

No. 112
STATE OF MICHIGAN
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House of Representatives
100th Legislature
REGULAR SESSION OF 2019

House Chamber, Lansing, Thursday, December 5, 2019.

12:00 Noon.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, December 4:

House Bill Nos. 5267 5268 5269 5270 5271

The Clerk announced that the following Senate bills had been received on Wednesday, December 4:

Senate Bill Nos. 376 377 616 618

The Clerk announced that the following Senate bills had been received on Thursday, December 5:

Senate Bill Nos. 125 253 321 493 494

Reports of Standing Committees

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

House Bill No. 4181, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a, 602b, 602c, and 732 (MCL 257.320a, 257.602b, 257.602c, and 257.732), section 320a as amended by 2018 PA 349, section 602b as amended by 2016 PA 332, section 602c as added by 2012 PA 592, and section 732 as amended by 2017 PA 160.

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, Warren, Byrd and Hertel

Nays: None

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

House Bill No. 4198, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 602c (MCL 257.602b and 257.602c), section 602b as amended by 2016 PA 332 and section 602c as added by 2012 PA 592.

With the recommendation that the substitute (H-5) 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, Warren, Byrd and Hertel

Nays: None

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

House Bill No. 4199, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 907 (MCL 257.602b and 257.907), section 602b as amended by 2016 PA 332 and section 907 as amended by 2015 PA 126.

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: Wednesday, December 4, 2019

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaupel, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, December 5, 2019

Present: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Mueller, Ellison, Koleszar, Pohutsky, Stone and Witwer

Absent: Reps. Filler, Wozniak, Liberati, Garrett and Clemente

Excused: Reps. Filler, Wozniak, Liberati, Garrett and Clemente

Messages from the Senate

Senate Bill No. 125, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 18 (MCL 567.238), as amended by 2010 PA 197.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Senate Bill No. 253, entitled

A bill to amend 1846 RS 81, entitled "Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action," by amending section 2 (MCL 566.132), as amended by 1992 PA 245.

The Senate has passed the bill.

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

Senate Bill No. 321, entitled

A bill to amend 2004 PA 177, entitled "Michigan law enforcement officers memorial act," by amending section 5 (MCL 28.785), as amended by 2013 PA 242.

The Senate has passed the bill.

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

Senate Bill No. 376, 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 Senate has passed the bill.

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

Senate Bill No. 377, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 20, 22b, 22d, 25f, 25g, 31a, 35a, 236, 251, and 252 (MCL 388.1611, 388.1620, 388.1622b, 388.1622d, 388.1625f, 388.1625g, 388.1631a, 388.1635a, 388.1836, 388.1851, and 388.1852), sections 11, 20, 22b, 31a, and 35a as amended by 2019 PA 58, sections 22d, 25f, 25g, and 252 as amended by 2018 PA 265, and sections 236 and 251 as amended by 2019 PA 62, and by adding sections 35c, 54e, and 97.

The Senate has passed the bill.

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

Senate Bill No. 493, entitled

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 16 (MCL 207.856), as amended by 2015 PA 218.

The Senate has passed the bill.

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

Senate Bill No. 494, entitled

A bill to amend 1978 PA 255, entitled "Commercial redevelopment act," by amending section 18 (MCL 207.668), as amended by 2008 PA 227.

The Senate has passed the bill.

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

Senate Bill No. 616, 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).

The Senate has passed the bill.

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

Senate Bill No. 618, entitled

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

The Senate has passed the bill.

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

Messages from the Governor

Date: December 4, 2019

Time: 2:13 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4451 (Public Act No. 139, 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,” (MCL 500.100 to 500.8302) by adding section 3406u.

(Filed with the Secretary of State December 5, 2019, at 9:26 a.m.)

Date: December 4, 2019

Time: 2:11 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4710 (Public Act No. 140, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under

certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending the heading of part 165 and sections 16215, 16322, 16501, 16511, 16521, 16525, and 16529 (MCL 333.16215, 333.16322, 333.16501, 333.16511, 333.16521, 333.16525, and 333.16529), section 16215 as amended by 2005 PA 211, sections 16322, 16501, 16525, and 16529 as added by 2006 PA 30, section 16511 as amended by 2006 PA 397, and section 16521 as amended by 2010 PA 79, and by adding sections 16513, 16515, and 16517.

(Filed with the Secretary of State December 5, 2019, at 9:28 a.m.)

Date: December 4, 2019

Time: 2:09 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5084 (Public Act No. 141, I.E.), being

An act to amend 2009 PA 75, entitled “An act to provide for the licensing of mortgage loan originators; to regulate the business practices of mortgage loan originators; to establish certain obligations of employees and principals of mortgage loan originators; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies and prescribe penalties,” by amending sections 3 and 5 (MCL 493.133 and 493.135), section 3 as amended by 2012 PA 150 and section 5 as amended by 2014 PA 421, and by adding sections 5a, 5b, and 5c.

(Filed with the Secretary of State December 5, 2019, at 9:30 a.m.)

Introduction of Bills

Reps. Wakeman, Mueller, Wozniak, Marino, Markkanen, Chirkun, Cambensy, Eisen, Lightner and Jones introduced

House Bill No. 5272, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 5b and 5o (MCL 28.425b and 28.425o), as amended by 2017 PA 95.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Sowerby, Brann, Lasinski, Haadsma, Stone, Koleszar, Pohutsky, Clemente, Ellison, Cherry, Chirkun, Kennedy, Hertel, Peterson, Garza, Hammoud, Camilleri, Anthony, Pagan, Hoadley, Shannon, Tyrone Carter, Cynthia Johnson, Brenda Carter, Coleman, Robinson, Elder, Hope, Byrd, Hood, Rabhi, Bolden, Sabo, Brixie and Love introduced

House Bill No. 5273, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2018 PA 211, and by adding section 3m.

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

Reps. Clemente, Sowerby, Guerra, LaGrand, Garrett, Brixie, Gay-Dagnogo, Pagan, Sabo and Whitsett introduced

House Bill No. 5274, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 907 (MCL 257.907), as amended by 2015 PA 126.

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

Reps. Wittenberg, Hoadley, Brenda Carter, Brixie, Byrd, Rabhi, Kuppa, Peterson, Hertel, Ellison, Stone, Manoogian, Hammoud, Tyrone Carter, Tate, Anthony, Pohutsky, Koleszar, Greig, Warren, Pagan, Bolden, Garza, Kennedy, Hope, Lasinski, LaGrand, Clemente, Sowerby, Camilleri, Hood and Whitsett introduced

House Bill No. 5275, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 2, 2a, 2b, 12, and 14a (MCL 28.422, 28.422a, 28.422b, 28.432, and 28.434a), section 2 as amended by 2015 PA 200, section 2a as amended by 2016 PA 301, section 2b as amended by 2014 PA 205, section 12 as amended by 2010 PA 209, and section 14a as added by 2010 PA 295.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Brenda Carter, Wittenberg, Hoadley, Brixie, Byrd, Rabhi, Kuppa, Peterson, Hertel, Ellison, Stone, Manoogian, Hammoud, Tyrone Carter, Tate, Anthony, Pohutsky, Koleszar, Greig, Warren, Pagan, Bolden, Garza, Kennedy, Hope, Lasinski, LaGrand, Clemente, Sowerby, Camilleri, Hood and Whitsett introduced

House Bill No. 5276, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 223 and 232a (MCL 750.223 and 750.232a), section 223 as amended by 2012 PA 242 and section 232a as amended by 1990 PA 321.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Hoadley, Wittenberg, Brenda Carter, Brixie, Byrd, Rabhi, Kuppa, Peterson, Hertel, Ellison, Stone, Manoogian, Hammoud, Tyrone Carter, Tate, Anthony, Pohutsky, Koleszar, Greig, Warren, Pagan, Bolden, Garza, Kennedy, Hope, Lasinski, LaGrand, Clemente, Sowerby, Camilleri, Hood and Whitsett introduced

House Bill No. 5277, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2018 PA 637.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Warren, Lasinski, Tate, Brixie, Hammoud and Robinson introduced

House Bill No. 5278, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811jj.

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

Rep. Warren introduced

House Bill No. 5279, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 241 (MCL 18.1241), as amended by 2012 PA 430, and by adding section 241d.

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

Rep. Warren introduced

House Bill No. 5280, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1268.

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

Reps. Hoadley, Rabhi, Warren, Cherry, Kennedy, Hood, Guerra, Camilleri and Hammoud introduced
House Bill No. 5281, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding section 4v.

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

Reps. Rabhi, Hoadley, Warren, Cherry, Kennedy, Hood, Guerra, Camilleri and Hammoud introduced
House Bill No. 5282, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 321, 576a, 580, 736b, 736c, 736d, 736e, 736f, 764, and 795 (MCL 168.321, 168.576a, 168.580, 168.736b, 168.736c, 168.736d, 168.736e, 168.736f, 168.764, and 168.795), section 321 as amended by 2018 PA 627, section 580 as amended by 1985 PA 160, sections 736b, 736c, 736d, and 736e as amended by 2018 PA 190, sections 736f and 764 as added by 2012 PA 128, and section 795 as amended by 2018 PA 127, and by adding sections 640 and 736h.

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

Reps. Yaroch, Farrington, Hertel, Sowerby, Shannon, Stone, Tate, Marino, Tyrone Carter, Chirkun and Wozniak introduced

House Bill No. 5283, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 810 (MCL 257.810), as amended by 2003 PA 152.

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

Reps. Yaroch, Farrington, Hertel, Sowerby, Shannon, Stone, Marino, Tate, Chirkun and Wozniak introduced

House Bill No. 5284, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 10 (MCL 247.660), as amended by 2018 PA 471, and by adding section 10i.

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

Reps. Yaroch and Hornberger introduced

House Bill No. 5285, entitled

A bill to amend 2010 PA 296, entitled “Art institute authorities act,” by amending the title and sections 3 and 17 (MCL 123.1203 and 123.1217).

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

Rep. Steven Johnson introduced

House Bill No. 5286, entitled

A bill to prohibit political subdivisions in this state from imposing certain restrictions on the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration, manufacturing, or use of knives or components of knives.

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

The Clerk declared the House adjourned until Tuesday, December 10, at 1:30 p.m.

GARY L. RANDALL

Clerk of the House of Representatives