

No. 81
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
101st Legislature
REGULAR SESSION OF 2021

House Chamber, Lansing, Thursday, October 7, 2021.

12:00 Noon.

The House was called to order by the Speaker.

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

Aiyash—present	Damoose—excused	Kuppa—present	Rogers—present
Albert—present	Eisen—present	LaFave—present	Roth—present
Alexander—present	Ellison—present	LaGrand—present	Sabo—present
Allor—present	Farrington—present	Lasinski—present	Scott—present
Anthony—present	Filler—present	Liberati—present	Shannon—present
Beeler—present	Fink—present	Lightner—present	Slagh—present
Bellino—present	Frederick—present	Lilly—present	Sneller—present
Berman—present	Garza—present	Maddock—present	Sowerby—present
Beson—present	Glenn—present	Manoogian—present	Steckloff—present
Bezotte—present	Green—present	Marino—excused	Steenland—present
Bolden—present	Griffin—present	Markkanen—present	Stone—present
Bollin—present	Haadsma—present	Martin—present	Tate—present
Borton—present	Hall—present	Meerman—present	Thanedar—present
Brabec—present	Hammoud—present	Morse—present	Tisdell—present
Brann—present	Hauck—present	Mueller—present	VanSingel—present
Breen—present	Hertel—present	Neeley—excused	VanWoerkom—present
Brixie—present	Hoitenga—present	O'Malley—present	Wakeman—present
Calley—present	Hood—excused	O'Neal—present	Weiss—present
Cambensy—excused	Hope—present	Outman—present	Wendzel—present
Camilleri—present	Hornberger—present	Paquette—present	Wentworth—present
Carra—present	Howell—present	Peterson—present	Whiteford—present
Carter, B—present	Huizenga—present	Pohutsky—present	Whitsett—excused
Carter, T—present	Johnson, C—present	Posthumus—present	Witwer—present
Cavanagh—present	Johnson, S—present	Puri—present	Wozniak—present
Cherry—present	Jones—excused	Rabhi—present	Yancey—excused
Clemente—present	Kahle—present	Reilly—present	Yaroch—present
Clements—present	Koleszar—present	Rendon—present	Young—present
Coleman—present			

e/d/s = entered during session

Rep. Shri Thanedar, from the 3rd District, offered the following invocation:

“Today as we gather together, we ask our creator to guide us. You are known by many different names, and today we call upon You.

Let us see that we were elected to meet the needs of whom we represent and be their voice.

Let us vote with open mind and hearts. Our vote should show that we have the best interest of our fellow Michiganders in mind despite our partisanship.

Let our decisions restore the hope and trust of Michiganders in their State government, by being honest with ourselves and to our constituents.

Today we are grateful for the privilege to serve our fellow citizens. As the legislature convenes, we remember that we are here for the people. We are reminded that we will treat every Michigander as important as the next. Let us remember our oath to the people for today’s session and all sessions to come.

Today we give thanks for all of Michigan’s past representatives, for they have paved the way for us to progress.

Let us honor that effort by bringing equality to **ALL** Michiganders to move our great state forward.

At the end of this session, let us look back on our impact, and know that we did what is right. I have faith that this body of legislatures will walk out of here today and be proud of their decisions. Let us strive to make the last months of the 101st legislature the best we have had.”

Rep. Garza moved that Reps. Cambensy, Hood, Jones, Neeley, Whitsett and Yancey be excused from today’s session.

The motion prevailed.

Rep. Frederick moved that Reps. Damoose and Marino be excused from today’s session.

The motion prevailed.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 180.

A resolution of tribute offered as a memorial for Andrea Schroeder, member of the House of Representatives.

Whereas, The members of this legislative body were shaken and saddened to learn of the passing of their colleague and friend, Representative Andrea Schroeder. A tireless advocate for children and all residents of the Forty-third District, Representative Schroeder was passionate about public service and helping others to her last day. Her courage, candor, compassion, sharp sense of humor, and fun-loving nature will be greatly missed; and

Whereas, Andrea Schroeder was born in Detroit and raised in Farmington Hills. She earned a Bachelor of Science degree in child studies and early childhood education from Miami University in Ohio. She also served as a pre-K and kindergarten teacher and continued her devotion and dedication to young people in countless ways, including several roles with schools and Parent-Teacher Associations. She was a successful businesswoman, served as an Independence Township trustee, and volunteered for her community with the Clarkston Area Optimist Club and several other organizations; and

Whereas, Although Representative Schroeder’s time in Lansing was sadly cut short, her legacy will be long-lasting both inside and outside the Capitol. She continued to selflessly serve others and put their needs before her own throughout her courageous fight with cancer. She served on several committees during her time in the House, and took on the role of Majority Whip this year, helping her colleagues succeed and improve the Legislature’s process; and

Whereas, Andrea Schroeder had a sincere desire to protect and provide for young people. She worked to improve the government systems that help guard vulnerable children, promoting legislation to increase the efficiency of the Children’s Ombudsman Office. She advocated for the well-being of young people, supporting accessibility of mental health resources for older students and successfully sponsoring the inclusion of the suicide prevention hotline on student ID cards; and

Whereas, Andrea Schroeder was also a loving wife and adoring mother. Her family was her pride and joy. We offer our deepest condolences to her husband Mark and children Maggie, Luke, and Grace. May they take comfort in knowing that she made this legislative body and our state a better place; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Andrea Schroeder, a member of this legislative body from 2019 to 2021; and be it further

Resolved, That copies of this resolution be transmitted to the Schroeder family as evidence of our lasting esteem for her memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker called the Speaker Pro Tempore to the Chair.

Introduction of Bills

House Bill No. 5376, 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 2020 PA 65 and section 623 as amended by 2014 PA 13, and by adding sections 254 and 675 and part 4.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Frederick moved that Rules 41 and 42 be suspended.

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

Rep. Frederick moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 4711, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2020 PA 121.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4921, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 701 (MCL 333.27701).

The bill was read a second time.

Rep. Hauck moved to substitute (H-1) the bill.

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

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

The motion prevailed.

House Bill No. 5260, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248I (MCL 257.248I), as added by 2018 PA 420.

The bill was read a second time.

Rep. Witwer 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

Messages from the Senate

Senate Concurrent Resolution No. 19.

A concurrent resolution of tribute offered as a memorial for Donald Bishop, former member of the House of Representatives and the Senate.

Whereas, It is with great sorrow that the members of the Michigan Legislature learned about the passing of Donald Bishop. He will be remembered as a dedicated public servant and champion for his constituents in Oakland County and the people of the state of Michigan; and

Whereas, Born and raised in Michigan, Donald Bishop received his bachelor's degree in political science from Oberlin College in Ohio before serving in the U.S. Army. Later, he received his law degree from the Detroit College of Law; and

Whereas, Donald Bishop was first elected to the Michigan House of Representatives in 1966 where he served two terms before being elected to the Michigan Senate in 1970 where he served six terms. In the House, Donald Bishop served as a member of the Appropriations Committee and the committees on Colleges and Universities, Private Corporations, and Towns and Counties; and

Whereas, In the Senate, Donald Bishop served in several leadership positions, including as Senate Republican Whip and Minority Floor Leader. He chaired the Corporations and Economic Development Committee and was the vice chair of the Judiciary and Commerce committees. Senator Bishop was also a member of the committees on Labor, Congressional Reapportionment, and Joint Administrative Rules. In addition to his committee work, Donald Bishop was an invaluable member of the Governor's Advisory Commission on Financial Institutions, the Michigan Commission on Criminal Justice, and the National Conference of Commissioners on Uniform State Law; and

Whereas, Donald Bishop was a dedicated legislator, admired by his constituents, friends, family, and colleagues. Upon his passing, we offer our condolences to his family and friends. Donald Bishop's contributions to the Legislature and our state will be remembered; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Donald Bishop, a member of the House of Representatives from 1967 to 1970 and the Senate from 1971 to 1982; and be it further

Resolved, That copies of this resolution be transmitted to the Bishop family as evidence of our lasting esteem for his memory.

The Senate has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

Rep. Frederick moved that consideration of the concurrent resolution be postponed for the day.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Wakeman, Sabo, Sneller and Thanedar offered the following resolution:

House Resolution No. 181.

A resolution to declare October 2021 as Funeral Director Appreciation Month in the state of Michigan.

Whereas, Michigan funeral directors are dedicated and skilled professionals who are called upon day or night to come to the immediate assistance of those in our communities who have lost a loved one; and

Whereas, The expertise that Michigan funeral directors have mastered draws from multiple advanced sciences and technical disciplines to protect public health from the spread of disease, while also providing families and the community with the time to share in their grief and a proper and respectful disposition; and

Whereas, While first responders were deservingly being hailed as heroes during the COVID-19 pandemic, funeral directors were quietly serving in the background carrying out their duties in the continuum of care to protect public health; and

Whereas, Special recognition is also due to the members of the Michigan Mortuary Response Team (MIMORT), who have attained advanced training through specific preparedness exercises to respond to mass fatality events in the state of Michigan and who were deployed in 2020 to Southeast Michigan to relieve local hospitals that experienced a concentrated number of COVID deaths, causing their holding facilities to reach capacity; and

Whereas, The MIMORT team skillfully performed special duties in extraordinary and unprecedented fashion to care for, respectfully handle, and transport remains to another shelter until such time the remains were reunited with their loved ones for a proper and respectful disposition; and

Whereas, Public mental health awareness has been promoted by Michigan funeral directors offering council and comfort to those who grieve as part of their services; and

Whereas, Funeral Director Appreciation Month highlights the commitment of funeral directors throughout the state to protect public health and provide critical services and assistance to those beginning their transition from a life with their loved one to a life without their loved one; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2021 as Funeral Director Appreciation Month in the state of Michigan. We acknowledge the significant contributions of funeral directors in Michigan, the Michigan Mortuary Response Team, and Funeral Director Appreciation Month in our state; and be it further

Resolved, That we call on each resident, business, house of worship, community organization, and unit of government to observe this month with participation in Funeral Director Appreciation Month by acknowledging the dedication and services of funeral directors in our communities.

The question being on the adoption of the resolution,

Rep. Frederick moved that consideration of the resolution be postponed for the day.

The motion prevailed.

—

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, October 6:

House Bill Nos. 5368 5369 5370 5371 5372 5373 5374 5375

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, October 7:

Senate Bill Nos. 682 683

Reports of Standing Committees

The Committee on Health Policy, by Rep. Kahle, Chair, reported

House Bill No. 5163, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21528.

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. Kahle, Whiteford, Alexander, Hauck, Filler, Mueller, Beeler, Fink, Roth, Tisdell, Witwer, Clemente, Pohutsky, Stone and Morse

Nays: Rep. Meerman

The Committee on Health Policy, by Rep. Kahle, Chair, reported

House Bill No. 5166, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744e (MCL 333.17744e), as added by 2016 PA 383.

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. Kahle, Meerman, Whiteford, Alexander, Hauck, Filler, Mueller, Beeler, Fink, Roth, Tisdel, Witwer, Clemente, Pohutsky, Stone and Morse

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 7, 2021

Present: Reps. Kahle, Meerman, Whiteford, Alexander, Allor, Hauck, Filler, Mueller, Beeler, Fink, Roth, Tisdel, Witwer, Clemente, Pohutsky, Stone and Morse

Absent: Reps. Whitsett and Neeley

Excused: Reps. Whitsett and Neeley

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Steven Johnson, Chair, of the Committee on Oversight, was received and read:

Meeting held on: Thursday, October 7, 2021

Present: Reps. Steven Johnson, Outman, Hoitenga, Reilly, O'Malley, Wozniak, Brixie, LaGrand and Young

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: Thursday, October 7, 2021

Present: Reps. Howell, Markkanen, Eisen, Wakeman, Martin, Sowerby and Aiyash

Absent: Reps. LaFave and Cambensy

Excused: Reps. LaFave and Cambensy

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lilly, Chair, of the Committee on Rules and Competitiveness, was received and read:

Meeting held on: Thursday, October 7, 2021

Present: Reps. Lilly, Clements, Calley, Wendzel, Damoose, Posthumus, Anthony, Hertel, Sneller and Kuppa

Messages from the Senate

House Bill No. 4366, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2020 PA 94.

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. 4364, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221 and 310 (MCL 257.221 and 257.310), as amended by 2020 PA 93.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 221 and 310 (MCL 257.221 and 257.310), section 221 as amended by 2020 PA 93 and section 310 as amended by 2020 PA 304.

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

House Bill No. 4365, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 2020 PA 306.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5007, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 2 and 2a (MCL 28.292 and 28.292a), section 2 as amended and section 2a as added by 2020 PA 306.

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

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 2, and 2a (MCL 28.291, 28.292, and 28.292a), section 1 as amended and section 2a as added by 2020 PA 306 and section 2 as amended by 2021 PA 73.

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

Senate Bill No. 304, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 523a and 813 (MCL 168.523a and 168.813), as amended by 2018 PA 603.

The Senate has substituted (S-3) the House substitute (H-1).

The Senate has concurred in the House substitute (H-1) as substituted (S-3) and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 523a (MCL 168.523a), as amended by 2018 PA 603.

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

Introduction of Bills

Reps. Roth, Steckloff, Anthony, Wozniak and Martin introduced

House Bill No. 5377, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending section 2 (MCL 141.872), as amended by 2018 PA 626; and to repeal acts and parts of acts.

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

Reps. Anthony, Steckloff and Roth introduced

House Bill No. 5378, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending sections 3 and 3a (MCL 141.873 and 141.873a), section 3 as amended by 2010 PA 283 and section 3a as amended by 1993 PA 224.

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

Reps. Martin and Roth introduced

House Bill No. 5379, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending sections 4, 5, 6, 7a, and 8 (MCL 141.874, 141.875, 141.876, 141.877a, and 141.878), sections 4 and 8 as amended by 1984 PA 59, section 5 as amended by 2014 PA 273, section 6 as amended by 2010 PA 283, and section 7a as added by 2018 PA 626.

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

Reps. Aiyash, Wozniak, Brabec, Brann, Eisen, Puri, Carra, LaFave, Howell, Sneller, Brixie, Scott, Neeley, Young, Cynthia Johnson and Rabhi introduced

House Bill No. 5380, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 2020 PA 306.

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

Reps. Brann, Aiyash, Wozniak, Brabec, Eisen, Puri, Carra, LaFave, Howell, Sneller, Brixie, Scott, Neeley, Young, Cynthia Johnson and Rabhi introduced

House Bill No. 5381, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2020 PA 376.

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

Reps. Brabec, Aiyash, Wozniak, Brann, Young, Eisen, Puri, Carra, LaFave, Howell, Sneller, Brixie, Scott, Neeley, Cynthia Johnson and Rabhi introduced

House Bill No. 5382, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34c (MCL 791.234c), as added by 2012 PA 24.

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

Reps. Wozniak, Aiyash, Brabec, Brann, Eisen, Carra, LaFave, Howell, Sneller, Brixie, Scott, Neeley, Young, Cynthia Johnson and Rabhi introduced

House Bill No. 5383, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2020 PA 94.

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

Reps. Steven Johnson, Outman, Sabo, Brann and Meerman introduced

House Bill No. 5384, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2020 PA 158.

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

Rep. Glenn moved that the House adjourn.

The motion prevailed, the time being 1:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, October 12, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

