returned to the order of

Motions and Resolutions

The Speaker laid before the House

House Concurrent Resolution No. 39.

A concurrent resolution to provide the Board of State Canvassers with proposed language for a statewide ballot proposal concerning a constitutional amendment to raise the state sales tax and state use tax.

(The concurrent resolution was introduced and postponed for the day on December 18, see House Journal No. 86, p. 2417.)

The question being on the adoption of the concurrent resolution,

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

Substitute for House Concurrent Resolution No. 39.

A concurrent resolution to provide the Board of State Canvassers with proposed language for a statewide ballot proposal concerning a constitutional amendment to raise the state sales tax and state use tax.

Whereas, The tax on retail sales of gasoline and diesel fuel is currently used to fund schools and local governments; and

Whereas, As part of its plan to improve the condition and maintenance of the roads in this state, the Ninety-seventh Legislature voted to move from a tax on the retail sales of gasoline and diesel fuel to a wholesale tax by presenting a constitutional amendment to the people of the state of Michigan that increases the state sales tax and the state use tax by 1 percent for the purpose of providing continued growth in funding for schools and local governments; and

Whereas, The Board of State Canvassers is tasked with adopting ballot language for statewide ballot proposals, including the constitutional amendment to the state sales tax and state use tax proposed by this Legislature; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we provide to the Board of State Canvassers the proposed language for a statewide ballot proposal concerning a constitutional amendment to raise the state sales tax and state use tax; and be it further

Resolved, That copies of this resolution be transmitted to the Board of State Canvassers; and be it further

Resolved, That it is the intent of the Legislature that the proposed amendment, House Joint Resolution UU, be submitted to the people of the state with a statement of the purpose of the amendment as follows:

A PROPOSAL TO AMEND THE STATE CONSTITUTION TO ELIMINATE SALES AND USE TAXES ON GASOLINE AND DIESEL FUEL, ALLOW AN INCREASE IN THE SALES TAX RATE, DEDICATE REVENUE FOR SCHOOL AID, AND REVISE ELIGIBLE SCHOOL AID USES.

The proposed constitutional amendment would:

- Eliminate all sales or use taxes on gasoline and diesel fuel used in motor vehicles operated on public roads or highways beginning on October 1, 2015;
- Allow an increase in the sales tax rate from 6 percent to 7 percent;
- Activate other laws dedicating additional revenue for transportation purposes, including repair of roads, streets, and bridges;
- Require state funds for school aid to be used exclusively for financial assistance for public school districts, community colleges, and career and technical education and related scholarships; and
- Dedicate a portion of use tax revenue for school aid purposes.

Should this proposal be adopted?

YES []

NO []

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

Rep. McMillin moved to substitute (H-2) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 39.

A concurrent resolution to provide the Board of State Canvassers with proposed language for a statewide ballot proposal concerning a constitutional amendment to raise the state sales tax and state use tax.

Whereas, The tax on retail sales of gasoline and diesel fuel is currently used to fund schools and local governments; and

Whereas, As part of its plan to improve the condition and maintenance of the roads in this state, the Ninety-seventh Legislature voted to move from a tax on the retail sales of gasoline and diesel fuel to a wholesale tax by presenting a constitutional amendment to the people of the state of Michigan that increases the state sales tax and the state use tax by 1 percent for the purpose of providing continued growth in funding for schools and local governments; and

Whereas, The Board of State Canvassers is tasked with adopting ballot language for statewide ballot proposals, including the constitutional amendment to the state sales tax and state use tax proposed by this Legislature; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we provide to the Board of State Canvassers the proposed language for a statewide ballot proposal concerning a constitutional amendment to raise the state sales tax and state use tax; and be it further

Resolved, That copies of this resolution be transmitted to the Board of State Canvassers; and be it further

Resolved, That it is the intent of the Legislature that the proposed amendment, House Joint Resolution _____, be submitted to the people of the state with a statement of the purpose of the amendment as follows:

A PROPOSAL TO AMEND THE STATE CONSTITUTION TO IMPOSE A SIGNIFICANT NET TAX INCREASE ON THE CITIZENS OF MICHIGAN BY INCREASING THE SALES TAX RATE, ELIMINATING THE SALES AND USE TAXES ON GASOLINE AND DIESEL FUEL, DEDICATING REVENUE FOR SCHOOL AID, AND REVISING ELIGIBLE SCHOOL AID USES.

The proposed constitutional amendment would:

- Increase the sales tax rate from 6 percent to 7 percent;
- Eliminate all sales or use taxes on gasoline and diesel fuel beginning on October 1, 2015;
- Activate other laws dedicating additional revenue for transportation purposes, including repair of roads, mass transit, streets, and bridges;
- Require state funds for school aid purposes to be used exclusively for financial assistance for public school districts, community colleges, and career and technical education and related scholarships; and
- Dedicate a portion of use tax revenue for school aid purposes.

Should this proposal be adopted?

YES []

NO []

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Third Reading of Bills

Senate Bill No. 695, entitled

A bill to amend 1867 PA 35, entitled "Nonprofit street railway act," by amending section 7 (MCL 472.7), as amended by 2008 PA 481.

(The bill was read a third time and postponed temporarily on December 10, see House Journal No. 82, p. 2192.)

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. 790

Yeas—72

Banks	Glardon	Lipton	Schor
Barnett	Greimel	Lori	Segal
Bolger	Haines	Lyons	Singh
Brinks	Haugh	McCann	Slavens
Brunner	Haveman	McCready	Smiley
Callton	Hobbs	Nathan	Stallworth
Cavanagh	Hovey-Wright	O'Brien	Stamas
Clemente	Irwin	Oakes	Stanley
Cochran	Jacobsen	Olumba	Switalski
Crawford	Kandrevas	Pagel	Talabi
Darany	Kesto	Phelps	Tlaib
Denby	Kivela	Poleski	Townsend
Dillon	Knezek	Price	VerHeulen
Driskell	Kosowski	Pscholka	Victory
Durhal	Kowall	Roberts	Walsh
Faris	Lamonte	Rutledge	Yonker
Foster	Lane	Santana	Zemke
Geiss	LaVoy	Schmidt	Zorn

Nays—38

Abed	Goike	Lauwers	Outman
Brown	Graves	Leonard	Pettalia
Bumstead	Heise	Lund	Potvin
Cotter	Hooker	MacGregor	Rendon
Daley	Howrylak	MacMaster	Robinson
Dianda	Jenkins	McBroom	Rogers
Farrington	Johnson	McMillin	Shirkey
Forlini	Kelly	Muxlow	Somerville
Franz	Kurtz	Nesbitt	Yanez
Genetski	LaFontaine		

In The Chair: Walsh

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

"An act to provide for the formation of nonprofit street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies; to prescribe powers and duties of certain state and local agencies and officials; to provide remedies and penalties; to provide for the establishment of a transit development finance zone; and to authorize the use of tax increment financing,"

The House agreed to the full title.

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

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

Senate Bill No. 696, entitled

A bill to amend 1867 PA 35, entitled “Nonprofit street railway act,” by amending sections 13 and 15 (MCL 472.13 and 472.15), as amended by 2008 PA 481.

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

Roll Call No. 791**Yeas—72**

Banks	Greimel	Lipton	Schor
Barnett	Haines	Lori	Segal
Bolger	Haugh	Lyons	Singh
Brinks	Haveman	McCann	Slavens
Callton	Hobbs	McCready	Smiley
Cavanagh	Hovey-Wright	Nathan	Stallworth
Clemente	Irwin	O’Brien	Stamas
Cochran	Jacobsen	Oakes	Stanley
Crawford	Kandrevas	Olumba	Switalski
Darany	Kesto	Pagel	Talabi
Denby	Kivela	Phelps	Tlaib
Dillon	Knezek	Poleski	Townsend
Driskell	Kosowski	Price	VerHeulen
Durhal	Kowall	Pscholka	Victory
Faris	Lamonte	Roberts	Walsh
Foster	Lane	Rutledge	Yonker
Geiss	Lauwers	Santana	Zemke
Glardon	LaVoy	Schmidt	Zorn

Nays—38

Abed	Genetski	LaFontaine	Outman
Brown	Goike	Leonard	Pettalia
Brunner	Graves	Lund	Potvin
Bumstead	Heise	MacGregor	Rendon
Cotter	Hooker	MacMaster	Robinson
Daley	Howrylak	McBroom	Rogers
Dianda	Jenkins	McMillin	Shirkey
Farrington	Johnson	Muxlow	Somerville
Forlini	Kelly	Nesbitt	Yanez
Franz	Kurtz		

In The Chair: Walsh

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

“An act to provide for the formation of nonprofit street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies; to prescribe powers and duties of certain state and local agencies and officials; to provide remedies and penalties; to provide for the establishment of a transit development finance zone; and to authorize the use of tax increment financing.”

The House agreed to the full title.

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

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

Senate Bill No. 697, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7tt. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 792**Yeas—72**

Banks	Greimel	Lori	Schor
Barnett	Haines	Lyons	Segal
Bolger	Haugh	McCann	Shirkey
Brinks	Haveman	McCready	Singh
Callton	Hobbs	Nathan	Slavens
Cavanagh	Hovey-Wright	Nesbitt	Stallworth
Clemente	Irwin	O'Brien	Stamas
Cochran	Jacobsen	Oakes	Stanley
Crawford	Kandrevas	Olumba	Switalski
Darany	Kesto	Pagel	Talabi
Denby	Kivela	Phelps	Tlaib
Dillon	Knezek	Poleski	Townsend
Driskell	Kosowski	Price	VerHeulen
Durhal	Kowall	Pscholka	Victory
Faris	Lamonte	Roberts	Walsh
Foster	Lane	Rutledge	Yonker
Geiss	LaVoy	Santana	Zemke
Gardon	Lipton	Schmidt	Zorn

Nays—38

Abed	Genetski	LaFontaine	Outman
Brown	Goike	Lauwers	Pettalia
Brunner	Graves	Leonard	Potvin
Bumstead	Heise	Lund	Rendon
Cotter	Hooker	MacGregor	Robinson
Daley	Howrylak	MacMaster	Rogers
Dianda	Jenkins	McBroom	Smiley
Farrington	Johnson	McMillin	Somerville
Forlini	Kelly	Muxlow	Yanez
Franz	Kurtz		

In The Chair: Walsh

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

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

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," (MCL 211.1 to 211.155) by adding section 7uu.

The motion prevailed.

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

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

Senate Bill No. 786, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7uu.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 793

Yeas—94

Abed	Franz	LaFontaine	Potvin
Banks	Genetski	Lamonte	Price
Barnett	Gardon	Lane	Pscholka
Bolger	Goike	Lauwers	Rendon
Brinks	Graves	LaVoy	Rogers
Brown	Greimel	Leonard	Rutledge
Bumstead	Haines	Lori	Santana
Callton	Haugh	Lund	Schmidt
Cavanagh	Haveman	Lyons	Segal
Clemente	Heise	MacGregor	Shirkey
Cochran	Hobbs	MacMaster	Singh
Cotter	Hooker	McBroom	Somerville
Crawford	Howrylak	McCann	Stamas
Daley	Jacobsen	McCready	Stanley
Darany	Jenkins	Muxlow	Switalski
Denby	Johnson	Nesbitt	Talabi
Dianda	Kandrevas	O'Brien	Townsend
Dillon	Kelly	Oakes	VerHeulen
Driskell	Kesto	Olumba	Victory
Durhal	Kivela	Outman	Walsh
Faris	Knezek	Pagel	Yonker
Farrington	Kosowski	Pettalia	Zemke
Forlini	Kowall	Phelps	Zorn
Foster	Kurtz		

Nays—16

Brunner	Lipton	Roberts	Smiley
Geiss	McMillin	Robinson	Stallworth
Hovey-Wright	Nathan	Schor	Tlaib
Irwin	Poleski	Slavens	Yanez

In The Chair: Cotter

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

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

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making

those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” (MCL 211.1 to 211.155) by adding section 7ww.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 272, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 4, 5, and 23 (MCL 125.2004, 125.2005, and 125.2023), section 4 as amended by 2012 PA 145, section 5 as amended by 2011 PA 251, and section 23 as amended by 2009 PA 85, and by adding section 7b.

The bill was read a second time.

Rep. Schmidt 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. Schmidt moved to amend the bill as follows:

1. Amend page 6, line 5, after “airports;” by inserting “**BRIDGES AND BRIDGE FACILITIES;**”.

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

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

The motion prevailed.

Rep. Stamas 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. 272, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 4, 5, and 23 (MCL 125.2004, 125.2005, and 125.2023), section 4 as amended by 2012 PA 145, section 5 as amended by 2011 PA 251, and section 23 as amended by 2009 PA 85, and by adding section 7b.

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

Roll Call No. 794

Yeas—79

Abed	Haines	Lipton	Schmidt
Banks	Haugh	Lori	Schor
Bolger	Haveman	Lyons	Segal
Brinks	Heise	McCann	Singh
Brown	Hobbs	McCready	Slavens
Brunner	Hovey-Wright	Muxlow	Smiley
Callton	Irwin	Nathan	Stallworth
Cavanagh	Jacobsen	Nesbitt	Stamas
Clemente	Jenkins	O’Brien	Stanley
Crawford	Johnson	Oakes	Switalski

Daley	Kandrevas	Olumba	Talabi
Darany	Kesto	Outman	Tlaib
Denby	Knezek	Pagel	Townsend
Dillon	Kosowski	Phelps	VerHeulen
Durhal	Kowall	Poleski	Victory
Farrington	Kurtz	Price	Walsh
Forlini	LaFontaine	Pscholka	Yonker
Foster	Lamonte	Rogers	Zemke
Glardon	Lauwers	Rutledge	Zorn
Greimel	LaVoy	Santana	

Nays—31

Barnett	Geiss	Lane	Potvin
Bumstead	Genetski	Leonard	Rendon
Cochran	Goike	Lund	Roberts
Cotter	Graves	MacGregor	Robinson
Dianda	Hooker	MacMaster	Shirkey
Driskell	Howrylak	McBroom	Somerville
Faris	Kelly	McMillin	Yanez
Franz	Kivela	Pettalia	

In The Chair: Cotter

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

“An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5179, entitled

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Wayne county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments and local units of government in regard to the property; and to provide for disposition of revenue derived from the conveyance.

(The bill was received from the Senate on December 18, with an amendment and immediate effect given by the Senate, rules suspended and bill postponed temporarily, see House Journal No. 86, p. 2417.)

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. 795**Yeas—106**

Abed	Genetski	Lauwers	Roberts
Banks	Gardon	LaVoy	Rogers
Barnett	Goike	Leonard	Rutledge
Bolger	Graves	Lipton	Santana
Brinks	Greimel	Lori	Schmidt
Brown	Haines	Lund	Schor
Brunner	Haugh	Lyons	Segal
Bumstead	Haveman	MacGregor	Shirkey
Callton	Heise	MacMaster	Singh
Cavanagh	Hobbs	McBroom	Slavens
Clemente	Hooker	McCann	Smiley
Cochran	Hovey-Wright	McCready	Somerville
Cotter	Irwin	Muxlow	Stallworth
Crawford	Jacobsen	Nathan	Stamas
Daley	Jenkins	Nesbitt	Stanley
Darany	Johnson	O'Brien	Switalski
Denby	Kandrevas	Oakes	Talabi
Dianda	Kelly	Olumba	Tlaib
Dillon	Kesto	Outman	Townsend
Driskell	Kivela	Pagel	VerHeulen
Durhal	Knezek	Pettalia	Victory
Faris	Kosowski	Phelps	Walsh
Farrington	Kowall	Poleski	Yanez
Forlini	Kurtz	Price	Yonker
Foster	LaFontaine	Pscholka	Zemke
Franz	Lamonte	Rendon	Zorn
Geiss	Lane		

Nays—4

Howrylak	McMillin	Potvin	Robinson
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In The Chair: Cotter

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

Third Reading of Bills**Senate Bill No. 81, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1254 and 1814 (MCL 380.1254 and 380.1814), section 1254 as amended by 1995 PA 289 and section 1814 as added by 2004 PA 417.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lyons moved to amend the bill as follows:

1. Amend page 5, line 10, by striking out all of enacting section 2.

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. 796**Yeas—110**

Abed	Glardon	LaVoy	Roberts
Banks	Goike	Leonard	Robinson
Barnett	Graves	Lipton	Rogers
Bolger	Greimel	Lori	Rutledge
Brinks	Haines	Lund	Santana
Brown	Haugh	Lyons	Schmidt
Brunner	Haveman	MacGregor	Schor
Bumstead	Heise	MacMaster	Segal
Callton	Hobbs	McBroom	Shirkey
Cavanagh	Hooker	McCann	Singh
Clemente	Hovey-Wright	McCready	Slavens
Cochran	Howrylak	McMillin	Smiley
Cotter	Irwin	Muxlow	Somerville
Crawford	Jacobsen	Nathan	Stallworth
Daley	Jenkins	Nesbitt	Stamas
Darany	Johnson	O'Brien	Stanley
Denby	Kandrevas	Oakes	Switalski
Dianda	Kelly	Olumba	Talabi
Dillon	Kesto	Outman	Tlaib
Driskell	Kivela	Pagel	Townsend
Durhal	Knezek	Pettalia	VerHeulen
Faris	Kosowski	Phelps	Victory
Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

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

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5928, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 1a, 1l, 11, 12, 13, and 34 of chapter IX and section 21 of chapter XVII (MCL 769.1a, 769.1l, 769.11, 769.12, 769.13, 769.34, and 777.21),

section 1a of chapter IX as amended by 2009 PA 27, section 1l of chapter IX as added by 2005 PA 325, sections 11 and 13 of chapter IX and section 21 of chapter XVII as amended by 2006 PA 655, section 12 of chapter IX as amended by 2012 PA 319, and section 34 of chapter IX as amended by 2002 PA 666, and by adding sections 32a and 33a to chapter IX; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 18, with substitute (S-9), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 86, p. 2422.)

The question being on concurring in the substitute (S-9) made to the bill by the Senate,

The substitute (S-9) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 797**Yeas—106**

Abed	Goike	Lipton	Robinson
Banks	Graves	Lori	Rogers
Barnett	Greimel	Lund	Rutledge
Bolger	Haines	Lyons	Santana
Brinks	Haugh	MacGregor	Schmidt
Brown	Haveman	MacMaster	Schor
Brunner	Heise	McBroom	Segal
Bumstead	Hobbs	McCann	Shirkey
Callton	Hovey-Wright	McCready	Singh
Cavanagh	Howrylak	McMillin	Slavens
Clemente	Irwin	Muxlow	Smiley
Cochran	Jacobsen	Nathan	Somerville
Cotter	Jenkins	Nesbitt	Stallworth
Crawford	Kandrevas	O'Brien	Stamas
Daley	Kelly	Oakes	Stanley
Darany	Kesto	Olumba	Switalski
Denby	Kivela	Outman	Talabi
Dianda	Knezek	Pagel	Tlaib
Dillon	Kosowski	Pettalia	Townsend
Driskell	Kowall	Phelps	VerHeulen
Durhal	Kurtz	Poleski	Victory
Faris	LaFontaine	Potvin	Walsh
Farrington	Lamonte	Price	Yanez
Forlini	Lane	Pscholka	Yonker
Foster	Lauwers	Rendon	Zemke
Geiss	LaVoy	Roberts	Zorn
Glardon	Leonard		

Nays—4

Franz	Genetski	Hooker	Johnson
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In The Chair: Cotter

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. 5929, entitled

A bill to amend 1988 PA 511, entitled "Community corrections act," by amending sections 2, 3, 4, 5, 7, 8, and 11 (MCL 791.402, 791.403, 791.404, 791.405, 791.407, 791.408, and 791.411).

(The bill was received from the Senate on December 18, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 86, p. 2423.)

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

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

Roll Call No. 798

Yeas—106

Abed	Glardon	Lipton	Robinson
Banks	Goike	Lori	Rogers
Barnett	Graves	Lund	Rutledge
Bolger	Greimel	Lyons	Santana
Brinks	Haines	MacGregor	Schmidt
Brown	Haugh	MacMaster	Schor
Brunner	Haveman	McBroom	Segal
Bumstead	Hobbs	McCann	Shirkey
Callton	Hovey-Wright	McCready	Singh
Cavanagh	Howrylak	McMillin	Slavens
Clemente	Irwin	Muxlow	Smiley
Cochran	Jacobsen	Nathan	Somerville
Cotter	Jenkins	Nesbitt	Stallworth
Crawford	Kandrevas	O'Brien	Stamas
Daley	Kelly	Oakes	Stanley
Darany	Kesto	Olumba	Switalski
Denby	Kivela	Outman	Talabi
Dianda	Knezek	Pagel	Tlaib
Dillon	Kosowski	Pettalia	Townsend
Driskell	Kowall	Phelps	VerHeulen
Durhal	Kurtz	Poleski	Victory
Faris	LaFontaine	Potvin	Walsh
Farrington	Lamonte	Price	Yanez
Forlini	Lane	Pscholka	Yonker
Foster	Lauwers	Rendon	Zemke
Geiss	LaVoy	Roberts	Zorn
Genetski	Leonard		

Nays—4

Franz	Heise	Hooker	Johnson
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In The Chair: Cotter

The House agreed to the full title.

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

The Speaker laid before the House

Senate Bill No. 1140, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.

(The bill was received from the Senate on December 18, with an amendment to the House substitute (H-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 86, p. 2423.)

The question being on concurring in the amendment to the House substitute (H-2) 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. 799**Yeas—100**

Abed	Genetski	Lamonte	Price
Banks	Gardon	Lane	Pscholka
Bolger	Goike	Lauwers	Rendon
Brinks	Graves	LaVoy	Roberts
Brown	Greimel	Leonard	Rogers
Brunner	Haines	Lori	Rutledge
Bumstead	Haugh	Lund	Schmidt
Cavanagh	Haveman	Lyons	Schor
Clemente	Heise	MacGregor	Segal
Cochran	Hobbs	MacMaster	Shirkey
Cotter	Hooker	McBroom	Smiley
Crawford	Hovey-Wright	McCann	Somerville
Daley	Howrylak	McCready	Stallworth
Darany	Jacobsen	McMillin	Stamas
Denby	Jenkins	Muxlow	Stanley
Dianda	Johnson	Nesbitt	Switalski
Dillon	Kandrevas	O'Brien	Talabi
Driskell	Kelly	Oakes	Townsend
Durhal	Kesto	Olumba	VerHeulen
Faris	Kivela	Outman	Victory
Farrington	Knezek	Pagel	Walsh
Forlini	Kosowski	Pettalia	Yanez
Foster	Kowall	Phelps	Yonker
Franz	Kurtz	Poleski	Zemke
Geiss	LaFontaine	Potvin	Zorn

Nays—10

Barnett	Lipton	Santana	Slavens
Callton	Nathan	Singh	Tlaib
Irwin	Robinson		

In The Chair: Cotter

The House agreed to the title as amended.

House Bill No. 5198, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2011 PA 70.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and amended 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 detention 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 2014 PA 30.

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

Rep. Lyons 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-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. 800

Yeas—110

Abed	Gardon	LaVoy	Roberts
Banks	Goike	Leonard	Robinson
Barnett	Graves	Lipton	Rogers
Bolger	Greimel	Lori	Rutledge
Brinks	Haines	Lund	Santana
Brown	Haugh	Lyons	Schmidt
Brunner	Haveman	MacGregor	Schor
Bumstead	Heise	MacMaster	Segal
Callton	Hobbs	McBroom	Shirkey
Cavanagh	Hooker	McCann	Singh
Clemente	Hovey-Wright	McCready	Slavens
Cochran	Howrylak	McMillin	Smiley
Cotter	Irwin	Muxlow	Somerville
Crawford	Jacobsen	Nathan	Stallworth
Daley	Jenkins	Nesbitt	Stamas
Darany	Johnson	O'Brien	Stanley
Denby	Kandrevas	Oakes	Switalski
Dianda	Kelly	Olumba	Talabi
Dillon	Kesto	Outman	Tlaib
Driskell	Kivela	Pagel	Townsend
Durhal	Knezek	Pettalia	VerHeulen
Faris	Kosowski	Phelps	Victory
Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski	Lauwers		

Nays—0

In The Chair: Cotter

The House agreed to the title as amended.

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

Third Reading of Bills

Senate Bill No. 325, entitled

A bill to adopt the uniform child abduction prevention act; to allow courts in this state to impose measures to prevent the abduction of children; to establish standards for determining whether a child is subject to a significant risk of abduction; and to provide remedies.

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

Roll Call No. 801**Yeas—95**

Abed	Geiss	Lane	Rendon
Banks	Glardon	Lauwers	Roberts
Barnett	Graves	LaVoy	Rogers
Bolger	Greimel	Leonard	Rutledge
Brinks	Haines	Lipton	Schmidt
Brown	Haugh	Lori	Schor
Brunner	Haveman	Lund	Segal
Callton	Heise	Lyons	Singh
Cavanagh	Hobbs	MacGregor	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Stallworth
Cotter	Irwin	Muxlow	Stamas
Crawford	Jacobsen	Nathan	Stanley
Daley	Jenkins	Nesbitt	Switalski
Darany	Johnson	O'Brien	Talabi
Denby	Kandrevas	Oakes	Townsend
Dianda	Kesto	Olumba	VerHeulen
Dillon	Kivela	Outman	Victory
Driskell	Knezek	Pagel	Walsh
Durhal	Kosowski	Phelps	Yanez
Faris	Kowall	Poleski	Yonker
Farrington	Kurtz	Potvin	Zemke
Forlini	LaFontaine	Price	Zorn
Foster	Lamonte	Pscholka	

Nays—15

Bumstead	Hooker	McMillin	Shirkey
Franz	Kelly	Pettalia	Somerville
Genetski	MacMaster	Robinson	Tlaib
Goike	McBroom	Santana	

In The Chair: Cotter

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

Pending the Third Reading of
Senate Bill No. 927, entitled
A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111c (MCL 324.40111c), as added by 2008 PA 301.

Rep. Shirkey moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.
The motion prevailed, a majority of the members present voting therefor.

Second Reading of Bills

Senate Bill No. 927, entitled
A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111c (MCL 324.40111c), as added by 2008 PA 301.

Rep. Shirkey moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. McMillin.

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

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

The amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Shirkey 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. 927, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111c (MCL 324.40111c), as added by 2008 PA 301.

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

Roll Call No. 802

Yeas—109

Abed	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Robinson
Barnett	Graves	Leonard	Rogers
Bolger	Greimel	Lipton	Rutledge
Brinks	Haines	Lori	Santana
Brown	Haugh	Lund	Schmidt
Brunner	Haveman	Lyons	Schor
Bumstead	Heise	MacGregor	Segal
Callton	Hobbs	MacMaster	Shirkey
Cavanagh	Hooker	McBroom	Singh
Clemente	Hovey-Wright	McCann	Slavens
Cochran	Howrylak	McCready	Smiley
Cotter	Irwin	Muxlow	Somerville
Crawford	Jacobsen	Nathan	Stallworth
Daley	Jenkins	Nesbitt	Stamas
Darany	Johnson	O'Brien	Stanley
Denby	Kandrevas	Oakes	Switalski
Dianda	Kelly	Olumba	Talabi
Dillon	Kesto	Outman	Tlaib
Driskell	Kivela	Pagel	Townsend
Durhal	Knezek	Pettalia	VerHeulen
Faris	Kosowski	Phelps	Victory
Farrington	Kowall	Poleski	Walsh
Forlini	Kurtz	Potvin	Yanez
Foster	LaFontaine	Price	Yonker
Franz	Lamonte	Pscholka	Zemke
Geiss	Lane	Rendon	Zorn
Genetski			

Nays—1

McMillin

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.

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

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

Rep. McMillin, 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:

The House initially adopted my amendment, then reconsidered and defeated it - the amendment would have allowed a person to use a drone on their own property with a camera, to aid in hunting. No difference really than real-time abilities now for trail cams. Because the amendment was defeated, I voted ‘no’ on final passage.”

Associate Speaker Pro Tempore Cotter called Associate Speaker Pro Tempore O’Brien to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Stamas and Rutledge offered the following concurrent resolution:

House Concurrent Resolution No. 40.

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

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Friday, December 19, 2014, it stands adjourned until Tuesday, December 30, 2014, at 11:30 a.m.; and be it further

Resolved, That when the Senate adjourns on Friday, December 19, 2014, it stands adjourned until Tuesday, December 30, 2014, at 11:45 a.m.; and be it further

Resolved, That when the Legislature adjourns on Tuesday, December 30, 2014, it stands adjourned without day.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Resolution No. 476.

A resolution to amend the Standing Rules of the House of Representatives.

(The resolution was introduced and postponed for the day on December 17, see House Journal No. 85, p. 2286.)

The question being on the adoption of the resolution,

Rep. Stamas moved that Rule 69 be suspended.

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

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 476.

A resolution to amend the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That Rule 2 of the Standing Rules of the House of Representatives is hereby amended to read as follows:

“Admission to Floor—Defined.

Rule 2. (1) No person shall be admitted on the floor of the House for a period of 30 minutes immediately preceding the time set for any call to order during any session of the House through adjournment, except as follows:

- (a) Representatives and Senators;
- (b) Former Legislators, unless otherwise restricted;
- (c) Sergeants at arms, pages, Clerk’s staff, and legislative staff who are specifically designated and approved by the Majority Floor Leader to be working on the House floor during session;
- (d) Directors of Michigan Departments and the Governor’s legislative liaisons shall be admitted to the Thatcher or Document room and may have floor access with the permission of the Majority Floor Leader;
- (e) Immediate family of Representatives who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;
- (f) Media correspondents accredited by the Clerk of the House who are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Clerk. Media correspondents shall not use the center aisle or be at the Members’ desks during roll call votes; and
- (g) Such other persons as may be invited by the Speaker or Majority Floor Leader.

(2) No group or individual shall be allowed access to the floor when the House is not in session unless permission is granted by the Majority Floor Leader or Clerk. The Majority Floor Leader and Clerk shall issue guidelines to ensure that guests using the floor are responsible for costs incurred by the House. If permission is given to a Member to bring guests on the floor when the House is not in session, the Member shall accompany the guests.

(3) Only Members shall sit in Members’ chairs.

(4) Any person who is a lobbyist or employed by a lobbyist shall not be admitted on the floor of the House at any time, except **IMMEDIATE FAMILY OF A REPRESENTATIVE** if admitted **UNDER RULE 2(1)(E) ON THE FIRST SESSION DAY OF AN ODD-NUMBERED YEAR FOR A SWEARING-IN CEREMONY OR** under rule 2(1)(d). A former Legislator **OR IMMEDIATE FAMILY OF REPRESENTATIVES** shall not lobby on the floor, except if they are admitted under rule 2(1)(d). The words “floor of the House,” when used in these rules, shall mean the space of the main floor of Representative Hall, together with adjacent rooms on the second floor of the Capitol under the jurisdiction of the Clerk, including the Democrat and Republican caucus rooms and the corridor behind the House rostrum.

(5) Guests may be introduced only by permission of the Presiding Officer. Guests shall not be introduced during a roll call vote. Guests are to use the center aisle only if being escorted by a Member or House staff.

(6) Use of the center aisle should be kept at a minimum.

(7) The Majority Floor Leader must grant approval for the distribution of items on the floor and items must pertain to that day’s agenda. All printed material intended for distribution on the floor shall be clearly identified by the Member requesting the distribution.”

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker Pro Tempore resumed the Chair.

Rep. Geiss moved that the Committee on Detroit’s Recovery and Michigan’s Future be discharged from further consideration of **Senate Bill No. 1105** and motion postponed for the day on December 17, see House Journal No. 85, p. 2324.

(For first notice see House Journal No. 84, p. 2277.)

The question being on the motion made previously by Rep. Geiss,

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1105, entitled

A bill to amend 1965 PA 314, entitled “Public employee retirement system investment act,” by amending sections 12d and 13 (MCL 38.1132d and 38.1133), section 12d as amended by 2008 PA 425 and section 13 as amended by 2014 PA 185.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas 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. 1105, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d and 13 (MCL 38.1132d and 38.1133), section 12d as amended by 2008 PA 425 and section 13 as amended by 2014 PA 185.

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

Roll Call No. 803

Yeas—70

Abed	Geiss	Lori	Schor
Banks	Glardon	McCann	Segal
Barnett	Greimel	McCready	Singh
Bolger	Haines	Nathan	Slavens
Brinks	Heise	Nesbitt	Smiley
Brown	Hobbs	O'Brien	Somerville
Brunner	Hovey-Wright	Oakes	Stallworth
Callton	Howrylak	Olumba	Stamas
Cavanagh	Irwin	Pagel	Stanley
Clemente	Jacobsen	Phelps	Switalski
Cochran	Kandrevas	Pscholka	Talabi
Darany	Kivela	Roberts	Tlaib
Denby	Knezek	Robinson	Townsend
Dillon	Kosowski	Rogers	Walsh
Driskell	Lamonte	Rutledge	Yanez
Durhal	Lane	Santana	Yonker
Faris	LaVoy	Schmidt	Zemke
Foster	Lipton		

Nays—40

Bumstead	Graves	LaFontaine	Outman
Cotter	Haugh	Lauwers	Pettalia
Crawford	Haveman	Leonard	Poleski
Daley	Hooker	Lund	Potvin
Dianda	Jenkins	Lyons	Price
Farrington	Johnson	MacGregor	Rendon
Forlini	Kelly	MacMaster	Shirkey
Franz	Kesto	McBroom	VerHeulen
Genetski	Kowall	McMillin	Victory
Goike	Kurtz	Muxlow	Zorn

In The Chair: Walsh

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

"An act to authorize the investment of assets of public employee retirement systems or plans and the contributions made by employees to retirement systems or plans created and established by the state or any political subdivision; to

provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to limit employer and plan official liability for certain investment decisions; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers.”

The House agreed to the full title.

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

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

Senate Bill No. 787, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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

Roll Call No. 804

Yeas—93

Abed	Geiss	Lamonte	Price
Banks	Genetski	Lauwers	Pscholka
Barnett	Gardon	LaVoy	Rendon
Bolger	Goike	Leonard	Rogers
Brinks	Graves	Lipton	Rutledge
Brown	Greimel	Lori	Santana
Bumstead	Haines	Lund	Schmidt
Callton	Haveman	Lyons	Segal
Cavanagh	Heise	MacGregor	Shirkey
Clemente	Hooker	MacMaster	Singh
Cochran	Howrylak	McBroom	Somerville
Cotter	Jacobsen	McCann	Stallworth
Crawford	Jenkins	McCready	Stamas
Daley	Johnson	Muxlow	Stanley
Darany	Kandrevas	Nesbitt	Switalski
Denby	Kelly	O'Brien	Talabi
Dianda	Kesto	Oakes	Townsend
Dillon	Kivela	Olumba	VerHeulen
Driskell	Knezek	Outman	Victory
Durhal	Kosowski	Pagel	Walsh
Farrington	Kowall	Pettalia	Yonker
Forlini	Kurtz	Phelps	Zemke
Foster	LaFontaine	Potvin	Zorn
Franz			

Nays—17

Brunner	Irwin	Poleski	Slavens
Faris	Lane	Roberts	Smiley
Haugh	McMillin	Robinson	Tlaib
Hobbs	Nathan	Schor	Yanez
Hovey-Wright			

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Lyons moved that Rule 42 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lyons moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 74**.
 The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 74, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1310b (MCL 380.1310b), as added by 2011 PA 241.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas 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. 74, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1310b (MCL 380.1310b), as added by 2011 PA 241.

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

Roll Call No. 805

Yeas—65

Abed	Foster	Lane	Santana
Banks	Geiss	LaVoy	Schor
Barnett	Glardon	Lipton	Segal
Bolger	Greimel	Lyons	Singh
Brinks	Haines	McCann	Slavens
Brown	Haugh	McCready	Smiley
Brunner	Heise	Nathan	Stallworth
Callton	Hobbs	O’Brien	Stamas
Cavanagh	Hovey-Wright	Oakes	Stanley
Clemente	Irwin	Olumba	Switalski
Cochran	Jacobsen	Phelps	Talabi
Darany	Kandrevas	Potvin	Tlaib
Dianda	Kivela	Pscholka	Townsend
Dillon	Knezek	Roberts	Walsh
Driskell	Kosowski	Robinson	Yanez
Durhal	Lamonte	Rutledge	Zemke
Faris			

Nays—45

Bumstead	Hooker	Lori	Poleski
Cotter	Howrylak	Lund	Price

Crawford	Jenkins	MacGregor	Rendon
Daley	Johnson	MacMaster	Rogers
Denby	Kelly	McBroom	Schmidt
Farrington	Kesto	McMillin	Shirkey
Forlini	Kowall	Muxlow	Somerville
Franz	Kurtz	Nesbitt	VerHeulen
Genetski	LaFontaine	Outman	Victory
Goike	Lauwers	Pagel	Yonker
Graves	Leonard	Pettalia	Zorn
Haveman			

In The Chair: Walsh

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

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

The House agreed to the full title.

Second Reading of Bills

Senate Bill No. 789, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1, 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5o, and 8 (MCL 28.421, 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425o, and 28.428), section 1 as amended by 2012 PA 243, section 2a as amended by 2013 PA 3, section 4 as amended by 2014 PA 6, sections 5, 5a, and 5e as added by 2000 PA 381, sections 5b and 8 as amended by 2008 PA 406, sections 5c and 5d as amended by 2002 PA 719, sections 5f, 5k, and 5o as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, and section 5l as amended by 2012 PA 32, and by adding section 5x; and to repeal acts and parts of acts.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Cotter moved to substitute (H-3) the bill.

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

Rep. Shirkey moved to amend the bill as follows:

1. Amend page 51, following line 27, by inserting:

“(K) THE TOTAL AMOUNT OF REVENUE THE DEPARTMENT OF STATE POLICE HAS RECEIVED UNDER THIS ACT.

(I) ACTUAL COSTS INCURRED PER INITIAL AND RENEWAL LICENSE BY THE DEPARTMENT OF STATE POLICE UNDER THIS ACT, ITEMIZED BY EACH STATUTORY SECTION OF THIS ACT.

(M) A LIST OF EXPENDITURES MADE BY THE DEPARTMENT OF STATE POLICE FROM MONEY RECEIVED UNDER THIS ACT, REGARDLESS OF PURPOSE.” and relettering the remaining subdivisions.

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

Rep. Leonard moved to amend the bill as follows:

1. Amend page 56, line 7, after “NAME” by striking out the comma and “ADDRESS,”.

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

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

The motion prevailed.

Rep. Stamas 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. 789, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1, 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5o, and 8 (MCL 28.421, 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425o, and 28.428), section 1 as amended by 2012 PA 243, section 2a as amended by 2013 PA 3, section 4 as amended by 2014 PA 6, sections 5, 5a, and 5e as added by 2000 PA 381, sections 5b and 8 as amended by 2008 PA 406, sections 5c and 5d as amended by 2002 PA 719, sections 5f, 5k, and 5o as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, and section 5l as amended by 2012 PA 32, and by adding section 5x; 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. 806

Yeas—84

Abed	Foster	Lamonte	Phelps
Banks	Genetski	Lane	Poleski
Bolger	Glardon	LaVoy	Price
Brinks	Goike	Leonard	Pscholka
Brown	Graves	Lipton	Rogers
Brunner	Haines	Lund	Rutledge
Bumstead	Haugh	Lyons	Santana
Callton	Haveman	MacGregor	Schmidt
Clemente	Heise	MacMaster	Segal
Cochran	Hooker	McBroom	Shirkey
Cotter	Hovey-Wright	McCready	Smiley
Crawford	Howrylak	McMillin	Somerville
Darany	Jacobsen	Muxlow	Stallworth
Denby	Jenkins	Nathan	Stamas
Dianda	Johnson	Nesbitt	Talabi
Dillon	Kesto	O’Brien	VerHeulen
Driskell	Kivela	Oakes	Victory
Durhal	Knezek	Olumba	Walsh
Faris	Kosowski	Outman	Yanez
Farrington	Kowall	Pagel	Yonker
Forlini	LaFontaine	Pettalia	Zorn

Nays—26

Barnett	Irwin	Potvin	Slavens
Cavanagh	Kandrevas	Rendon	Stanley
Daley	Kelly	Roberts	Switalski
Franz	Kurtz	Robinson	Tlaib
Geiss	Lauwers	Schor	Townsend
Greimel	Lori	Singh	Zemke
Hobbs	McCann		

In The Chair: Walsh

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

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

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5o, and 8 (MCL 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425o, and 28.428), section 2a as amended by 2013 PA 3, section 4 as amended by 2014 PA 6, sections 5 and 5a as added by 2000 PA 381, section 5b as amended by 2014 PA 207, sections 5c and 5d as amended by 2002 PA 719, section 5e as amended by 2014 PA 204, sections 5f and 5k as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, section 5l as amended by 2012 PA 32, section 5o as amended by 2014 PA 206, and section 8 as amended by 2008 PA 406, and by adding section 5x; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**Senate Bill No. 790, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

The bill was read a second time.

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

The motion prevailed.

Rep. Stamas 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. 790, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

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

Roll Call No. 807**Yeas—85**

Abed	Genetski	Lauwers	Poleski
Banks	Glardon	LaVoy	Price
Bolger	Goike	Leonard	Pscholka
Brinks	Graves	Lipton	Rogers
Brown	Haines	Lund	Rutledge
Brunner	Haugh	Lyons	Santana
Bumstead	Haveman	MacGregor	Schmidt
Callton	Heise	MacMaster	Segal
Clemente	Hooker	McBroom	Shirkey
Cochran	Howrylak	McCready	Smiley
Cotter	Jacobsen	McMillin	Somerville
Crawford	Jenkins	Muxlow	Stallworth
Darany	Johnson	Nathan	Stamas
Denby	Kesto	Nesbitt	Stanley
Dianda	Kivela	O'Brien	Talabi
Dillon	Knezek	Oakes	VerHeulen
Driskell	Kosowski	Olumba	Victory
Durhal	Kowall	Outman	Walsh
Faris	LaFontaine	Pagel	Yanez
Farrington	Lamonte	Pettalia	Yonker
Forlini	Lane	Phelps	Zorn
Foster			

Nays—25

Barnett	Hovey-Wright	McCann	Singh
Cavanagh	Irwin	Potvin	Slavens
Daley	Kandrevas	Rendon	Switalski
Franz	Kelly	Roberts	Tlaib
Geiss	Kurtz	Robinson	Townsend
Greimel	Lori	Schor	Zemke
Hobbs			

In The Chair: Walsh

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 5492, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 2010 PA 37. The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1937 PA 94, entitled "An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations," by amending sections 3 and 21 (MCL 205.93 and 205.111), as amended by 2014 PA 80.

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

Rep. Stamas 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. 808

Yeas—88

Abed	Geiss	Lipton	Rutledge
Banks	Glardon	Lori	Santana
Barnett	Greimel	Lyons	Schmidt
Bolger	Haines	McBroom	Schor
Brinks	Haugh	McCann	Segal
Brown	Haveman	McCready	Shirkey
Brunner	Heise	Muxlow	Singh
Callton	Hobbs	Nathan	Slavens
Cavanagh	Hovey-Wright	O'Brien	Smiley
Clemente	Irwin	Oakes	Stallworth
Cochran	Jacobsen	Olumba	Stamas
Cotter	Jenkins	Outman	Stanley
Crawford	Kandrevas	Pagel	Switalski
Daley	Kivela	Pettalia	Talabi
Darany	Knezek	Phelps	Tlaib
Denby	Kosowski	Poleski	Townsend
Dillon	Kowall	Potvin	VerHeulen
Driskell	Kurtz	Price	Victory
Durhal	LaFontaine	Pscholka	Walsh
Faris	Lamonte	Rendon	Yanez
Forlini	Lane	Roberts	Yonker
Foster	Lauwers	Rogers	Zemke

Nays—22

Bumstead	Graves	LaVoy	McMillin
Dianda	Hooker	Leonard	Nesbitt
Farrington	Howrylak	Lund	Robinson
Franz	Johnson	MacGregor	Somerville
Genetski	Kelly	MacMaster	Zorn
Goike	Kesto		

In The Chair: Walsh

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. 5714, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title, sections 1, 2, 3, and 4 of article I, the heading and sections 1, 3, 5, 8, 9, 10, 13, and 14 of article II, the heading and sections 1, 2, 4, 5, 6, 9, 11, and 12 of article III, sections 1 and 2 of article IV, sections 2, 5, 6, 6a, 6b, 7, 8, 9, 10, 10a, 11, 14, 14a, and 18 of article V, and section 2 of article VI (MCL 475.1, 475.2, 475.3, 475.4, 476.1, 476.3, 476.5, 476.8, 476.9, 476.10, 476.13, 476.14, 477.1, 477.2, 477.4, 477.5, 477.6, 477.9, 477.11, 477.12, 478.1, 478.2, 479.2, 479.5, 479.6, 479.6a, 479.6b, 479.7, 479.8, 479.9, 479.10, 479.10a, 479.11, 479.14, 479.14a, 479.18, and 479.42), the title, section 1 of article I, section 2 of article IV, and sections 8, 9, and 10 of article V as amended by 2008 PA 584, sections 2, 3, and 4 of article I, section 3 of article II, sections 2 and 4 of article III, and sections 6a, 6b, 10a, 14, and 14a of article V as amended and section 2 of article VI as added by 1993 PA 352, sections 1, 8, 9, 13, and 14 of article II, sections 1, 5, 9, 11, and 12 of article III, section 1 of article IV, and section 6 of article V as amended by 1982 PA 399, sections 5 and 10 of article II and section 6 of article III as amended and section 7 of article V as added by 2007 PA 33, section 2 of article V as amended by 2011 PA 111, section 11 of article V as amended by 1994 PA 176, and section 18 of article V as amended by 2000 PA 96, and by adding sections 4a, 7, 7a, 7b, and 9a to article III; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 18, 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. 86, p. 2421.)

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. 809

Yeas—98

Abed	Graves	Lipton	Rutledge
Banks	Greimel	Lori	Santana
Barnett	Haines	Lund	Schmidt
Bolger	Haugh	Lyons	Schor
Brinks	Haveman	MacGregor	Segal
Brown	Heise	McBroom	Shirkey
Brunner	Hobbs	McCann	Singh
Callton	Hovey-Wright	McCready	Slavens
Cavanagh	Irwin	Muxlow	Smiley
Clemente	Jacobsen	Nathan	Somerville
Cochran	Jenkins	Nesbitt	Stallworth
Cotter	Johnson	O'Brien	Stamas
Crawford	Kandrevas	Oakes	Stanley
Daley	Kesto	Olumba	Switalski
Darany	Kivela	Outman	Talabi
Denby	Knezek	Pagel	Tlaib
Dillon	Kosowski	Phelps	Townsend
Driskell	Kowall	Poleski	VerHeulen
Durhal	Kurtz	Potvin	Victory
Faris	LaFontaine	Price	Walsh
Farrington	Lamonte	Pscholka	Yanez
Forlini	Lane	Rendon	Yonker
Foster	Lauwers	Roberts	Zemke
Geiss	LaVoy	Rogers	Zorn
Gardon	Leonard		

Nays—12

Bumstead	Genetski	Howrylak	McMillin
Dianda	Goike	Kelly	Pettalia
Franz	Hooker	MacMaster	Robinson

In The Chair: Walsh

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. 4001, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 4, 5, 10, and 11 (MCL 15.234, 15.235, 15.240, and 15.241), sections 4, 5, and 10 as amended by 1996 PA 553, and by adding sections 10a and 10b.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Stamas 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-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. 810**Yeas—101**

Abed	Goike	Leonard	Roberts
Banks	Graves	Lipton	Robinson
Barnett	Greimel	Lori	Rogers
Bolger	Haugh	Lund	Rutledge
Brinks	Haveman	Lyons	Santana
Brown	Heise	MacGregor	Schmidt
Bumstead	Hobbs	MacMaster	Schor
Callton	Hooker	McBroom	Segal
Cavanagh	Hovey-Wright	McCann	Shirkey
Clemente	Howrylak	McMillin	Singh
Cochran	Irwin	Muxlow	Slavens
Cotter	Jacobsen	Nathan	Somerville
Daley	Jenkins	Nesbitt	Stallworth
Darany	Johnson	O'Brien	Stamas
Denby	Kandreas	Oakes	Stanley
Dianda	Kelly	Olumba	Switalski
Dillon	Kesto	Outman	Talabi
Driskell	Kivela	Pagel	Tlaib
Durhal	Knezek	Pettalia	Townsend
Faris	Kowall	Phelps	VerHeulen
Farrington	Kurtz	Poleski	Victory
Forlini	LaFontaine	Potvin	Walsh
Foster	Lamonte	Price	Yonker
Franz	Lane	Pscholka	Zemke
Geiss	Lauwers	Rendon	Zorn
Genetski			

Nays—9

Brunner	Haines	LaVoy	Smiley
Crawford	Kosowski	McCready	Yanez
Gardon			

In The Chair: Walsh

The House agreed to the full title.

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore O'Brien to the Chair.

House Bill No. 5389, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21794. The Senate has substituted (S-1) the bill.

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

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

Rep. Lyons 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. 811

Yeas—94

Abed	Geiss	Lamonte	Rogers
Banks	Gardon	Lane	Rutledge
Barnett	Goike	LaVoy	Santana
Bolger	Graves	Lipton	Schmidt
Brinks	Greimel	Lori	Schor
Brown	Haines	Lyons	Segal
Brunner	Haugh	MacGregor	Singh
Callton	Heise	McBroom	Slavens
Cavanagh	Hobbs	McCann	Smiley
Clemente	Hooker	McCready	Stallworth
Cochran	Hovey-Wright	Muxlow	Stamas
Cotter	Howrylak	Nathan	Stanley
Crawford	Irwin	Nesbitt	Switalski
Daley	Jacobsen	O'Brien	Talabi
Darany	Jenkins	Oakes	Tlaib
Denby	Johnson	Olumba	Townsend
Dianda	Kandrevas	Outman	VerHeulen
Dillon	Kesto	Poleski	Victory
Driskell	Kivela	Price	Walsh
Durhal	Knezek	Pscholka	Yanez
Faris	Kosowski	Rendon	Yonker
Farrington	Kowall	Roberts	Zemke
Forlini	Kurtz	Robinson	Zorn
Foster	LaFontaine		

Nays—16

Bumstead	Kelly	MacMaster	Phelps
Franz	Lauwers	McMillin	Potvin
Genetski	Leonard	Pagel	Shirkey
Haveman	Lund	Pettalia	Somerville

In The Chair: O'Brien

The House agreed to the full title.

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

Second Reading of Bills**Senate Bill No. 970, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 7a, 18b, 25, 67a, 212, 217c, 217f, 248c, 252a, 259, 306, 307, 309, 312e, 312f, 319, 319b, 324, 803b, and 904 (MCL 257.7a, 257.18b, 257.25, 257.67a, 257.212, 257.217c, 257.217f, 257.248c, 257.252a, 257.259, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.324, 257.803b, and 257.904), sections 7a and 212 as amended by 2002 PA 534, section 18b as added and section 67a as amended by 1988 PA 346, section 217c as amended by 2002 PA 642, sections 217f and 248c as amended by 1993 PA 300, section 252a as amended by 2008 PA 539, section 306 as amended by 2014 PA 120, section 307 as amended by 2012 PA 55, section 309 as amended by 2012 PA 355, sections 312e and 803b as amended by 2011 PA 159, section 312f as amended by 2012 PA 473, section 319 as amended by 2012 PA 306, section 319b as amended by 2012 PA 498, section 324 as amended by 2006 PA 298, and section 904 as amended by 2008 PA 461, and by adding section 306a.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Rutledge moved that Rep. Stallworth be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 970, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 7a, 18b, 25, 67a, 212, 217c, 217f, 248c, 252a, 259, 306, 307, 309, 312e, 312f, 319, 319b, 324, 803b, and 904 (MCL 257.7a, 257.18b, 257.25, 257.67a, 257.212, 257.217c, 257.217f, 257.248c, 257.252a, 257.259, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.324, 257.803b, and 257.904), sections 7a and 212 as amended by 2002 PA 534, section 18b as added and section 67a as amended by 1988 PA 346, section 217c as amended by 2002 PA 642, sections 217f and 248c as amended by 1993 PA 300, section 252a as amended by 2008 PA 539, section 306 as amended by 2014 PA 120, section 307 as amended by 2012 PA 55, section 309 as amended by 2012 PA 355, sections 312e and 803b as amended by 2011 PA 159, section 312f as amended by 2012 PA 473, section 319 as amended by 2012 PA 306, section 319b as amended by 2012 PA 498, section 324 as amended by 2006 PA 298, and section 904 as amended by 2008 PA 461, and by adding section 306a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Stamas moved that consideration of the bill be postponed for the day.

The motion prevailed.

The Speaker Pro Tempore resumed the Chair.

Senate Bill No. 1097, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12b (MCL 125.2162b), as added by 2008 PA 104.

(The bill was passed on December 18, see House Journal No. 86, p. 2376.)

Rep. Stamas moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Stamas moved that consideration of the bill be postponed for the day.
The motion prevailed.

Senate Bill No. 1074, entitled

A bill to amend 1966 PA 331, entitled "An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to authorize community college districts to operate a new jobs training program, enter into certain training agreements, and issue bonds to finance the training program; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 161, 162, 164 and 166 (MCL 389.161, 389.162, 389.164 and 389.166), as added by 2008 PA 359.
(The bill was passed on December 18, see House Journal No. 86, p. 2394.)

Rep. Stamas moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Stamas moved that consideration of the bill be postponed for the day.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Haveman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 1149**.

(For first notice see House Journal No. 86, p. 2426.)

The question being on the motion made by Rep. Haveman,
The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1149, entitled

A bill to authorize the state administrative board to convey parcels of state-owned property in Ingham county; to prescribe conditions for the conveyance; to provide for powers and duties of state departments regarding the property; and to provide for disposition of revenue derived from the conveyance.

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Stamas 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. 1149, entitled

A bill to authorize the state administrative board to convey parcels of state-owned property in Ingham county; to prescribe conditions for the conveyance; to provide for powers and duties of state departments regarding the property; and to provide for disposition of revenue derived from the conveyance.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Stamas moved that consideration of the bill be postponed for the day.
The motion prevailed.

The Speaker assumed the Chair.

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Stamas moved that when the House adjourns today it stand adjourned until Tuesday, December 30, at 11:30 a.m.
The motion prevailed.

Messages from the Senate

House Bill No. 4251, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," (MCL 220.1 to 239.6) by adding section 19c to chapter IV.

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-3).

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

House Bill No. 4539, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 2, 4, 6a, and 25 (MCL 205.52, 205.54, 205.56a, and 205.75), sections 2 and 4 as amended by 2004 PA 173, section 6a as amended by 2013 PA 1, and section 25 as amended by 2012 PA 226, and by adding section 2b.

(For text of conference report, see today's Journal, p. 2439.)

The Senate has adopted the report of the Committee of Conference.

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

House Bill No. 4630, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 801, 802, 803, 803b, 803e, 806, and 809 (MCL 257.801, 257.802, 257.803, 257.803b, 257.803e, 257.806, and 257.809), section 801 as amended by 2012 PA 498, sections 802, 803b, 806, and 809 as amended by 2011 PA 159, section 803 as amended by 2002 PA 490, and section 803e as amended by 2011 PA 46; and to repeal acts and parts of acts.

The Senate has adopted the report of the Committee of Conference.

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

House Bill No. 5167, 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 11c (MCL 247.661c), as amended by 2002 PA 498.

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-2).

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

House Bill No. 5341, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 64 (MCL 400.64), as amended by 1985 PA 140.

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. 5418, entitled

A bill to authorize private employers to adopt and apply a veterans' preference employment policy.

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. 5460, 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 9b, 10, 11, 12, 13, and 14 (MCL 247.559b, 247.660, 247.661, 247.662, 247.663, and 247.664), section 10 as amended by 2007 PA 210, section 11 as amended by 2002 PA 639, sections 12 and 13 as amended by 2012 PA 298, section 14 as amended by 1987 PA 234, and section 9b as added by 1997 PA 79.

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-3) and agreed to the title as amended. The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5477, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 2, 3, 5, 6, 8, and 152 (MCL 207.1002, 207.1003, 207.1005, 207.1006, 207.1008, and 207.1152), sections 2 and 5 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

(For text of conference report, see today’s Journal, p. 2443.)

The Senate has adopted the report of the Committee of Conference.

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

House Bill No. 5493, entitled

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending sections 1, 2, 2a, 4, 5, 6a, 8, 9, and 10 (MCL 207.211, 207.212, 207.212a, 207.214, 207.215, 207.216a, 207.218, 207.219, and 207.220), section 1 as amended by 2002 PA 667, sections 2 and 4 as amended by 2006 PA 346, section 2a as added by 1994 PA 353, section 5 as amended and section 6a as added by 1996 PA 584, and section 8 as amended by 2006 PA 449.

The Senate has concurred in the House substitute (H-4) to the Senate substitute (S-1), agreed to the title as amended 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 Joint Resolution UU, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 8, 10, and 11 of article IX, to increase the maximum sales tax rate and use tax rate permitted under law, to exempt gasoline and diesel fuel from the sales tax and use tax, to dedicate a portion of sales tax revenue and use tax revenue, and to revise the permissible uses for payments from the school aid fund.

The Senate has adopted the joint resolution by a 2/3 vote.

The joint resolution was referred to the Clerk for enrollment printing, certification and filing with the Secretary of State.

House Concurrent Resolution No. 40.

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

(For text of resolution, see today’s Journal, p. 2494.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 926, entitled

A bill to amend 1994 PA 451, entitled “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,” by amending sections 40104, 40112, and 48703a (MCL 324.40104, 324.40112, and 324.48703a), section 40104 as added by 1995 PA 57, section 40112 as amended by 1996 PA 316, and section 48703a as amended by 2014 PA 281.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 5, line 21, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

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

Rep. Stamas moved that the House adjourn.
The motion prevailed, the time being 6:50 a.m.

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

GARY L. RANDALL
Clerk of the House of Representatives