# No. 106 STATE OF MICHIGAN

# **JOURNAL** OF THE

# House of Representatives

# 100th Legislature **REGULAR SESSION OF 2019**

House Chamber, Lansing, Wednesday, November 6, 2019.

1:30 p.m.

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

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

Afendoulis-present Albert—present Alexander—present Allor—present Anthony—present Bellino—present Berman—present Bolden—present Bollin-present Brann-present Brixie—present Byrd—present Calley—present Cambensy-present Camilleri-present Carter, B .- present Carter, T .- present Chatfield—present Cherry—present Chirkun—present Clemente—present Cole-present Coleman—present Crawford—present Eisen—present Elder—present Ellison—present Farrington—present

Filler—present Frederick—present Garrett—present Garza—present Gay-Dagnogo—present LaFave—present Glenn—present Green—present Greig—present Griffin—present Guerra—present Haadsma—present Hall—present Hammoud—present Hauck—present Hernandez—present Hertel—present Hoadley-present Hoitenga—present Hood—present Hope—present Hornberger—present Howell—present Huizenga—present Iden—present Inman—present Johnson, C.—present Johnson, S.—present Jones-present

Kahle—present Kennedy-present Koleszar-present Kuppa—present LaGrand—present Lasinski-present Leutheuser—present Liberati—present Lightner-present Lilly-present Love-present Lower-present Maddock-present Manoogian-present Marino-present Markkanen-present Meerman—present Miller-present Mueller-present Neeley—present O'Malley-present Pagan—present Paquette—present Peterson—present Pohutsky-present Rabhi—present

Reilly-present Rendon—present Robinson—present Sabo-present Schroeder-present Shannon—present Sheppard—present Slagh-present Sneller—present Sowerby—present Stone-present Tate—present VanSingel—present VanWoerkom—present Vaupel—present Wakeman—present Warren—present Webber-present Wendzel-present Wentworth—present Whiteford—present Whitsett-present Wittenberg—present Witwer—present Wozniak—present Yancey—present Yaroch—present

Rev. James Krueger, Pastor of Holy Cross Lutheran Church in Saginaw Township, offered the following invocation:

"In the name of the Father and of the Son and of the Holy Spirit. Amen.

Holy and merciful Father in Heaven,

I lift up my voice in thanksgiving to You for the blessings of body and soul and the wisdom which You bestow daily upon the members of this house of elected representatives.

I lift up my voice in celebration for the passion they bring into this chamber each day and their fervent dedication to service marked by integrity and guided by the values which are both the foundation and hallmark of this state and nation.

Guide them as they humbly carry out the expectations of their office and daily increase their devotion and capacity to work together so that all the elected officials of this state seek the common ground that unites them and with their hearts and minds and energies reach out to one another in mutual care and concern and for the benefit of all our citizens.

Strengthen each of these representatives by Your powerful hand and use them as channels through which Your blessings are daily poured out on Your people and in this place and time, grow their ability and desire to be servants to each other and 'servant-leaders' to all.

Holy and merciful Father in heaven, I offer this prayer In the name of Your one and only Son, Jesus Christ our Lord, through whom You work each day to accomplish Your will and desire to unite Your people so that with the measure we are blessed by You, we seek to be a blessing to others. Amen."

The Speaker assumed the Chair.

### Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos. 5191 5192 519 5194

### **Reports of Standing Committees**

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred

### Senate Bill No. 466, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 2018 PA 431.

to the Committee on Ways and Means.

#### Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Liberati and Brenda Carter

Navs: None

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

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred

### Senate Bill No. 467, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care

organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 8b (MCL 722.118b), as amended by 2017 PA 257.

to the Committee on Ways and Means.

### Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Liberati and Brenda Carter

Nays: None

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

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred

### Senate Bill No. 468, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 13a. to the Committee on Ways and Means.

### Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Liberati, Brenda Carter and Cynthia Johnson Nays: None

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

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred

### Senate Bill No. 469, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 19 and 19a of chapter XIIA (MCL 712A.19 and 712A.19a), as amended by 2018 PA 58.

to the Committee on Ways and Means.

### Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Liberati, Brenda Carter and Cynthia Johnson Nays: None

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

The Committee on Families, Children, and Seniors, by Rep. Crawford, Chair, referred

### Senate Bill No. 539, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5d and 5k (MCL 722.115d and 722.115k), as amended by 2017 PA 256.

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

### Favorable Roll Call

To Refer:

Yeas: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Liberati, Brenda Carter and Cynthia Johnson Navs: None

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

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Crawford, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Wednesday, November 6, 2019

Present: Reps. Crawford, Rendon, Hoitenga, Meerman, Wozniak, Liberati, Brenda Carter and Cynthia Johnson

Absent: Rep. Garrett Excused: Rep. Garrett

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

### Senate Bill No. 174, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending the title and sections 1, 3, 7, 9, 11b, 12, 14, 19, 20, 22, 31, 39, 40, 43, 44, and 46 (MCL 287.701, 287.703, 287.707, 287.709, 287.711b, 287.712, 287.714, 287.719, 287.720, 287.722, 287.731, 287.739, 287.740, 287.743, 287.744, and 287.746), the title and section 43 as amended by 1996 PA 369, sections 1, 20, 39, and 40 as amended by 2000 PA 323, sections 3, 9, 11b, 14, 19, 22, and 44 as amended by 2002 PA 458, section 7 as amended by 1994 PA 41, sections 12 and 31 as amended by 2003 PA 271, section 43 as amended by 1996 PA 369, and section 46 as added by 2009 PA 117, and by adding sections 3a, 3b, 12a, 12b, 14a, 17b, 17c, 17d, 40a, 40b, and 43a; and to repeal acts and parts of acts.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 83, line 2, after "31," by striking out "2025" and inserting "2024". The bill and amendment were referred to the order of Second Reading of Bills.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Byrd, Neeley and Hertel

Nays: Rep. Warren

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

### Senate Bill No. 179, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending section 2 (MCL 290.652), as amended by 2002 PA 601.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

To Report Out:

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

Navs: None

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

### Senate Bill No. 180, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2015 PA 213.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

To Report Out:

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

Nays: None

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

### Senate Bill No. 181, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 2018 PA 452.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel Nays: None

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

### Senate Bill No. 182, entitled

A bill to amend 2012 PA 487, entitled "Wildlife depredations indemnification act," by amending section 2 (MCL 285.362).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

### To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel Nays: None

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

### Senate Bill No. 183, entitled

A bill to amend 2000 PA 246, entitled "Wolf-dog cross act," by amending section 2 (MCL 287.1002), as amended by 2016 PA 299.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

### To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel Nays: None

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

### Senate Bill No. 361, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending section 12 (MCL 28.462), as amended by 2018 PA 634.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

### To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren, Byrd, Neeley and Hertel Navs: None

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

### Senate Bill No. 455, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as amended by 2005 PA 165.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

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

Nays: Rep. Warren

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 6, 2019

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

### Messages from the Senate

### House Bill No. 4959, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 601 (MCL 436.1601).

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. 4960, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 107 (MCL 436.1107), as amended by 2001 PA 223.

The Senate has passed the bill and 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. 4961, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 608.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

### Messages from the Governor

Date: October 31, 2019 Time: 9:16 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4133 (Public Act No. 98), being

An act to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division

of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties," by amending section 11 of chapter XIIA (MCL 712A.11), as amended by 2016 PA 185.

(Filed with the Secretary of State October 31, 2019, at 1:42 p.m.)

Date: October 31, 2019 Time: 9:18 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4134 (Public Act No. 99), being

An act to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 1060a (MCL 330.2060a), as added by 2012 PA 540.

(Filed with the Secretary of State October 31, 2019, at 1:44 p.m.)

Date: October 31, 2019 Time: 9:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4135 (Public Act No. 100), being

An act to amend 1927 PA 175, entitled "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," by amending section 11 of chapter II (MCL 762.11), as amended by 2015 PA 31.

(Filed with the Secretary of State October 31, 2019, at 1:46 p.m.)

Date: October 31, 2019 Time: 9:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4136 (Public Act No. 101), being

An act to amend 1988 PA 13, entitled "An act to permit certain minors to be diverted from the court system having jurisdiction over minors; to establish diversion criteria and procedures; to require certain records to

be made and kept; to prescribe certain powers and duties of courts having jurisdiction over minors and of law enforcement agencies; and to prescribe certain penalties," by amending sections 2 and 8 (MCL 722.822 and 722.828), section 2 as amended by 1996 PA 415.

(Filed with the Secretary of State October 31, 2019, at 1:48 p.m.)

Date: October 31, 2019 Time: 9:24 a.m.

To the Speaker of the House of Representatives:

Sir-I have this day approved and signed

### Enrolled House Bill No. 4140 (Public Act No. 102), being

An act to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties," by amending sections 16, 18, and 18i of chapter XIIA (MCL 712A.16, 712A.18, and 712A.18i), section 16 as amended by 1998 PA 478, section 18 as amended by 2018 PA 58, and section 18i as added by 1996 PA 244.

(Filed with the Secretary of State October 31, 2019, at 1:50 p.m.)

Date: October 31, 2019 Time: 9:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4142 (Public Act No. 103), being

An act to amend 1927 PA 175, entitled "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," by amending section 27 of chapter IV (MCL 764.27), as amended by 1996 PA 418.

(Filed with the Secretary of State October 31, 2019, at 1:52 p.m.)

Date: October 31, 2019 Time: 9:28 a m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4143 (Public Act No. 104), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide

immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 139 (MCL 750.139), as amended by 1998 PA 510.

(Filed with the Secretary of State October 31, 2019, at 1:54 p.m.)

Date: October 31, 2019 Time: 9:30 a.m.

To the Speaker of the House of Representatives:

Sir-I have this day approved and signed

### Enrolled House Bill No. 4145 (Public Act No. 105), being

An act to amend 1927 PA 175, entitled "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," by amending section 27a of chapter IV (MCL 764.27a), as amended by 1996 PA 254.

(Filed with the Secretary of State October 31, 2019, at 1:56 p.m.)

Date: October 31, 2019 Time: 9:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4443 (Public Act No. 106), being

An act to amend 1927 PA 175, entitled "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," by amending section 1f of chapter IV (MCL 764.1f), as amended by 1998 PA 520.

(Filed with the Secretary of State October 31, 2019, at 1:58 p.m.)

Date: October 31, 2019 Time: 9:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

### Enrolled House Bill No. 4452 (Public Act No. 107), being

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 606 (MCL 600.606), as amended by 1996 PA 260.

(Filed with the Secretary of State October 31, 2019, at 2:00 p.m.)

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

By unanimous consent the House returned to the order of

#### Second Reading of Bills

### House Bill No. 4171, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2018 PA 589.

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

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

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

The motion prevailed.

### Senate Bill No. 320, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 207, 501, 536, 701, 703, 801, 803, 903, 1025, and 1027 (MCL 436.1207, 436.1501, 436.1536, 436.1701, 436.1703, 436.1801, 436.1803, 436.1903, 436.2025, and 436.2027), section 501 as amended by 2012 PA 82, section 536 as added by 2018 PA 408, section 701 as amended by 2010 PA 266, section 703 as amended by 2017 PA 89, section 801 as amended by 2008 PA 11, section 803 as amended by 2016 PA 105, section 903 as amended by 2010 PA 175, section 1025 as amended by 2017 PA 88, and section 1027 as amended by 2011 PA 219.

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4908, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32 (MCL 125.1432), as amended by 2012 PA 328.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 174, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending the title and sections 1, 3, 7, 9, 11b, 12, 14, 19, 20, 22, 31, 39, 40, 43, 44, and 46 (MCL 287.701, 287.703, 287.707, 287.709, 287.711b,

287.712, 287.714, 287.719, 287.720, 287.722, 287.731, 287.739, 287.740, 287.743, 287.744, and 287.746), the title and section 43 as amended by 1996 PA 369, sections 1, 20, 39, and 40 as amended by 2000 PA 323, sections 3, 9, 11b, 14, 19, 22, and 44 as amended by 2002 PA 458, section 7 as amended by 1994 PA 41, sections 12 and 31 as amended by 2003 PA 271, section 43 as amended by 1996 PA 369, and section 46 as added by 2009 PA 117, and by adding sections 3a, 3b, 12a, 12b, 14a, 17b, 17c, 17d, 40a, 40b, and 43a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Ways and Means (for amendment, see today's Journal, p. 1912),

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

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

The motion prevailed.

#### Senate Bill No. 179, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending section 2 (MCL 290.652), as amended by 2002 PA 601.

The bill was read a second time.

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

The motion prevailed.

### Senate Bill No. 180, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2015 PA 213.

The bill was read a second time.

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

The motion prevailed.

### Senate Bill No. 181, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 2018 PA 452.

The bill was read a second time.

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

The motion prevailed.

### Senate Bill No. 182, entitled

A bill to amend 2012 PA 487, entitled "Wildlife depredations indemnification act," by amending section 2 (MCL 285.362).

The bill was read a second time.

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

The motion prevailed.

### Senate Bill No. 183, entitled

A bill to amend 2000 PA 246, entitled "Wolf-dog cross act," by amending section 2 (MCL 287.1002), as amended by 2016 PA 299.

The bill was read a second time.

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

The motion prevailed.

### Senate Bill No. 361, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending section 12 (MCL 28.462), as amended by 2018 PA 634.

The bill was read a second time.

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

The motion prevailed.

Associate Speaker Pro Tempore Lilly called Associate Speaker Pro Tempore Hornberger to the Chair.

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

### House Bill No. 4209, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 2012 PA 482.

(The bill was received from the Senate on November 5, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 105, p. 1906.)

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. 313 Yeas—110

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

Nays-0

In The Chair: Hornberger

The House agreed to the full title.

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

The Speaker laid before the House

### House Bill No. 4408, entitled

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

(The bill was received from the Senate on November 5, 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. 105, p. 1906.)

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. 314 Yeas—110

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

Navs—0

In The Chair: Hornberger

The House agreed to the full title.

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

### Third Reading of Bills

### House Bill No. 5043, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b and 772 (MCL 330.1100b and 330.1772), section 100b as amended by 2014 PA 200 and section 772 as added by 1995 PA 290, and by adding section 206a; and to repeal acts and parts of acts.

#### Yeas-110

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

### Nays-0

In The Chair: Hornberger

The House agreed to the title of the bill.

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

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

### House Bill No. 5044, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4c (MCL 722.954c), as amended by 2014 PA 337.

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

### Roll Call No. 316 Yeas—110

Afendoulis	Filler	Kahle	Reilly
Albert	Frederick	Kennedy	Rendon
Alexander	Garrett	Koleszar	Robinson
Allor	Garza	Kuppa	Sabo
Anthony	Gay-Dagnogo	LaFave	Schroeder

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

### Nays-0

In The Chair: Hornberger

The House agreed to the title of the bill.

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

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

### House Bill No. 5117, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 6431 and 6452 (MCL 600.6431 and 600.6452).

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

T7 1 1

Reilly Rendon Robinson Sabo Schroeder Shannon Sheppard Slagh Sneller Sowerby Stone Tate VanSingel

### Roll Call No. 317 Yeas—110

T-11

Afendoulis	Filler	Kahle	
Albert	Frederick	Kennedy	
Alexander	Garrett	Koleszar	
Allor	Garza	Kuppa	
Anthony	Gay-Dagnogo	LaFave	
Bellino	Glenn	LaGrand	
Berman	Green	Lasinski	
Bolden	Greig	Leutheuser	
Bollin	Griffin	Liberati	
Brann	Guerra	Lightner	
Brixie	Haadsma	Lilly	
Byrd	Hall	Love	
Calley	Hammoud	Lower	

Cambensy Hauck Maddock VanWoerkom Camilleri Hernandez Manoogian Vaupel Carter, B. Hertel Marino Wakeman Carter, T. Hoadley Markkanen Warren Chatfield Hoitenga Webber Meerman Cherry Hood Miller Wendzel Chirkun Hope Mueller Wentworth Clemente Hornberger Neeley Whiteford Cole Howell O'Malley Whitsett Coleman Huizenga Pagan Wittenberg Witwer Crawford Paquette Iden Eisen Inman Peterson Wozniak Elder Johnson, C. Pohutsky Yancey Yaroch Ellison Johnson, S. Rabhi Farrington Jones

Nays—0

In The Chair: Hornberger

The House agreed to the title of the bill.

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

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

### House Bill No. 5118, entitled

A bill to amend 2016 PA 343, entitled "Wrongful imprisonment compensation act," by amending section 7 (MCL 691.1757).

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

### Roll Call No. 318

### Yeas-110

Afendoulis Filler Kahle Reilly Frederick Kennedy Rendon Albert Alexander Koleszar Robinson Garrett Allor Garza Kuppa Sabo Anthony Gay-Dagnogo LaFave Schroeder Bellino Glenn LaGrand Shannon Berman Green Lasinski Sheppard Slagh Bolden Greig Leutheuser Bollin Griffin Liberati Sneller Brann Guerra Lightner Sowerby Brixie Haadsma Lilly Stone Byrd Hall Love Tate Hammoud Calley Lower VanSingel VanWoerkom Cambensy Hauck Maddock Camilleri Hernandez Vaupel Manoogian Carter, B. Hertel Marino Wakeman Carter, T. Hoadley Markkanen Warren Chatfield Webber Hoitenga Meerman Cherry Hood Miller Wendzel Chirkun Hope Wentworth Mueller Whiteford Hornberger Clemente Neeley

Cole Howell Whitsett O'Malley Coleman Huizenga Pagan Wittenberg Crawford Witwer Iden Paquette Eisen Inman Peterson Wozniak Elder Johnson, C. Pohutsky Yancey Ellison Johnson, S. Rabhi Yaroch Farrington Jones

Nays-0

In The Chair: Hornberger

The House agreed to the title of the bill.

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

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

### House Bill No. 4830, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2018 PA 245.

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

### Roll Call No. 319 Yeas—110

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

### Nays—0

In The Chair: Hornberger

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2019 PA 74.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

### Senate Bill No. 455, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as amended by 2005 PA 165.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

Rep. Cole moved that Senate Bill No. 179 be placed on its immediate passage.

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

### Senate Bill No. 179, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending section 2 (MCL 290.652), as amended by 2002 PA 601.

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

#### Roll Call No. 320 Yeas—104

Afendoulis	Ellison	Inman	Pohutsky
Albert	Farrington	Johnson, C.	Rendon
Alexander	Filler	Jones	Sabo
Allor	Frederick	Kahle	Schroeder
Anthony	Garrett	Kennedy	Shannon
Bellino	Garza	Koleszar	Sheppard
Berman	Gay-Dagnogo	Kuppa	Slagh
Bolden	Glenn	LaFave	Sneller
Bollin	Green	LaGrand	Sowerby
Brann	Greig	Lasinski	Stone
Brixie	Griffin	Leutheuser	Tate
Byrd	Guerra	Liberati	VanSingel
Calley	Haadsma	Lightner	VanWoerkom
Cambensy	Hall	Lilly	Vaupel

Camilleri Hammoud Love Wakeman Carter, B. Hauck Lower Warren Webber Carter, T. Hernandez Maddock Chatfield Hertel Wendzel Manoogian Cherry Hoadley Marino Wentworth Chirkun Hoitenga Markkanen Whiteford Clemente Hood Meerman Whitsett Cole Hope Mueller Wittenberg Coleman Neeley Witwer Hornberger Howell O'Malley Wozniak Crawford Eisen Huizenga Pagan Yancey Elder Iden Paquette Yaroch

### Nays-6

Johnson, S. Peterson Reilly Robinson Miller Rabhi

In The Chair: Hornberger

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

"An act relating to the marketing of agricultural commodities or agricultural commodity inputs; to provide for marketing and research programs, agreements, referendums by producers, assessments on producers, and commodity committees; and to prescribe certain functions of the department of agriculture relative thereto including powers of enforcement of this act; and to prescribe remedies and penalties,"

The House agreed to the full title.

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

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

Rep. Cole moved that Senate Bill No. 180 be placed on its immediate passage.

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

### Senate Bill No. 180, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2015 PA 213.

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

### Roll Call No. 321 Yeas—107

Afendoulis Albert Alexander Allor Anthony Bellino Berman Bolden Bollin Brann	Farrington Filler Frederick Garrett Garza Gay-Dagnogo Glenn Green Greig Griffin	Jones Kahle Kennedy Koleszar Kuppa LaFave LaGrand Lasinski Leutheuser Liberati	Rendon Robinson Sabo Schroeder Shannon Sheppard Slagh Sneller Sowerby Stone
Brann Brixie	Griffin Guerra	Liberati Lightner	Stone Tate

Byrd Calley Cambensy Camilleri Carter, B. Carter, T. Chatfield Cherry Chirkun Clemente Cole Coleman Crawford Eisen Elder Ellison

Haadsma Lilly Hall Love Hammoud Lower Hauck Maddock Hernandez Manoogian Hertel Marino Hoadley Markkanen Hoitenga Meerman Hood Mueller Hope Neeley O'Malley Hornberger Howell Pagan Huizenga Paquette Iden Peterson Inman Pohutsky Johnson, C. Rabhi

VanSingel
VanWoerkom
Vaupel
Wakeman
Warren
Webber
Wendzel
Wentworth
Whiteford
Whitsett
Wittenberg
Witwer
Wozniak
Yancey
Yaroch

Nays—3

Johnson, S. Miller Reilly

In The Chair: Hornberger

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. Cole moved that the bill be given immediate effect.

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

Rep. Cole moved that Senate Bill No. 181 be placed on its immediate passage.

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

#### Senate Bill No. 181, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 2018 PA 452.

#### Yeas-106

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

### Nays-4

Johnson, S. Miller Reilly Robinson

In The Chair: Hornberger

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

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

The House agreed to the full title.

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

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

Rep. Cole moved that Senate Bill No. 182 be placed on its immediate passage.

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

### Senate Bill No. 182, entitled

A bill to amend 2012 PA 487, entitled "Wildlife depredations indemnification act," by amending section 2 (MCL 285.362).

#### Yeas-107

Afendoulis Farrington Jones Albert Filler Kahle Alexander Frederick Kennedy Allor Garrett Koleszar Anthony Garza Kuppa Bellino Gay-Dagnogo LaFave Berman Glenn LaGrand Bolden Green Lasinski Bollin Greig Leutheuser Griffin Brann Liberati Brixie Guerra Lightner Haadsma Byrd Lilly Hall Love Calley Cambensy Hammoud Lower Camilleri Hauck Maddock Carter, B. Hernandez Manoogian Carter, T. Hertel Marino Chatfield Hoadley Markkanen Cherry Hoitenga Meerman Chirkun Hood Mueller Clemente Hope Neeley Cole O'Malley Hornberger Coleman Howell Pagan Crawford Huizenga Paquette Eisen Iden Peterson Elder Inman Pohutsky Ellison Johnson, C. Rabhi

Rendon Robinson Sabo Schroeder Shannon Sheppard Slagh Sneller Sowerby Stone Tate VanSingel VanWoerkom Vaunel Wakeman Warren Webber Wendzel Wentworth Whiteford Whitsett Wittenberg Witwer Wozniak Yancey Yaroch

### Nays-3

Johnson, S. Miller Reilly

In The Chair: Hornberger

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

"An act to provide for indemnification for livestock killed, injured, or lost as a result of certain wildlife; and to prescribe the powers and duties of certain state agencies and officials,"

The House agreed to the full title.

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

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

Rep. Cole moved that Senate Bill No. 183 be placed on its immediate passage.

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

### Senate Bill No. 183, entitled

A bill to amend 2000 PA 246, entitled "Wolf-dog cross act," by amending section 2 (MCL 287.1002), as amended by 2016 PA 299.

#### Yeas-107

Farrington Jones Afendoulis Filler Kahle Albert Alexander Frederick Kennedy Allor Garrett Koleszar Anthony Garza Kuppa Bellino Gay-Dagnogo LaFave Berman Glenn LaGrand Bolden Green Lasinski Bollin Greig Leutheuser Griffin Brann Liberati Brixie Guerra Lightner Byrd Haadsma Lilly Calley Hall Love Cambensy Hammoud Lower Camilleri Hauck Maddock Carter, B. Hernandez Manoogian Carter, T. Hertel Marino Chatfield Hoadley Markkanen Cherry Hoitenga Meerman Chirkun Hood Mueller Clemente Hope Neeley Cole Hornberger O'Malley Coleman Howell Pagan Crawford Huizenga Paquette Eisen Iden Peterson Elder Inman Pohutsky Ellison Johnson, C. Rabhi

Robinson Sabo Schroeder Shannon Sheppard Slagh Sneller Sowerby Stone Tate VanSingel VanWoerkom Vaupel Wakeman Warren Webber Wendzel Wentworth Whiteford Whitsett Wittenberg Witwer Wozniak Yancey Yaroch

Rendon

### Nays-3

Johnson, S. Miller Reilly

In The Chair: Hornberger

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

"An act to regulate the ownership, possession, and care of certain wolf-dog crosses; to prohibit the ownership and possession of certain wolf-dog crosses; to prohibit the false advertising of certain canids as wolf-dog crosses; to impose fees; to prescribe the powers and duties of certain governmental entities and officials and of certain veterinarians; and to prescribe penalties and provide remedies,"

The House agreed to the full title.

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

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

Rep. Cole moved that Senate Bill No. 361 be placed on its immediate passage.

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

### Senate Bill No. 361, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending section 12 (MCL 28.462), as amended by 2018 PA 634.

#### Yeas-106

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

### Nays-4

Johnson, C. Johnson, S. Miller Reilly

In The Chair: Hornberger

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 certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; and to repeal acts and parts of acts,"

The House agreed to the full title.

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

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

Rep. Cole moved that Senate Bill No. 174 be placed on its immediate passage.

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

### Senate Bill No. 174, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending the title and sections 1, 3, 7, 9, 11b, 12, 14, 19, 20, 22, 31, 39, 40, 43, 44, and 46 (MCL 287.701, 287.703, 287.707, 287.709, 287.711b, 287.712, 287.714, 287.719, 287.720, 287.722, 287.731, 287.739, 287.740, 287.743, 287.744, and 287.746), the title and section 43 as amended by 1996 PA 369, sections 1, 20, 39, and 40 as amended by 2000 PA 323,

sections 3, 9, 11b, 14, 19, 22, and 44 as amended by 2002 PA 458, section 7 as amended by 1994 PA 41, sections 12 and 31 as amended by 2003 PA 271, section 43 as amended by 1996 PA 369, and section 46 as added by 2009 PA 117, and by adding sections 3a, 3b, 12a, 12b, 14a, 17b, 17c, 17d, 40a, 40b, and 43a; 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. 326

#### Yeas-74

			_
Afendoulis	Ellison	Kahle	Paquette
Albert	Farrington	Koleszar	Robinson
Alexander	Filler	Kuppa	Sabo
Anthony	Frederick	Lasinski	Schroeder
Bellino	Garrett	Leutheuser	Sheppard
Bollin	Garza	Liberati	Slagh
Brann	Glenn	Lightner	Sneller
Brixie	Green	Lilly	Tate
Byrd	Griffin	Lower	VanSingel
Calley	Haadsma	Maddock	VanWoerkom
Cambensy	Hall	Manoogian	Vaupel
Chatfield	Hauck	Marino	Wakeman
Cherry	Hernandez	Markkanen	Webber
Clemente	Hertel	Meerman	Wentworth
Cole	Howell	Mueller	Whiteford
Coleman	Huizenga	Neeley	Witwer
Crawford	Iden	O'Malley	Wozniak
Eisen	Inman	Pagan	Yaroch
Elder	Johnson, C.	-	

### Nays-36

Allor	Guerra	Kennedy	Rendon
Berman	Hammoud	LaFave	Shannon
Bolden	Hoadley	LaGrand	Sowerby
Camilleri	Hoitenga	Love	Stone
Carter, B.	Hood	Miller	Warren
Carter, T.	Hope	Peterson	Wendzel
Chirkun	Hornberger	Pohutsky	Whitsett
Gay-Dagnogo	Johnson, S.	Rabhi	Wittenberg
Greig	Jones	Reilly	Yancey

In The Chair: Hornberger

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

"An act to authorize and require the appointment of a state veterinarian within the department of agriculture; to protect the human food chain and the livestock and aquaculture industries of the state through prevention, control, and eradication of infectious, contagious, or toxicological diseases of livestock and other animals; to prevent the importation of certain nonindigenous animals under certain circumstances; to safeguard the human population from certain diseases that are communicable between animals and humans; to prevent or control the contamination of livestock with certain toxic substances through certain livestock or livestock products; to provide for indemnification for livestock under certain circumstances; to provide

for certain powers and duties for certain state agencies and departments; to provide for the promulgation of rules; to provide for certain hearings; to provide for remedies and penalties; and to repeal acts and parts of acts."

The House agreed to the full title.

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

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

### **Introduction of Bills**

Rep. Sheppard introduced

### House Bill No. 5195, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 809 (MCL 257.809), as amended by 2015 PA 78.

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

Rep. Cherry introduced

### House Bill No. 5196, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Reps. Maddock, Berman, Vaupel, Allor, Green, Miller, Crawford, Steven Johnson, Huizenga, Paquette, Meerman, Bellino, Howell, Hornberger, Yaroch, LaFave and Markkanen introduced

### House Bill No. 5197, entitled

A bill to amend 1992 PA 116, entitled "Records reproduction act," (MCL 24.401 to 24.406) by adding section 2a.

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

Reps. Maddock, Berman, Vaupel, Allor, Green, Miller, Crawford, Steven Johnson, Huizenga, Paquette, Meerman, Bellino, Howell, Hornberger, Yaroch, LaFave and Markkanen introduced

### House Bill No. 5198, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 491 (MCL 750.491), as amended by 2017 PA 182.

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

Reps. Wittenberg, Hammoud, Ellison, LaGrand, Lasinski, Sowerby, Hood, Shannon, Clemente, Stone, Tate, Manoogian, Cherry, Sabo, Brixie, Pagan, Haadsma, Guerra and Bolden introduced

### House Bill No. 5199, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 7A.

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

Reps. Clemente, Hammoud, Ellison, Lasinski, Hood, Sowerby, Shannon, Tate, Manoogian, Sabo, Cherry, Brixie, Pagan, Haadsma, Wittenberg, Guerra and Bolden introduced

### House Bill No. 5200, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 279 and 679.

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

Reps. Shannon, Hammoud, Ellison, LaGrand, Lasinski, Sowerby, Hood, Clemente, Tate, Manoogian, Cherry, Sabo, Brixie, Pagan, Haadsma, Wittenberg, Guerra and Bolden introduced

#### House Bill No. 5201, entitled

A bill to amend 1985 PA 152, entitled "The employee-owned corporation act," by amending sections 2, 3, 4, and 5 (MCL 450.732, 450.733, 450.734, and 450.735).

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

Reps. Tate, Hammoud, Ellison, Lasinski, Hood, Sowerby, Shannon, Clemente, Manoogian, Sabo, Cherry, Brixie, Pagan, Haadsma, Wittenberg, Guerra and Bolden introduced

### House Bill No. 5202, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 623 (MCL 206.30 and 206.623), section 30 as amended by 2018 PA 589 and section 623 as amended by 2014 PA 13. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Witwer, Hammoud, Ellison, Kennedy, Love, Lasinski, Hood, Clemente, Sowerby, Shannon, Tate, Manoogian, Sabo, Cherry, Pagan, Brixie, Haadsma, Wittenberg, Guerra and Bolden introduced

### House Bill No. 5203, entitled

A bill to create the office of the small farms coordinator in the executive branch; and to provide for the powers and duties of certain state departments and officials.

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

Reps. Steven Johnson, LaGrand, Yaroch and Eisen introduced

#### House Bill No. 5204, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226 (MCL 257.226), as amended by 2018 PA 342.

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

Reps. Eisen, Yaroch and Steven Johnson introduced

### House Bill No. 5205, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 805 (MCL 257.805), as amended by 2013 PA 82.

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

Rep. Lilly introduced

### House Bill No. 5206, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2922 (MCL 600.2922), as amended by 2005 PA 270.

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

By unanimous consent the House returned to the order of

### Reports of Standing Committees

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

### House Bill No. 5175, entitled

A bill to amend 1921 PA 2, entitled "An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred." by amending section 3 (MCL 17.3).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Sheppard, Cole and Lilly

Nays: Reps. Greig and Rabhi

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

### House Bill No. 5176, entitled

A bill to amend 1921 PA 2, entitled "An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred," by amending section 3 (MCL 17.3).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

To Report Out:

Yeas: Reps. Sheppard, Cole and Lilly

Nays: Reps. Greig and Rabhi

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

### House Bill No. 5177, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 365.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

### Favorable Roll Call

To Report Out:

Yeas: Reps. Sheppard, Cole and Lilly

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 6, 2019 Present: Reps. Sheppard, Cole, Lilly, Greig and Rabhi

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Calley, Chair, of the Committee on Elections and Ethics, was received and read:

Meeting held on: Wednesday, November 6, 2019

Present: Reps. Calley, Sheppard, Hornberger, Paquette, Guerra and Hope

Absent: Rep. Marino Excused: Rep. Marino

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 6, 2019

Present: Reps. Alexander, Meerman, LaFave, Eisen, Mueller, Wendzel, Elder, Cynthia Johnson and Witwer

Absent: Reps. Coleman and Garza Excused: Reps. Coleman and Garza

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 6, 2019

Present: Reps. Hernandez, Miller, Sheppard, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley, Love, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy and Tate

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

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Cole moved that when the House adjourns today it stand adjourned until Thursday, November 7, at 10:00 a.m.

The motion prevailed.

Rep. Coleman moved that the House adjourn.

The motion prevailed, the time being 6:05 p.m.

Associate Speaker Pro Tempore Hornberger declared the House adjourned until Thursday, November 7, at 10:00 a.m.

GARY L. RANDALL Clerk of the House of Representatives