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House of Representatives
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House Chamber, Lansing, Tuesday, December 3, 2019.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rev. Steve McCoy, Pastor of Newburg United Methodist Church in Livonia, offered the following invocation:

“Lord of many names. As representatives of the people we gather together in this assembly, to make decisions on behalf of all the people. Today I offer You thanks for the ability to gather and discern, for the freedom to have open and honest debate, and for the ability to continue to advocate for those causes of which other may disagree.

As this legislative session opens today, I pray for our Governor and Lieutenant Governor, for the Speaker and the leadership of both parties, for those who have answered the call and been selected to represent the people, and for the citizens of this Great State that have chosen them.

Graciously grant them the wisdom to govern amid the conflicting interests and issues of our time, a sense of the true needs of the people of Michigan and to promote their general welfare, to seek love, justice, mercy, and humility in all things; to do what is right and good in this time and space, and for the ability to work together in harmony in the midst of honest disagreement.

We pray for their agenda that is now before them, that the issues considered and debated today would be done with a sense of service and a sense of grace toward Your people. May they be a benefit and a blessing to those who live and work every day here in Michigan. Amen.”

Rep. Rabhi moved that Rep. Garrett be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

Reps. Chirkun, Sowerby, Cherry, LaGrand, Crawford, Sneller, Hertel, Peterson, Elder, Witwer, Warren, Manoogian, Liberati, Gay-Dagnogo, Ellison, Koleszar, Lasinski, Hood, Mueller, Hope, VanSingel, Yancey, Shannon, Pagan, Bolden, Hoadley, Camilleri, Cynthia Johnson, Brixie, Tate, Clemente, Guerra, Sabo, Pohutsky, Garza, Jones, Sheppard, Hammoud, Neeley, Webber, Hall, Leutheuser, Rabhi, Wozniak, Eisen, LaFave, Kuppa, Kennedy, Robinson, Coleman, Love, Slagh, Brann, Howell, Hoitenga, Yaroch, Marino, Cambensy, Wittenberg, Calley, Miller and Frederick offered the following resolution:

House Resolution No. 201.

A resolution to condemn state-sanctioned, forced organ harvesting from prisoners of conscience in the People’s Republic of China, urge action by the President of the United States and the United States medical community, and demand an end to the persecution of Falun Gong practitioners.

Whereas, When performed in accordance with ethical standards, the medical discipline of organ transplantation is one of the great achievements of modern medicine. Organ transplantation depends on altruistic organ donation, which is based on the free, voluntary, and informed consent of the donor; and

Whereas, International medical organizations state that prisoners, deprived of their freedom, are not in the position to give free consent and that the practice of sourcing organs from prisoners is a violation of ethical guidelines in medicine; and

Whereas, The organ transplantation system in China does not comply with the World Health Organization’s requirement of transparency and traceability in organ procurement pathways; and

Whereas, The United States Department of State Country Report on Human Rights for China for 2014 stated, “Advocacy groups continued to report instances of organ harvesting from prisoners”; and

Whereas, Falun Gong, a spiritual practice involving meditative “qigong” exercise and centered on the values of truthfulness, compassion, and tolerance, became immensely popular in the 1990s; and

Whereas, In July 1999, the Chinese Communist Party launched an intensive, nationwide persecution designed to eradicate the spiritual practice of Falun Gong, reflecting the party’s long-standing intolerance of large independent civil society groups. Since 1999, hundreds of thousands of Falun Gong practitioners have been detained extralegally in reeducation-through-labor camps, detention centers, and prisons, where torture and abuse are routine; and

Whereas, Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of “prisoners of conscience” in China and face an elevated risk of dying or being killed in custody; and

Whereas, In 2006, Canadian researchers David Matas, human rights attorney, and David Kilgour, the former Canadian Secretary of State for Asia-Pacific, conducted an independent investigation into allegations of organ harvesting from Falun Gong prisoners in China and concluded that Falun Gong practitioners being killed for their organs was highly probable. Matas and Kilgour implicated state and party entities, including domestic security services and military hospitals in illicit organ harvesting; and

Whereas, The United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the government of the People’s Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses; and

Whereas, Kilgour, Matas, and investigative journalist Ethan Gutmann released a report on June 22, 2016, that the number of organ transplants in China far exceeds official Chinese government statistics. The source for most of the massive volume of organs for transplants is the killing of prisoners of conscience, primarily targeting Falun Gong practitioners; and

Whereas, The killing of religious or political prisoners for the purpose of selling their organs for transplant is an egregious and intolerable violation of the fundamental right to life; and

Whereas, In September 2012, experts testified before the United States House of Representatives Foreign Affairs Committee that United States patients continue to travel to China for organ transplants and that the medical community continues cooperation and training with Chinese colleagues, creating the risk that they may be indirectly aiding abusive practices; now, therefore, be it

Resolved by the House of Representatives, That we:

- Condemn the practice of state-sanctioned, forced organ harvesting in the People’s Republic of China;
- Call on the government of the People’s Republic of China and the Communist Party of China to immediately end the practice of organ harvesting from all prisoners of conscience;
- Demand an immediate end to the 18-year persecution of the Falun Gong spiritual practice by the government of the People’s Republic of China and the Communist Party of China, and the immediate release of all Falun Gong practitioners and other prisoners of conscience;
- Encourage the United States medical community to help raise awareness of unethical organ transplant practices in China; and
- Urge the President of the United States to undertake a full and transparent investigation by the United States Department of State into organ transplant practices in the People’s Republic of China and put up appropriate barriers to prevent United States citizens from getting these organs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Department of State, members of the Michigan congressional delegation, and the American Medical Association.

The resolution was referred to the Committee on Health Policy.

Reps. Tate, Vaupel, Garza, Liberati, Sabo, Chirkun, Albert, Mueller, Witwer, Tyrone Carter, Lasinski, Clemente, Warren, Stone, Haadsma, Brixie, Sneller, Kennedy, Ellison, Koleszar, Manoogian, Hood, Yancey, Howell and Jones offered the following resolution:

House Resolution No. 202.

A resolution to support passage of federal legislation to increase apprenticeship opportunities for veterans.

Whereas, Our military men and women, who proudly served our country, often face challenges upon their return to civilian life. As veterans return to families and communities, education and employment may present barriers to a successful transition from military to civilian life. They deserve every opportunity to pursue their professional dreams and attain fulfilling employment; and

Whereas, There is a discrepancy between the number of apprenticeships registered by the U.S. Department of Labor and the number of programs for which veterans can use their GI bill benefits. In Michigan there are more than 1,000 active registered apprenticeships, but the U.S. Department of Veterans Affairs has approved only 231 of them for coverage under GI Bill benefits; and

Whereas, Skilled trades is vital to the infrastructure of the state of Michigan. However, barriers exist to approving apprenticeship programs in Michigan, including the lack of an effective process to approve apprenticeship programs; and

Whereas, The proposed federal legislation, S.760, *Support for Veterans in Effective Apprenticeships Act*, seeks to expand opportunities for veterans to register for apprenticeships. Changing requirements for registered apprenticeship programs is necessary to enable veterans greater use of their education assistance benefits. Improving coordination between the U.S. Department of Labor and the U.S. Department of Veterans Affairs will ensure that all veterans are aware that GI Bill benefits can be used to cover costs of apprenticeship programs; and

Whereas, Senate bill 760 will improve the federal process for designating approved apprenticeship programs, removing the need for the current ineffective state process and resulting in increased veteran access to apprenticeship programs which teach skills through paid, on-the-job experiences; now, therefore, be it

Resolved by the House of Representatives, That we support passage of federal legislation to increase apprenticeship opportunities for veterans; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of the U.S. Department of Labor, the Secretary of the U.S. Department of Veterans Affairs, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Military, Veterans and Homeland Security.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4120, entitled

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

(The bill was received from the Senate on November 7, with amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 13, see House Journal No. 107, p. 1953.)

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

Rep. Cole moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Second Reading of Bills

House Bill No. 4816, entitled

A bill relating to the promotion of regional convention business and tourism in this state and certain regions of this state; to provide for tourism and convention marketing and promotion programs in certain areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the oversight functions and duties of certain state departments, state agencies, and state employees; and to prescribe penalties and remedies.

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

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

Rep. Hoadley moved to amend the bill as follows:

1. Amend page 2, line 16, after "areas," by inserting "recreational facilities, sporting venues,".

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

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

The motion prevailed.

The Speaker Pro Tempore assumed 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. 4687, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102, 40111a, and 43527a (MCL 324.40102, 324.40111a, and 324.43527a), section 40102 as amended by 2015 PA 24, section 40111a as amended by 2015 PA 265, and section 43527a as added by 2013 PA 108.

(The bill was received from the Senate on November 20, with amendments and full title inserted by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 109, p. 1962.)

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. 330

Yeas—61

Afendoulis	Elder	Iden	Rendon
Albert	Farrington	Johnson, S.	Schroeder
Alexander	Filler	Kennedy	Sheppard
Allor	Frederick	LaFave	Slagh
Bellino	Gay-Dagnogo	Leutheuser	Sneller
Berman	Glenn	Lightner	VanWoerkom
Bollin	Green	Lilly	Vaupel
Brann	Griffin	Lower	Wakeman
Byrd	Haadsma	Maddock	Webber
Calley	Hall	Marino	Wendzel
Cambensy	Hauck	Markkanen	Wentworth
Chatfield	Hernandez	Meerman	Whiteford
Chirkun	Hoitenga	O'Malley	Wozniak
Cole	Hornberger	Paquette	Yancey
Crawford	Huizenga	Reilly	Yaroch
Eisen			

Nays—44

Anthony	Greig	Koleszar	Rabhi
Bolden	Guerra	Kuppa	Robinson
Brixie	Hammoud	LaGrand	Sabo
Camilleri	Hertel	Lasinski	Shannon
Carter, B.	Hoadley	Liberati	Sowerby
Carter, T.	Hood	Love	Stone
Cherry	Hope	Manoogian	Tate
Clemente	Howell	Miller	Warren
Coleman	Johnson, C.	Pagan	Whitsett
Ellison	Jones	Peterson	Wittenberg
Garza	Kahle	Pohutsky	Witwer

In The Chair: Wentworth

The House agreed to the full title.

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

Rep. VanSingel, under Rule 31, made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 330 because of a possible conflict of interest.”

Rep. Mueller, under Rule 31, made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 330 because of a possible conflict of interest.”

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

The House returned to the consideration of
House Bill No. 4120, entitled

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

(The bill was considered earlier today, see today’s Journal, p. 1970.)

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. 331

Yeas—56

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

Nays—51

Albert	Ellison	Kennedy	Robinson
Anthony	Garza	Koleszar	Sabo
Bolden	Gay-Dagnogo	Kuppa	Shannon
Brixie	Greig	LaGrand	Sneller
Byrd	Guerra	Lasinski	Sowerby
Camilleri	Haadsma	Liberati	Stone

Carter, B.	Hammoud	Love	Tate
Carter, T.	Hertel	Manoogian	Warren
Cherry	Hoadley	Mueller	Whitsett
Chirkun	Hood	Pagan	Wittenberg
Clemente	Hope	Peterson	Witwer
Coleman	Johnson, C.	Pohutsky	Yancey
Elder	Jones	Rabhi	

In The Chair: Lilly

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

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been reproduced and made available electronically on Wednesday, November 20:

House Bill No. 5261

The Clerk announced the enrollment printing and presentation to the Governor on Monday, November 25, for her approval of the following bills:

Enrolled House Bill No. 4451 at 3:01 p.m.

Enrolled House Bill No. 4710 at 3:03 p.m.

Enrolled House Bill No. 5084 at 3:05 p.m.

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, December 3:

Senate Bill Nos. 659 660 661 662 663 664

Reports of Standing Committees

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

House Bill No. 4910, entitled

A bill to regulate the prescription of emotional support animals by health care providers and requests for reasonable accommodation for emotional support animals in housing; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties.

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

Favorable Roll Call

To Refer:

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

Nays: None

The bill and substitute were referred to the Committee on Judiciary.

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

House Bill No. 4911, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5714 and 5775 (MCL 600.5714 and 600.5775), section 5714 as amended by 2014 PA 223 and section 5775 as added by 1988 PA 336.

to the Committee on Judiciary.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Judiciary.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

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

Absent: Rep. Robinson

Excused: Rep. Robinson

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

House Bill No. 4577, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2081) by adding section 1092.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

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

Nays: None

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

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

House Bill No. 4832, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2083) by adding section 18b.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

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

The Committee on Insurance, by Rep. Rendon, Chair, referred

House Bill No. 5174, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1915 (MCL 500.1915), as amended by 2006 PA 644.

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

Favorable Roll Call

To Refer:

Yeas: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Sneller, Bolden, Brenda Carter and Coleman

Nays: None

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

The Committee on Insurance, by Rep. Rendon, Chair, referred

House Bill No. 5241, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 836b (MCL 500.836b), as amended by 2016 PA 558.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Sneller, Bolden, Brenda Carter and Coleman

Nays: None

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

The Committee on Insurance, by Rep. Rendon, Chair, referred

House Bill No. 5242, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1301 (MCL 500.1301), as amended by 2015 PA 244, and by adding section 1359.

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

Favorable Roll Call

To Refer:

Yeas: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Sneller, Bolden, Brenda Carter and Coleman

Nays: None

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

The Committee on Insurance, by Rep. Rendon, Chair, referred

House Bill No. 5243, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1001 and 1027 (MCL 500.1001 and 500.1027), section 1001 as amended by 2016 PA 276 and section 1027 as added by 2008 PA 342, and by adding section 1028; and to repeal acts and parts of acts.

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

Favorable Roll Call

To Refer:

Yeas: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Sneller, Bolden, Brenda Carter and Coleman

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

Present: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Sneller, Bolden, Brenda Carter and Coleman

Absent: Rep. Berman

Excused: Rep. Berman

The Committee on Military, Veterans and Homeland Security, by Rep. LaFave, Chair, referred

House Bill No. 5038, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

to the Committee on Judiciary.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Judiciary.

The Committee on Military, Veterans and Homeland Security, by Rep. LaFave, Chair, referred

House Bill No. 5039, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12j of chapter XVII (MCL 777.12j), as added by 2002 PA 34.

to the Committee on Judiciary.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Judiciary.

The Committee on Military, Veterans and Homeland Security, by Rep. LaFave, Chair, referred

House Bill No. 5040, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 33 (MCL 257.1833), as amended by 2018 PA 422.

to the Committee on Judiciary.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Judiciary.

The Committee on Military, Veterans and Homeland Security, by Rep. LaFave, Chair, referred

House Bill No. 5041, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 2012 PA 263.

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

Favorable Roll Call

To Refer:

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

Nays: Mueller

The bill and substitute were referred to the Committee on Judiciary.

The Committee on Military, Veterans and Homeland Security, by Rep. LaFave, Chair, referred
House Bill No. 5042, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," (MCL 257.1801 to 257.1877), by adding section 20.
to the Committee on Judiciary.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Judiciary.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

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

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

House Bill No. 4313, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43525c.

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

Favorable Roll Call

To Refer:

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

Nays: Reps. Reilly and Eisen

The bill and substitute were referred to the Committee on Judiciary.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

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

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

House Bill No. 4712, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4713, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5103, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3203 and 3204 (MCL 700.3203 and 700.3204), as amended by 2018 PA 13.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

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

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

House Bill No. 4395, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 636 (MCL 257.636), as amended by 2018 PA 279.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 309, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending sections 2 and 8 of article IV (MCL 478.2 and 478.8), section 2 of article IV as amended by 2014 PA 493 and section 8 of article IV as added by 1988 PA 369.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 3, 2019

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

Messages from the Senate**House Bill No. 4306, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3212 (MCL 600.3212), as amended by 2011 PA 301.

The Senate has amended the bill as follows:

1. Amend page 1, line 1, after "3212." by inserting "(1)".
2. Amend page 3, following line 6, by inserting:

"(2) The party foreclosing the mortgage shall not publish a notice of foreclosure under this chapter in a newspaper in which the party foreclosing, or its agent, has a majority ownership interest."

The Senate has passed the bill as amended and 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.

Messages from the Governor

Date: November 21, 2019

Time: 10:33 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4044 (Public Act No. 124, I.E.), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the

powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending sections 1205 and 1239 (MCL 500.1205 and 500.1239), section 1205 as amended by 2008 PA 422 and section 1239 as amended by 2008 PA 423.

(Filed with the Secretary of State November 21, 2019, at 4:04 p.m.)

Date: November 21, 2019

Time: 10:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4959 (Public Act No. 125, I.E.), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 601 (MCL 436.1601).

(Filed with the Secretary of State November 21, 2019, at 4:06 p.m.)

Date: November 21, 2019

Time: 10:37 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4960 (Public Act No. 126, I.E.), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 107 (MCL 436.1107), as amended by 2001 PA 223.

(Filed with the Secretary of State November 21, 2019, at 4:08 p.m.)

Date: November 21, 2019

Time: 10:39 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4961 (Public Act No. 127, I.E.), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state

liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” (MCL 436.1101 to 436.2303) by adding section 608.

(Filed with the Secretary of State November 21, 2019, at 4:10 p.m.)

Date: November 21, 2019

Time: 10:41 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4408 (Public Act No. 128, I.E.), being

An act to amend 2000 PA 321, entitled “An act to provide for the establishment of recreational authorities; to provide powers and duties of an authority; to authorize the assessment of a fee, the levy of a property tax, and the issuance of bonds and notes by an authority; and to provide for the powers and duties of certain government officials,” by amending section 27 (MCL 123.1157).

(Filed with the Secretary of State November 21, 2019, at 4:12 p.m.)

Date: November 21, 2019

Time: 10:43 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4209 (Public Act No. 129, I.E.), being

An act 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,” by amending section 44 (MCL 211.44), as amended by 2012 PA 482.

(Filed with the Secretary of State November 21, 2019, at 4:14 p.m.)

Date: November 21, 2019

Time: 10:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4226 (Public Act No. 130, I.E.), 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 3240 (MCL 600.3240), as amended by 2014 PA 431.

(Filed with the Secretary of State November 21, 2019, at 4:16 p.m.)

The following message from the Governor was received and read:

December 3, 2019

Gary Randall
Clerk
Michigan House of Representatives
Capitol Building, Room 70
Lansing, MI 48909-7514

Dear Mr. Randall:

Enclosed is a special message to the 100th Michigan Legislature. Under section 17 of article 5 of the Michigan Constitution of 1963, this message transmits information on the affairs of the state and recommends measures I consider necessary and desirable.

Respectfully,
Gretchen Whitmer
Governor

**SPECIAL MESSAGE
TO THE 100th MICHIGAN LEGISLATURE**

**Healthy Michigan Plan Work Requirements –
Avoiding Waste and Protecting Michigan Taxpayers Compels Legislative Action**

To the Members of the 100th Michigan Legislature:

On November 22, 2019 a lawsuit was filed in federal court challenging the legality of Michigan's work requirements under federal law. I ask that the legislature act prudently in the best interests of Michigan taxpayers to suspend Michigan's work requirements while this litigation is pending. If work requirements are blocked by the court, a pause now could avoid up to \$40 million in wasted expense. It could further avoid needlessly confusing hundreds of thousands of our residents with messages soon undone by a federal court.

The courts are taking these claims seriously. The same federal judge who will hear the Michigan case has already enjoined similar work requirements in Arkansas, Kentucky and New Hampshire. At oral argument on the appeal, a three-judge panel "express[ed] scepticism" about the legality of the work requirements, according to the *Washington Post* (Oct. 11, 2019). Among the apparent skeptics was an appointee of President Ronald Reagan.

Seeing inherent uncertainty following ongoing litigation, states with Republican governors have paused work requirement implementation. On October 31, Indiana announced it would "temporarily suspend the reporting requirements of the Gateway to Work program due to a pending legal challenge." (Press Release, Ind. Family & Social Svcs. Admin., Oct. 31, 2019.) This followed a similar action on October 17 by Arizona, which told the federal government that its decision was "informed by the evolving national landscape concerning Medicaid community engagement programs and ongoing litigation regarding the topic." (Letter from Jami Snyder, Director, Ariz. Health Care Cost Containment System, to Calder Lynch, Acting Director, Center for Medicare and Medicaid Svcs., Oct. 17, 2019.) New Hampshire suspended its work requirement implementation even before a court entered an injunction. (Letter from Jeffrey A. Meyers, Commissioner, N.H. Dept. of Health and Human Services, to Christopher T. Sununu, Governor, State of New Hampshire, July 8, 2019.)

Michigan has already spent \$28 million on technological and organizational changes aimed at implementing work requirements. This fiscal year, we are on track to spend \$40 million more. If the courts ultimately block these requirements, all this money will have been wasted. Even if the courts block them only temporarily, we risk causing not only waste, but needless confusion for Michigan families who already have enough on their minds.

To give one example: the Michigan Department of Health and Human Services (MDHHS) will soon send detailed information regarding compliance mandates to approximately 200,000 Michiganders, notifying these individuals of steps they must take starting January 1, 2020, if they wish to keep their health insurance. We are working hard to make these notices as clear and meaningful as possible, and the cost of the mailing is approximately \$1 million. If our statute is enjoined in the early months of 2020, then we will need to find a way to communicate to those 200,000 people that our first letter no longer applies and they need not do what we said they must do.

I hope you share my concern with risking tens of millions of taxpayer dollars on implementing a program that faces substantial legal uncertainty. As MDHHS Director Robert Gordon mentioned in letters to

legislative leadership on November 25, in order that individuals have the information they need prior to the law's effective date on January 1, 2020, the Department must begin the batch mailings no later than December 9, 2019. The Department could responsibly defer sending those notices if legislative leadership indicated prior to that deadline its willingness to suspend Michigan's work requirements before the law's effective date. I urge you to follow Republican efforts across the country and agree on this commonsense path.

Respectfully,
Gretchen Whitmer
Governor

The message was referred to the Clerk.

Introduction of Bills

Rep. Kuppa introduced

House Bill No. 5262, entitled

A bill to designate February 1 of each year as "Blue Star Mothers Day".

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

Rep. Miller introduced

House Bill No. 5263, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 316 (MCL 484.2316), as amended by 2011 PA 58.

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

Rep. Hernandez introduced

House Bill No. 5264, 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.

Rep. Hernandez introduced

House Bill No. 5265, 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. Cole and Chirkun introduced

House Bill No. 5266, entitled

A bill to amend 2008 PA 167, entitled "Electric cooperative member-regulation act," (MCL 460.31 to 460.39) by adding sections 8a and 8b.

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

Announcements by the Clerk

November 22, 2019

Received from the Michigan Law Revision Commission the 49th Annual Report for calendar year 2018 pursuant to section 403 of Act No. 268 of the Public Acts of 1986, MCL § 4.1403.

Gary L. Randall
Clerk of the House

November 26, 2019

Received from the Auditor General a copy of the:

- Report on internal control over financial reporting of the Michigan State Employees' Retirement System Schedule of Employer Allocations and Schedules of Pension and Other Postemployment Benefit Amounts by Employer for the fiscal year ended September 30, 2018 (071-0165-19).

November 27, 2019

Received from the Auditor General a copy of the:

- Performance audit on the Prisoner Security Classification and Recommended Programming, Michigan Department of Corrections (471-0350-18), November 2019.

Gary L. Randall
Clerk of the House

Rep. Clemente moved that the House adjourn.
The motion prevailed, the time being 3:55 p.m.

Associate Speaker Pro Tempore Lilly declared the House adjourned until Wednesday, December 4, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives