

No. 24
STATE OF MICHIGAN
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House of Representatives
101st Legislature
REGULAR SESSION OF 2022

House Chamber, Lansing, Wednesday, March 9, 2022.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Ryan Berman, from the 39th District, offered the following invocation:

“As we see chaos swelling in the world today, I am reminded of these holy words, ‘Do not be daunted by the enormity of the world’s grief. Do justly now. Love mercy now. Walk humbly now. You are not obligated to complete the work, but neither are you free to abandon it.’ Each of us gathered here in these historic halls is aware of our responsibility to our communities and our state. While we may begin sweeping reforms from our first steps into public office, we are ultimately limited in our time. However, while we’re here, we cannot abandon our responsibilities. The work we do deserves careful consideration as our state watches us solve policy puzzles and create community cohesions. Instead of tackling every problem at once, we address them in pieces- one bill at a time. In doing so, the enormity of the state’s griefs is not as daunting as before. As a unit, our work has a lasting impact, and we are not permitted to abandon the people it effects. We pray that we are able to act in a unified way, connected with our shared desire to maintain our rights and liberties.”

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

Rep. Rabhi moved that Reps. Cynthia Johnson, Sneller and Whitsett be excused from today’s session. The motion prevailed.

Rep. Frederick moved that Rep. Marino be excused from 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 Tuesday, March 8:

House Bill Nos. 5878 5879 5880 5881 5882 5883 5884 5885 5886 5887

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, March 9:

Senate Bill Nos. 956 957 958

The Clerk announced that the following Senate bills had been received on Wednesday, March 9:

Senate Bill Nos. 499 500 672 852 853

Reports of Standing Committees

The Committee on Agriculture, by Rep. Alexander, Chair, reported

House Bill No. 5671, entitled

A bill to amend 2000 PA 92, entitled “Food law,” by amending section 4102 (MCL 289.4102), as amended by 2012 PA 178.

With the recommendation that the substitute (H-3) 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. Alexander, Posthumus, Bellino, Rendon, Filler, Garza, Cambensy, Hope, Witwer and Puri

Nays: None

The Committee on Agriculture, by Rep. Alexander, Chair, reported

House Bill No. 5704, entitled

A bill to amend 2000 PA 92, entitled "Food law," by amending sections 1105 and 4102 (MCL 289.1105 and 289.4102), section 1105 as amended by 2014 PA 516 and section 4102 as amended by 2012 PA 178.

With the recommendation that the substitute (H-2) 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. Alexander, Posthumus, Bellino, Rendon, Filler, Garza, Cambensy, Hope, Witwer and Puri

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 9, 2022

Present: Reps. Alexander, Posthumus, Bellino, Rendon, Filler, Garza, Cambensy, Hope, Witwer and Puri

Absent: Rep. Carra

Excused: Rep. Carra

Messages from the Senate

Senate Bill No. 499, entitled

A bill to provide definitions for the complex needs patient act.

The Senate has passed the bill.

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

Senate Bill No. 500, entitled

A bill to ensure access to quality complex rehabilitation technology in the Medicaid program for people with complex medical needs; and to prescribe the powers and duties of certain state departments.

The Senate has passed the bill.

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

Senate Bill No. 672, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.79d) by amending the title, as amended by 2006 PA 566, and by adding section 12c.

The Senate has passed the bill.

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

Senate Bill No. 852, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 14a (MCL 205.104a), as amended by 2022 PA 4.

The Senate has passed the bill.

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

Senate Bill No. 853, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 18 (MCL 205.68), as amended by 2022 PA 3.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Berman introduced

House Bill No. 5888, 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 by 2021 PA 73 and section 2a as added by 2020 PA 306.

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

Rep. Glenn introduced

House Bill No. 5889, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2157c.

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

Associate Speaker Pro Tempore Lightner called Associate Speaker Pro Tempore Paquette to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Frederick moved that Rule 42 be suspended.

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

Rep. Frederick moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5570**.

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

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

The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills

House Bill No. 4876, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 677 (MCL 168.677), as amended by 2018 PA 120.

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

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

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

The motion prevailed.

House Bill No. 4897, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 730, 731, and 733 (MCL 168.730, 168.731, and 168.733), sections 730 and 731 as amended by 1995 PA 261 and section 733 as amended by 1996 PA 583.

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

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

Rep. Hope moved to amend the bill as follows:

1. Amend page 8, following line 13, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5282 of the 101st Legislature is enacted into law.”.

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

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

The motion prevailed.

House Bill No. 5288, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 759 (MCL 168.759), as amended by 2020 PA 302.

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

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

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

The motion prevailed.

House Bill No. 5268, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 759 (MCL 168.759), as amended by 2020 PA 302.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Elections and Ethics,

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

Rep. Tyrone Carter moved to amend the bill as follows:

1. Amend page 7, following line 24, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5515 of the 101st Legislature is enacted into law.”.

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

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

The motion prevailed.

House Bill No. 5253, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 946.

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

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

Rep. Koleszar moved to amend the bill as follows:

1. Amend page 2, following line 16, by inserting:

“(4) For the fiscal year ending September 30, 2022, \$100,000,000.00 is appropriated from the general fund to the department of state to assist counties, cities, and townships with administering elections under this act.” and renumbering the remaining subsection.

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

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

The motion prevailed.

House Bill No. 4065, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 182 (MCL 32.582).
The bill was read a second time.
Rep. Bezotte moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5570, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 2, 3, and 8 (MCL 207.1002, 207.1003, and 207.1008), as amended by 2015 PA 176.
The bill was read a second time.

Rep. Steven Johnson moved to substitute (H-2) the bill.
The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. O’Malley moved to amend the bill as follows:
1. Amend page 4, following line 21, by inserting:

“(11) For a fiscal year during which the rate under section 8(1)(d) applies, the legislature shall appropriate money from the general fund to the Michigan transportation fund created in section 10 of 1951 PA 51, MCL 247.660, in an amount equal to the amount of money that would have been collected under this act if section 8(1)(d) did not apply, as determined by the department.”.

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

Rep. Steven Johnson moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Frederick moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5570, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 2, 3, and 8 (MCL 207.1002, 207.1003, and 207.1008), as amended by 2015 PA 176.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 100

Yeas—63

Albert	Damoose	Howell	Reilly
Alexander	Eisen	Johnson, S	Rendon
Allor	Farrington	Kahle	Roth
Beeler	Filler	LaFave	Sabo
Bellino	Fink	LaGrand	Slagh
Berman	Frederick	Lightner	Thanedar
Beson	Garza	Lilly	Tisdell
Bezotte	Glenn	Maddock	VanSingel
Bollin	Green	Markkanen	VanWoerkom
Borton	Griffin	Martin	Wakeman
Brann	Haadsma	Meerman	Wendzel
Calley	Hall	Mueller	Wentworth
Cambensy	Hauck	O’Malley	Whiteford
Camilleri	Hertel	Outman	Witwer
Carra	Hoitenga	Paquette	Yaroch
Clements	Hornberger	Posthumus	

Nays—39

Aiyash	Clemente	Manoogian	Shannon
Anthony	Coleman	Morse	Sowerby
Bolden	Ellison	Neeley	Steckloff
Brabec	Hood	O’Neal	Steenland
Breen	Hope	Peterson	Stone
Brixie	Jones	Pohutsky	Tate
Carter, B	Koleszar	Puri	Weiss
Carter, T	Kuppa	Rabhi	Yancey
Cavanagh	Lasinski	Rogers	Young
Cherry	Liberati	Scott	

In The Chair: Hornberger

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

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

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 8 and 152 (MCL 207.1008 and 207.1152), as amended by 2015 PA 176.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Kuppa, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Taking \$750 Million from Transportation budget without filling the gap is not fiscally responsible. A responsible government doesn’t cut revenue and especially saddle our children with future debt if we don’t know where it will be paid from.

We need to invest in Michigan so that people come here. We need to fix the damn roads.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Frederick moved that Rule 71 be suspended.

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

Reps. Martin and Bezotte offered the following resolution:

House Resolution No. 250.

A resolution to urge the adoption of policies that will help lead to energy independence and lower energy costs in the United States, including ending the state’s efforts to shut down Line 5.

Whereas, Plentiful affordable energy is essential for the well-being of the American people. The lack of an adequate energy supply leads to higher prices, fewer jobs, and threats to public health and safety. It should be the policy of the government at every level to ensure that energy is available, accessible, reliable and as affordable as possible; and

Whereas, For decades, the United States has too greatly relied on sources of energy produced on the other side of the world. While the United States has enjoyed a higher degree of energy independence in the last decade due to an increase in domestic oil production, we still import tens of millions of barrels of foreign crude oil from overseas each month; and

Whereas, As a direct result of both federal and state policies and foreseeable world events, gas prices in the United States are rising at the fastest pace recorded since 2000. Not only are rising gas prices eating away at recent wage growth and increasing the risk of a recession, they also could have sweeping impacts for U.S. consumers as higher diesel prices raise the cost of shipping goods through already stressed supply chains, disproportionately affecting low-income families and citizens; and

Whereas, Enacting policies that will lead to energy independence is necessary for the safety and prosperity of the American people. Reliance on overseas oil has the potential to maximize the leverage of foreign producers. While the Biden Administration's efforts to isolate and weaken Vladimir Putin have been welcome and necessary, our reliance on sources of energy originating on other continents creates a potential risk that those sources could be jeopardized by United States' actions abroad, which limit our ability to preserve and protect American values. Ensuring that the United States' economy can support itself without relying on supply chains that span the globe and without risk of foreign political disruptions is critical to job growth and competition in the United States; and

Whereas, President Biden, United States Secretary of Energy Jennifer Granholm, Governor Whitmer, Michigan Attorney General Nessel, and other elected officials have pursued policies that have harmed our ability to achieve energy independence, including the President's decision to halt the Keystone XL pipeline and the Governor's and Michigan Attorney General's attempts to shut down the Line 5 pipeline, a crucial source of energy for millions of Michiganders; and

Whereas, Protecting our environment is better accomplished with domestically produced fossil fuels, which are believed to be significantly cleaner than those found in other parts of the world; and

Whereas, The United States must focus on policies that increase the production of energy here at home, such as ensuring the continued safe operation of the Line 5 pipeline in Michigan, increasing domestic oil and gas drilling, increasing investments in renewable energy, and abandoning policies that limit domestic energy production and raise the capital costs associated with fossil fuel development; now, therefore, be it

Resolved by the House of Representatives, That we urge the adoption of policies that will help lead to energy independence and lower energy costs in the United States; and be it further

Resolved, That we urge Governor Whitmer and Michigan Attorney General Nessel to immediately cease their efforts to shut down the Line 5 pipeline and instead work proactively to lower energy costs for the residents of this state; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Michigan Attorney General, the commissioners of the Michigan Public Service Commission, the commissioners of the Federal Energy Regulatory Commission, the Secretary of the United States Department of Energy, the Secretary of the United States Department of the Interior, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the entire Michigan congressional delegation.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Frederick moved to reconsider the vote by which the House adopted the resolution.

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

The question being on the adoption of the resolution,

Rep. Frederick demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 101

Yeas—62

Albert	Damoose	LaFave	Rendon
Alexander	Eisen	Liberati	Roth
Allor	Farrington	Lightner	Sabo
Beeler	Filler	Lilly	Shannon
Bellino	Fink	Maddock	Slagh
Berman	Frederick	Markkanen	Steckloff
Beson	Glenn	Martin	Steenland
Bezotte	Green	Meerman	Tisdell
Bollin	Griffin	Mueller	VanSingel

Borton	Hall	O'Malley	VanWoerkom
Brann	Hauck	O'Neal	Wakeman
Calley	Hoitenga	Outman	Wendzel
Cambensy	Hornberger	Paquette	Wentworth
Carra	Howell	Posthumus	Whiteford
Carter, B	Johnson, S	Reilly	Yaroch
Clements	Kahle		

Nays—40

Aiyash	Clemente	Kuppa	Rogers
Anthony	Coleman	LaGrand	Scott
Bolden	Ellison	Lasinski	Sowerby
Brabec	Garza	Manoogian	Stone
Breen	Haadsma	Morse	Tate
Brixie	Hertel	Neeley	Thanedar
Camilleri	Hood	Peterson	Weiss
Carter, T	Hope	Pohutsky	Witwer
Cavanagh	Jones	Puri	Yancey
Cherry	Koleszar	Rabhi	Young

In The Chair: Hornberger

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 210.

A resolution to affirm our commitment to the inalienable rights of parents to direct the education of their children.

(For text of resolution, see House Journal No. 6, p. 51.)

(The resolution was reported by the Committee on Education on March 8, with substitute (H-1).)

(For substitute, see House Journal No. 23, p. 312.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee, The substitute (H-1) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Frederick 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 the enrollment printing and presentation to the Governor on Wednesday, March 9, for her approval of the following bills:

Enrolled House Bill No. 4821 at 2:52 p.m.

Enrolled House Bill No. 5252 at 2:54 p.m.

Rep. Yancey moved that the House adjourn.
The motion prevailed, the time being 4:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 10, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives