

**No. 14**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**100th Legislature**  
**REGULAR SESSION OF 2020**

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House Chamber, Lansing, Thursday, February 6, 2020.

12:00 Noon.

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.

Afendoulis—present	Filler—present	Jones—present	Reilly—present
Albert—present	Frederick—present	Kahle—present	Rendon—present
Alexander—excused	Garrett—present	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—excused
Cambensy—present	Hauck—present	Lower—present	VanWoerkom—present
Camillieri—present	Hernandez—present	Maddock—present	Vaupel—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—excused	Wittenberg—present
Crawford—present	Iden—present	Paquette—present	Witwer—present
Eisen—present	Inman—present	Peterson—present	Wozniak—present
Elder—excused	Johnson, C.—present	Pohutsky—present	Yancey—present
Ellison—present	Johnson, S.—present	Rabhi—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

Pastor James Erickson, Pastor of Immanuel Lutheran Church in Alpena, offered the following invocation:

“Heavenly Father, we pause as we begin this session to ask Your direction over all that is conducted here today. Only with You can we do what is pleasing in Your sight. You have called members of this House to positions of authority and responsibility among us in our state of Michigan, our home. Thank You for each of them who answered that call to put others first before self. May they be led by Your Spirit, noble in purpose, strong in seeking equitable and fair resolutions to all the issues that confront them. Keep them unwavering in their duty to serve.

As the Church observes this season of Epiphany, we rejoice in the coming of the Light of the World, Jesus Christ. His presence daily brings light and hope to our world. May our hearts be open to receive that light, the love of God for every human being. In Jesus, we know ‘God is with us’. Help us to hold Him in our hearts as our true treasure. Save us from being caught up in the fleeting treasures this world peddles and adores. Instead, may we seek those treasures that shine with a lasting radiance . . . peace in our hearts flowing from sins forgiven and unconditional love from the Savior Who reconciles us with You.

It has always been Your will, O God, that we live our lives, shining forth Your light in peace and building up one another. Teach us to examine our hearts daily that we might dispel all selfish inclinations toward jealousy, bitterness and indifference. By Your precious Word and powerful Spirit, root out all evil that would lead to strife, so that we might truly live in unity with You and with one another. For those weighed down by ongoing illness, persistent fear of the future, and crippling addictions, may they seek Your face and wait patiently for their burden to be lifted. For those who are lonely and often forgotten in the midst of life’s rushed pace, surround them with caring people who reassure them of Your steadfast love. For those brought low by unjust criticisms, alienated by colleagues or constituents, open their eyes to see the lonely road of injustice that led You to the cross, yet in the end, to accomplish our salvation . . . all for love’s sake.

O God, bless all those who serve us so faithfully in this room as members of the House. Bless all who have dedicated their lives to the service of others – teachers in our schools who labor so patiently with troubled little ones, often with little notice – all who wait upon the public and deal with nagging criticisms, petty complaints. Bless every humble soul who desires only to reflect You in these days of rage and stress and strain. This we ask through Christ, our Lord. Amen.”

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

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Rep. Garrett moved that Reps. Elder and Pagan be excused from today’s session.  
The motion prevailed.

Rep. Cole moved that Reps. Alexander and VanSingel be excused from today’s session.  
The motion prevailed.

### **Motions and Resolutions**

Reps. Sneller, Cherry, Warren, Lasinski, Pohutsky, Liberati, Chirkun, Cynthia Johnson, Kennedy, Coleman, Hood, Byrd, Anthony, Sabo, Frederick, Hertel, Hope, Robinson, LaGrand, Shannon, Stone, Tyrone Carter, Manoogian, Guerra, Howell, Mueller, Gay-Dagnogo, Bolden, Kuppa, Jones, Garza, Whitsett, Elder, Brixie, Yancey, Garrett, Sowerby, Tate, Love, Hoadley, Witwer and Clemente offered the following resolution:

#### **House Resolution No. 228.**

A resolution to declare February 11, 2020, as White Shirt Day in the state of Michigan.

Whereas, We recognize Michigan’s members of the United Auto Workers (UAW) as they gather to mark the 83rd anniversary of their first contract with General Motors. This anniversary is a reflection of the extreme sacrifice, commitment, and determination of those first UAW members who paved the way for higher pay and improved benefits that have created a positive atmosphere for all of America’s working men and women. We remember those historic members on this anniversary; and

Whereas, On February 11, 2020, UAW members and retirees will wear white shirts to commemorate the anniversary of the end of the famous Flint Sit-Down Strike in 1937. While the members of this distinguished organization celebrate the 83rd anniversary of this event, we offer our thanks for the outstanding contributions they have made to the Flint community, our state, and our nation; and

Whereas, The origin of the UAW's White Shirt Day can be traced back to 1948 when Bert Christensen, a member of Local 598, first suggested it. His idea was to ask that workers wear the white shirts traditionally worn by managers to show the company that they were equally important to the business. The shirts represent equal respect and treatment for blue-collar workers and the unity and strength of UAW members; and

Whereas, With ceremonies to celebrate its history, the members and officers of the UAW will remember the vision of its founders and the commitment of its workers that have brought them to this point. Fittingly, as they look to the past, they will also be casting an eye to the future and to the many ways in which United Auto Workers will continue to serve the working men and women of this great country; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 11, 2020, as White Shirt Day in the state of Michigan. We commemorate the 83rd anniversary of the first United Auto Workers contract with General Motors and commend everyone who has contributed to the UAW's success. We applaud their accomplishments and thank them for helping to strengthen and build Michigan's communities, workforce, and economy.

The question being on the adoption of the resolution.

The resolution was adopted.

Reps. Green, Markkanen, Steven Johnson, Filler and Webber offered the following resolution:

**House Resolution No. 229.**

A resolution to urge the Congress of the United States to submit the Regulation Freedom Amendment to the states for ratification.

Whereas, The growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth amendments to the United States Constitution; and

Whereas, During the 115th Congress, Congress and the President set a historic record for rolling back and repealing abusive regulations through the Congressional Review Act (CRA), and American families are seeing the benefits of economic growth created by the lessening of federal regulatory control; and

Whereas, Congress and the President's successful use of the CRA has opened the door for further reforms to the regulatory process, such as the REINS Act and the Regulation Freedom Amendment to the U.S. Constitution (RFA); and

Whereas, The REINS Act would require congressional approval for regulations likely to result in an economic impact of \$100 million or more; major increases to costs or prices for consumers, industries, government agencies, or regions; or significant adverse effects on the ability of U.S.-based businesses to compete with foreign companies. The U.S. House of Representatives passed a version of the REINS Act in January 2017; and

Whereas, The RFA would go further than the REINS Act, enshrining legislative review of administrative regulations in the U.S. Constitution. In addition to regulations covered under the REINS Act, the RFA would allow for the review of regulations affecting religious freedom, Second Amendment rights, and other constitutional provisions Americans hold dear; and

Whereas, The RFA has been endorsed by states across the country. Twenty-eight legislative chambers, spanning 18 states, have passed resolutions in support of adding the RFA to the U.S. Constitution; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to submit the following constitutional amendment, known as the Regulation Freedom Amendment, to the states for ratification:

Whenever one-quarter of the Members of the U.S. House or the U.S. Senate transmit to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House and Senate to adopt that regulation.

; and be it further

Resolved, That copies of this resolution be transmitted to 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 Government Operations.

Reps. Manoogian, Lasinski, Hope, Wittenberg, Brixie, Haadsma, Garrett, Yancey, Gay-Dagnogo, Hood, Stone, Bolden, Warren, Rabhi, Pohutsky, Cynthia Johnson, Kuppa, Greig, Jones, Clemente, Garza and Sowerby offered the following resolution:

**House Resolution No. 230.**

A resolution to support the United Nations' efforts to eliminate female genital mutilation worldwide, and urge the state of Michigan to do everything it can to end female genital mutilation in the state.

Whereas, Female genital mutilation is a harmful practice that involves the removal of all or part of the female genitalia. It is a human rights violation and serves no medical purpose; and

Whereas, Female genital mutilation has serious implications for the sexual and reproductive health of girls and women. Victims of female genital mutilation experience psychological trauma, pain, shock, bleeding, and other immediate injuries. Victims also face long-term consequences such as complications during childbirth, anemia, the formation of cysts and abscesses, painful sexual intercourse, sexual dysfunction, increased risk of HIV transmission, and numerous other problems; and

Whereas, Female genital mutilation is a barbaric practice performed all over the world as a means of controlling girls and women. An estimated 200 million girls and women alive today have been subjected to female genital mutilation worldwide, and roughly half a million girls and women in the United States have undergone female genital mutilation or are considered to be at risk for it in the near future; and

Whereas, The United Nations passed a historic resolution in 2012 calling on all countries to intensify global efforts to eliminate female genital mutilation. Countless other organizations, countries, states, provinces, and municipalities have worked to end female genital mutilation, but much more work needs to be done to support the mission outlined in the resolution; and

Whereas, The state of Michigan has the ability to make a significant difference in the fight against female genital mutilation. By passing stronger criminal laws, devoting resources to investigations, and engaging in a robust public health awareness campaign, the state can save girls from this horrible crime and hold perpetrators accountable; now, therefore, be it

Resolved by the House of Representatives, That we support the United Nations' efforts to eliminate female genital mutilation worldwide, and urge the state of Michigan to do everything it can to end female genital mutilation in the state; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary General of the United Nations, the United States Mission to the United Nations, the Governor, the Attorney General, and the directors of the Department of State Police and Department of Health and Human Services.

The resolution was referred to the Committee on Judiciary.

Reps. Green, Markkanen, Filler, Steven Johnson and Webber offered the following concurrent resolution:

**House Concurrent Resolution No. 16.**

A concurrent resolution to urge the Congress of the United States to submit the Regulation Freedom Amendment to the states for ratification.

Whereas, The growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth amendments to the United States Constitution; and

Whereas, During the 115th Congress, Congress and the President set a historic record for rolling back and repealing abusive regulations through the Congressional Review Act (CRA), and American families are seeing the benefits of economic growth created by the lessening of federal regulatory control; and

Whereas, Congress and the President's successful use of the CRA has opened the door for further reforms to the regulatory process, such as the REINS Act and the Regulation Freedom Amendment to the U.S. Constitution (RFA); and

Whereas, The REINS Act would require congressional approval for regulations likely to result in an economic impact of \$100 million or more; major increases to costs or prices for consumers, industries, government agencies, or regions; or significant adverse effects on the ability of U.S.-based businesses to compete with foreign companies. The U.S. House of Representatives passed a version of the REINS Act in January 2017; and

Whereas, The RFA would go further than the REINS Act, enshrining legislative review of administrative regulations in the U.S. Constitution. In addition to regulations covered under the REINS Act, the RFA would allow for the review of regulations affecting religious freedom, Second Amendment rights, and other constitutional provisions Americans hold dear; and

Whereas, The RFA has been endorsed by states across the country. Twenty-eight legislative chambers, spanning 18 states, have passed resolutions in support of adding the RFA to the U.S. Constitution; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Congress of the United States to submit the following constitutional amendment, known as the Regulation Freedom Amendment, to the states for ratification:

Whenever one-quarter of the Members of the U.S. House or the U.S. Senate transmit to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House and Senate to adopt that regulation.

; and be it further

Resolved, That copies of this resolution be transmitted to 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 concurrent resolution was referred to the Committee on Government Operations.

Rep. Pohutsky moved that Rep. Love be excused temporarily from today's session.  
The motion prevailed.

### Third Reading of Bills

#### House Bill No. 5159, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending sections 102, 502, and 504 (MCL 333.27102, 333.27502, and 333.27504), section 102 as amended by 2019 PA 3, section 502 as amended by 2018 PA 648, and section 504 as amended by 2018 PA 10, and by adding section 407b.

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

#### Roll Call No. 47

#### Yeas—102

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

**Nays—2**

Johnson, S.                      LaFave

In The Chair: Hornberger

The House agreed to the title of the bill.  
Rep. Webber moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 5160, entitled**

A bill to amend 2018 IL 1, entitled “Michigan Regulation and Taxation of Marihuana Act,” by amending sections 3, 11, and 15 (MCL 333.27953, 333.27961, and 333.27965).

Was read a third time and passed, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 48**

**Yeas—102**

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

**Nays—2**

Johnson, S.                      LaFave

In The Chair: Hornberger

The House agreed to the title of the bill.  
 Rep. Webber moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 5161, entitled**

A bill to prohibit the sale of vapor products or alternative nicotine products that contain vitamin E acetate; and to prescribe penalties.

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

**Roll Call No. 49**

**Yeas—102**

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

**Nays—2**

Johnson, S.                      LaFave

In The Chair: Hornberger

The House agreed to the title of the bill.  
 Rep. Webber moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills**

**House Bill No. 4567, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 47301, 47302, 47303, 47305, 47306, 47307, and 47308 (MCL 324.47301, 324.47302, 324.47303,

324.47305, 324.47306, 324.47307, and 324.47308), sections 47301, 47302, 47305, 47306, 47307, and 47308 as added by 1995 PA 57 and section 47303 as amended by 2004 PA 587, and by adding section 47304.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Ways and Means,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Cambensy moved to amend the bill as follows:

- 1. Amend page 11, line 25, after “47305.” by inserting “(1)”.
- 2. Amend page 11, following line 26, by inserting:

“(2) Subsection (1) does not apply to a permit under section 47304 to take lake trout in Lake Superior and sell the lake trout.”.

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

Rep. Cherry moved to amend the bill as follows:

- 1. Amend page 2, line 21, after “47313(2)” by inserting “and includes yellow perch (*Perca flavescens*)”.
- 2. Amend page 13, following line 19, by inserting:

“(5) Subsection (4) does not apply to a commercial fishing license that authorizes the taking of yellow perch (*Perca flavescens*). The licensee may voluntarily agree with the department to the revocation or limitation of such a commercial fishing license in return for just compensation. The compensation may include, but is not limited to, a cash payment or the issuance of a different commercial fishing license.” and renumbering the remaining subsections.

- 3. Amend page 13, line 23, after “subsection” by striking out “(7)” and inserting “(8)”.

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

Rep. LaFave moved to substitute (H-6) the bill.

The motion did not prevail and the substitute (H-6) was not adopted, a majority of the members serving not voting therefor.

Rep. O’Malley moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Webber 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. 4567, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 47301, 47302, 47303, 47305, 47306, 47307, and 47308 (MCL 324.47301, 324.47302, 324.47303, 324.47305, 324.47306, 324.47307, and 324.47308), sections 47301, 47302, 47305, 47306, 47307, and 47308 as added by 1995 PA 57 and section 47303 as amended by 2004 PA 587, and by adding section 47304.

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

**Roll Call No. 50**

**Yeas—72**

Afendoulis	Ellison	Huizenga	Shannon
Albert	Farrington	Iden	Sheppard
Allor	Filler	Inman	Slagh
Anthony	Frederick	Kahle	Sneller
Bellino	Green	Koleszar	Sowerby
Bolden	Greig	Kuppa	Stone
Bollin	Griffin	Lasinski	Tate
Brixie	Guerra	Leutheuser	Vaupel
Byrd	Haadsma	Lightner	Wakeman



Calley	Hall	Lilly	Warren
Camilleri	Hammoud	Lower	Webber
Carter, B.	Hauck	Manoogian	Wenzel
Chatfield	Hernandez	Marino	Wentworth
Chirkun	Hertel	Meerman	Whiteford
Clemente	Hoadley	O'Malley	Wittenberg
Cole	Hoitenga	Peterson	Witwer
Crawford	Hope	Pohutsky	Wozniak
Eisen	Howell	Schroeder	Yaroch

### Nays—32

Berman	Gay-Dagnogo	LaFave	Rabhi
Brann	Glenn	LaGrand	Reilly
Cambensy	Hood	Liberati	Rendon
Carter, T.	Hornberger	Maddock	Robinson
Cherry	Johnson, C.	Markkanen	Sabo
Coleman	Johnson, S.	Miller	VanWoerkom
Garrett	Jones	Mueller	Whitsett
Garza	Kennedy	Paquette	Yancey

In The Chair: Hornberger

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 47301, 47303, 47305, 47306, 47307, and 47308 (MCL 324.47301, 324.47303, 324.47305, 324.47306, 324.47307, and 324.47308), sections 47301, 47305, 47306, 47307, and 47308 as added by 1995 PA 57 and section 47303 as amended by 2004 PA 587, and by adding section 47304.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### House Bill No. 4568, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 47309, 47310, 47311, 47312, 47313, 47314, 47315, 47316, and 47317 (MCL 324.47309, 324.47310, 324.47311, 324.47312, 324.47313, 324.47314, 324.47315, 324.47316, and 324.47317), as added by 1995 PA 57.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Ways and Means,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. LaFave moved to substitute (H-6) the bill.

The motion did not prevail and the substitute (H-6) was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Webber 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. 4568, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 47309, 47310, 47311, 47312, 47313, 47314, 47315, 47316, and 47317 (MCL 324.47309, 324.47310, 324.47311, 324.47312, 324.47313, 324.47314, 324.47315, 324.47316, and 324.47317), as added by 1995 PA 57.

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

**Roll Call No. 51**

**Yeas—73**

Afendoulis	Farrington	Iden	Shannon
Albert	Filler	Inman	Sheppard
Allor	Frederick	Kahle	Slagh
Anthony	Green	Koleszar	Sneller
Bellino	Greig	Kuppa	Sowerby
Bolden	Griffin	Lasinski	Stone
Bollin	Guerra	Leutheuser	Tate
Brixie	Haadsma	Lightner	Vaupel
Byrd	Hall	Lilly	Wakeman
Calley	Hammoud	Lower	Warren
Camilleri	Hauck	Manoogian	Webber
Carter, B.	Hernandez	Marino	Wendzel
Chatfield	Hertel	Meerman	Wentworth
Chirkun	Hoadley	O’Malley	Whiteford
Clemente	Hoitenga	Peterson	Wittenberg
Cole	Hope	Pohutsky	Witwer
Crawford	Howell	Robinson	Wozniak
Eisen	Huizenga	Schroeder	Yaroch
Ellison			

**Nays—31**

Berman	Gay-Dagnogo	LaFave	Rabhi
Brann	Glenn	LaGrand	Reilly
Cambensy	Hood	Liberati	Rendon
Carter, T.	Hornberger	Maddock	Sabo
Cherry	Johnson, C.	Markkanen	VanWoerkom
Coleman	Johnson, S.	Miller	Whitsett
Garrett	Jones	Mueller	Yancey
Garza	Kennedy	Paquette	

In The Chair: Hornberger

The House agreed to the title of the bill.

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

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

**Second Reading of Bills**

**House Bill No. 4569, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 47318, 47320, 47321, 47322, 47323, 47324, 47325, 47326, 47327, 47328, 47329, and 48724 (MCL

324.47318, 324.47320, 324.47321, 324.47322, 324.47323, 324.47324, 324.47325, 324.47326, 324.47327, 324.47328, 324.47329, and 324.48724), as added by 1995 PA 57; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Ways and Means,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. LaFave moved to substitute (H-6) the bill.

The motion did not prevail and the substitute (H-6) was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Webber 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. 4569, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 47318, 47320, 47321, 47322, 47323, 47324, 47325, 47326, 47327, 47328, 47329, and 48724 (MCL 324.47318, 324.47320, 324.47321, 324.47322, 324.47323, 324.47324, 324.47325, 324.47326, 324.47327, 324.47328, 324.47329, and 324.48724), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

#### Roll Call No. 52

#### Yeas—73

Afendoulis	Farrington	Iden	Shannon
Albert	Filler	Inman	Sheppard
Allor	Frederick	Kahle	Slagh
Anthony	Green	Koleszar	Sneller
Bellino	Greig	Kuppa	Sowerby
Bolden	Griffin	Lasinski	Stone
Bollin	Guerra	Leutheuser	Tate
Brixie	Haadsma	Lightner	Vaupel
Byrd	Hall	Lilly	Wakeman
Calley	Hammoud	Lower	Warren
Camilleri	Hauck	Manoogian	Webber
Carter, B.	Hernandez	Marino	Wendzel
Chatfield	Hertel	Meerman	Wentworth
Chirkun	Hoadley	O'Malley	Whiteford
Clemente	Hoitenga	Peterson	Wittenberg
Cole	Hope	Pohutsky	Witwer
Crawford	Howell	Robinson	Wozniak
Eisen	Huizenga	Schroeder	Yaroch
Ellison			

#### Nays—31

Berman	Gay-Dagnogo	LaFave	Rabhi
Brann	Glenn	LaGrand	Reilly
Cambensy	Hood	Liberati	Rendon
Carter, T.	Hornberger	Maddock	Sabo
Cherry	Johnson, C.	Markkanen	VanWoerikom

Coleman  
Garrett  
Garza

Johnson, S.  
Jones  
Kennedy

Miller  
Mueller  
Paquette

Whitsett  
Yancey

In The Chair: Hornberger

The question being on agreeing to the title of the bill,  
Rep. Webber moved to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 47318, 47319, 47320, 47321, 47322, 47323, 47324, 47325, 47326, 47327, 47328, and 48724 (MCL 324.47318, 324.47319, 324.47320, 324.47321, 324.47322, 324.47323, 324.47324, 324.47325, 324.47326, 324.47327, 324.47328, and 324.48724), as added by 1995 PA 57; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

**Second Reading of Bills**

**House Bill No. 4274, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 127 (MCL 38.1427), as amended by 2017 PA 92.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Appropriations,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Cherry moved to amend the bill as follows:

- 1. Amend page 3, line 21, after "than" by striking out "B+" and inserting "the rating that this state has".

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

Rep. Cherry moved to amend the bill as follows:

- 1. Amend page 4, following line 28, by inserting:

**"(h) The annuity provider's expense ratio does not exceed 0.75%."**

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

Rep. Cherry moved to amend the bill as follows:

- 1. Amend page 2, line 11, by inserting:

"A qualified participant shall not purchase an annuity option under this subsection unless the qualified participant consults with a registered investment adviser under the investment advisers act of 1940, 15 USC 80b-1 to 80b-21."

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

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

The motion prevailed.

**House Bill No. 4275, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 58 (MCL 38.58), as added by 1996 PA 487.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Appropriations,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 3, line 20, after “than” by striking out “B+” and inserting “the rating that this state has”.  
The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 4, following line 27, by inserting:

“(h) **The annuity provider’s expense ratio does not exceed 0.75%.**”.

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

Rep. Cherry moved to amend the bill as follows:

1. Amend page 2, line 11, after “process.” by inserting “A qualified participant shall not purchase an annuity option under this subsection unless the qualified participant consults with a registered investment adviser under the investment advisers act of 1940, 15 USC 80b-1 to 80b-21.”.

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

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

The motion prevailed.

#### **House Bill No. 4551, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40111, 74116, and 78119 (MCL 324.40111, 324.74116, and 324.78119), section 40111 as amended by 2018 PA 272, section 74116 as amended by 2016 PA 1, and section 78119 as amended by 2013 PA 81.

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

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

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

The motion prevailed.

#### **House Bill No. 4552, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 674, 675, 801, 803d, 803f, 805, and 811f (MCL 257.674, 257.675, 257.801, 257.803d, 257.803f, 257.805, and 257.811f), section 674 as amended by 2000 PA 268, section 675 as amended by 2018 PA 179, section 801 as amended by 2018 PA 656, section 803d as amended by 2018 PA 62, section 803f as amended by 2018 PA 681, section 805 as amended by 2013 PA 82, and section 811f as amended by 2017 PA 234, and by adding section 68c.

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

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

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

The motion prevailed.

#### **House Bill No. 4831, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2017 PA 21.

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

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

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

The motion prevailed.

#### **House Bill No. 5015, entitled**

A bill to amend 2016 PA 370, entitled “Electronic open access to government act,” by amending section 1 (MCL 15.451).

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Ways and Means,  
 The substitute (H-3) was adopted, a majority of the members serving voting therefor.  
 Rep. Berman moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.



Rep. Webber 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 bills had been reproduced and made available electronically on Wednesday, February 5:  
**House Bill Nos. 5464 5465 5466 5467 5468 5469 5470**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, February 6, for her approval of the following bills:  
**Enrolled House Bill No. 4126 at 10:53 a.m.**  
**Enrolled House Bill No. 4127 at 10:55 a.m.**

**Reports of Standing Committees**

The Committee on Insurance, by Rep. Rendon, Chair, referred  
**House Bill No. 4508, entitled**  
 A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1202 (MCL 500.1202), as amended by 2016 PA 114, and by adding chapter 12b.  
 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, Berman, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Rabhi, Sneller, 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: Thursday, February 6, 2020  
 Present: Reps. Rendon, Markkanen, Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Berman, Paquette, Wittenberg, Gay-Dagnogo, Lasinski, Rabhi, Sneller, Brenda Carter and Coleman

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hall, Chair, of the Committee on Oversight, was received and read:  
 Meeting held on: Thursday, February 6, 2020  
 Present: Reps. Hall, Reilly, Webber, Steven Johnson, LaFave, Schroeder, Camilleri and LaGrand  
 Absent: Rep. Cynthia Johnson  
 Excused: Rep. Cynthia Johnson

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 6, 2020

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

Absent: Reps. VanSingel and Pagan

Excused: Reps. VanSingel and Pagan

**Introduction of Bills**

Reps. Anthony, Hope, Brenda Carter, Kennedy, Sneller, Cherry, Sabo, Kuppa, Cynthia Johnson, Garrett, Manoogian, Rabhi and Jones introduced

**House Bill No. 5471, entitled**

A bill to prohibit certain health care facilities from requiring employees to work overtime; and to provide for the powers and duties of certain state governmental officers and entities.

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

Reps. Cambensy, Anthony, Hope, Brenda Carter, Kennedy, Cherry, Sneller, Sabo, Kuppa, Cynthia Johnson, Garrett, Rabhi and Jones introduced

**House Bill No. 5472, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20165 (MCL 333.20165), as amended by 2008 PA 39.

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

Reps. Calley, Brann, Rendon, Afendoulis, O'Malley, Green, Bollin and Yaroch introduced

**House Bill No. 5473, 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 18b (MCL 247.668b), as amended by 2002 PA 498.

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

Reps. Calley and Kahle introduced

**House Bill No. 5474, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2018 PA 374.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Love, Garrett, Hope, Tyrone Carter, Brenda Carter, Cynthia Johnson, Tate, Bolden, Yancey, Byrd and Jones introduced

**House Bill No. 5475, entitled**

A bill to require the establishment of a task force on the licensing of adult entertainment establishments and performers; and to provide for the powers and duties of certain state governmental officers and entities.

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

By unanimous consent the House returned to the order of

**Messages from the Governor**

Date: February 4, 2020

Time: 11:09 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4620 (Public Act No. 24, 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 1028.

(Filed with the Secretary of State February 4, 2020, at 2:00 p.m.)

Date: February 4, 2020

Time: 11:11 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4621 (Public Act No. 25, 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 609e.

(Filed with the Secretary of State February 4, 2020, at 2:02 p.m.)



Date: February 4, 2020

Time: 11:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4335 (Public Act No. 27, I.E.), being**

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 1110 and 1205 (MCL 339.1110 and 339.1205), section 1110 as amended by 2014 PA 137 and section 1205 as amended by 1997 PA 97.

(Filed with the Secretary of State February 4, 2020, at 2:06 p.m.)

### Announcements by the Clerk

February 5, 2019

Received from the Auditor General a copy of the:

- Performance audit on the Bureau of Finance and Administration, Michigan Department of Transportation (591-0130-19), February 2020.

Gary L. Randall  
Clerk of the House

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Rep. Allor moved that the House adjourn.

The motion prevailed, the time being 2:15 p.m.

Associate Speaker Pro Tempore Hornberger declared the House adjourned until Tuesday, February 11, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

