

No. 79
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
101st Legislature
REGULAR SESSION OF 2021

House Chamber, Lansing, Tuesday, October 5, 2021.

1:30 p.m.

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—present	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—excused	Scott—present
Anthony—present	Filler—present	Liberati—present	Shannon—present
Beeler—present	Fink—present	Lightner—excused	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—excused	VanSingel—present
Breen—present	Hertel—present	Neeley—present	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—present
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. Rodney Wakeman, from the 94th District, offered the following invocation:

“DEAR HEAVENLY FATHER:

WE COME TO YOU TODAY ASKING FOR YOUR COMFORT AND HEALING. AMONG US OUR FAMILY, FRIENDS, COLLEAGUES AND OURSELVES NEEDING YOUR GUIDANCE AS WE STRUGGLE THROUGH TRYING TIMES. I PRAY THAT YOU GIVE COMFORT THOSE WHO ARE ILL, AND THOSE AMONG US WHO HAVE SUFFERED A LOSS.

DEAR GOD, YOU KNOW WHAT WE NEED AND WHAT WE DESIRE, BUT MOST OF ALL YOU KNOW THAT WE NEED YOUR GUIDANCE AND DIRECTION TO HELP US FEEL SECURE.

PROVERBS 3:5 TELLS US, ‘TRUST IN THE LORD WITH ALL YOUR HEART; DO NOT DEPEND ON YOUR OWN UNDERSTANDING.’

WHEN SO MANY AREAS OF OUR LIVES FEEL UNSTRUCTURED AND CHAOTIC, WE FEEL LIKE WE NEED TO HOLD TIGHTER TO WHAT WE KNOW AND EXPECT. HELP US, LORD, TO KEEP OUR HEARTS OPEN AND OUR MINDS ON YOU RATHER THAN ON OUR PROBLEMS. HELP US TO CALL OUT TO YOU WHEN WE FEEL LOST. WE ASK THAT YOU SEND YOUR HOLY SPIRIT INTO OUR HEARTS TO KEEP US GROUNDED AND TO FIND PEACE IN THE KNOWLEDGE THAT YOU ARE, INDEED, TAKING CARE OF US. ALLOW US TO HEAR YOUR GENTLE WHISPER IN THE ADVICE YOU GIVE US AND ALLOW OUR HEARTS TO SEE YOUR LOVE. GUIDE US TO SEEK WHAT IS WRITTEN IN YOUR WORD, AND SWAY US FROM THE STUBBORNNESS THAT KEEPS US STUCK IN OUR WILL INSTEAD OF YOUR WILL. HELP US, ALSO, TO KNOW THAT YOU HAVE PROVIDED US WITH THE CORRECT PATH.

IN PSALM 32:8 THE LORD SAYS, ‘I WILL GUIDE YOU ALONG THE BEST PATHWAY FOR YOUR LIFE, I WILL ADVISE YOU AND WATCH OVER YOU.’

PLEASE KEEP US MINDFUL OF YOUR PRESENCE IN EVERYTHING WE DO AND KEEP OUR EYES OPEN TO YOUR GOODNESS SO WE CAN PRAISE YOU FOR THE GRACE AND MERCY YOU HAVE SHOWN US THIS DAY AND ALL DAYS.

IN YOUR HOLY NAME WE PRAY. AMEN.”

Rep. Rabhi moved that Reps. Cambensy, Hood, Jones, Lasinski and Yancey be excused from today’s session.

The motion prevailed.

Rep. Frederick moved that Reps. Lightner, Marino and Mueller 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 Thursday, September 30:

House Bill Nos. 5352 5353 5354 5355 5356

The Clerk announced the enrollment printing and presentation to the Governor on Friday, October 1, for her approval of the following bills:

Enrolled House Bill No. 4492 at 3:09 p.m.

Enrolled House Bill No. 4528 at 3:11 p.m.

Enrolled House Bill No. 4837 at 3:13 p.m.

Enrolled House Bill No. 4838 at 3:15 p.m.

Enrolled House Bill No. 4088 at 3:17 p.m.

Enrolled House Bill No. 5094 at 3:19 p.m.

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, October 5:

Senate Bill Nos. 672 673 674

The Clerk announced that the following Senate bills had been received on Tuesday, October 5:
Senate Bill Nos. 258 259 405

Reports of Standing Committees

The Committee on Education, by Rep. Hornberger, Chair, reported

House Bill No. 4199, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284a (MCL 380.1284a), as added by 2007 PA 101; and to repeal acts and parts of acts.

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. Hornberger, Paquette, Green, Markkanen, Beeler, Brenda Carter, Koleszar, Shannon and Stone
Nays: Reps. O'Malley and Damoose

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 5, 2021

Present: Reps. Hornberger, Paquette, Green, Markkanen, O'Malley, Beeler, Damoose, Brenda Carter, Koleszar, Shannon and Stone

Absent: Reps. Posthumus and Camilleri

Excused: Reps. Posthumus and Camilleri

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

House Bill No. 4003, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227 (MCL 750.227), as amended by 1986 PA 8.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Filler, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Bolden and Breen
Nays: Rep. Hope

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

House Bill No. 5259, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 521 (MCL 600.521), as amended by 2001 PA 256.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Filler, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Bolden, Hope and Breen

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 5, 2021

Present: Reps. Filler, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

Absent: Rep. Mueller

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

House Bill No. 4997, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 638a.

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. O'Malley, Eisen, Howell, Griffin, Roth, Sneller, Clemente, Shannon, Liberati and Puri

Nays: Reps. LaFave, Berman and Carra

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

House Bill No. 4998, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 638 (MCL 257.638).

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. O'Malley, Eisen, Howell, Griffin, Roth, Sneller, Clemente, Shannon, Liberati and Puri

Nays: Reps. LaFave, Berman and Carra

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 5, 2021

Present: Reps. O'Malley, Eisen, Howell, Griffin, LaFave, Berman, Carra, Roth, Sneller, Clemente, Shannon, Liberati and Puri

The Committee on Elections and Ethics, by Rep. Bollin, Chair, reported

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.

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. Bollin, Wendzel, Calley, Steven Johnson and Filler

Nays: Reps. Koleszar and Whitsett

The Committee on Elections and Ethics, by Rep. Bollin, Chair, reported

Senate Bill No. 212, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 558 (MCL 168.558), as amended by 2018 PA 650.

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. Bollin, Wendzel, Calley, Steven Johnson, Filler, Koleszar and Whitsett

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bollin, Chair, of the Committee on Elections and Ethics, was received and read:

Meeting held on: Tuesday, October 5, 2021

Present: Reps. Bollin, Wendzel, Calley, Steven Johnson, Filler, Koleszar and Whitsett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 5, 2021

Present: Reps. Hauck, Hoitenga, Bellino, Hall, Wendzel, Clements, Damoose, Outman, Hertel, Yancey, Garza, Witwer, Steenland and Young

Absent: Rep. Mueller

Excused: Rep. Mueller

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 5, 2021

Present: Reps. LaFave, Beeler, Eisen, Bezotte, Martin, Rogers, Anthony, Coleman and Steenland

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wakeman, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Tuesday, October 5, 2021

Present: Reps. Wakeman, Wozniak, Rendon, Roth, Tisdell, Pohutsky, Brenda Carter and Aiyash

Absent: Rep. Camilleri

Excused: Rep. Camilleri

Explanation of "No" Votes

Rep. Cavanagh, having reserved the right to explain her nay vote pertaining to **House Bill No. 4528**, made the following statement:

"Mr. Speaker and members of the House:

I voted 'no' on House Bill 4528 because this amounts to an unfunded mandate. We just passed a budget and had the opportunity to provide the resources necessary to support these proposed guidelines. The procedures included in this bill may be good in theory, but we must ensure the Secretary of State has the support needed to adhere to any new requirements."

Communications from State Officers

The following communication from the State Budget Office was received and read:

September 30, 2021

Flint Water Crisis Integrity Oversight Monitor Program Report
March 31, 2021 – September 30, 2021

Attached you will find the report as required by PA 268. Per the statute:

(7) Not later than March 30 of each year that the contract is in effect, and not later than September 30 of each year that the contract is in effect, the integrity oversight monitor shall provide a detailed report to the governor, the department of technology, management, and budget, the secretary of the senate, the clerk of the house of representatives, and the chairpersons of the senate and house of representatives committees on appropriations. The report shall contain all of the following:

- (a) Detail of the integrity oversight monitor's services during the 6-month period.
 - (b) Detail of the integrity oversight monitor's services over the duration of the contract.
 - (c) Details of findings of malfeasance or inefficiency.
 - (d) Recommendations for corrective actions by any governmental entities.
- Please let us know if you need anything else.

Thank you,
State Budget Office

The communication was referred to the Clerk.

Announcements by the Clerk

September 30, 2021

Received from the Office of the Chief Compliance Officer the Annual Report for fiscal year 2020, which relates to 21st Century Jobs Trust Fund programs and activities, required by MCL 125.2088i(6)(i).

Gary L. Randall
Clerk of the House

The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 173** out of numerical order.

Reps. Posthumus, Allor, Bezotte, Breen, Calley, Cavanagh, Haadsma, Kuppa, Morse, Rogers, Sabo, Sneller, Steenland, Thanedar, Weiss and Witwer offered the following resolution:

House Resolution No. 173.

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

Whereas, The Michigan Library Association (MLA) annually designates the month of October as a statewide observance to celebrate the contributions of Michigan's libraries, librarians, and library staff; and

Whereas, Michigan's libraries (school, public, academic, tribal, cooperatives, and special libraries) are vital, dynamic centers of discovery and lifelong learning, serving as cornerstones in healthy communities; and

Whereas, Librarians and library workers play key roles in connecting their community members to resources and information, helping people explore, imagine, and discover new horizons in the vast world of information, knowledge, and entertainment; and

Whereas, Today's libraries are less about what they have on the shelves and more about what they can do with and for their communities, whether it's through virtual services or in-person visits; and

Whereas, Libraries and librarians work to create an equitable society by providing free access to accurate information to all people; and

Whereas, In times of crisis, libraries and library staff play a critical role in continuing to support their communities when they need it the most; and

Whereas, Libraries bring together diverse populations and are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

Whereas, Libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve; and

Whereas, Libraries serve as a vital connection to the people, places, and ideas of the world through books, magazines, videos, and the Internet and are the primary point of online access for people without computers at home, school, or work; and

Whereas, Libraries provide indispensable educational resources for children and teenagers and are on the front lines in the battle against illiteracy, offering plenty of free activities, as well as safe, enriching entertainment for the whole family; and

Whereas, One-half of all Michiganders hold library cards, and in 2020, visited their local libraries in-person more than 33 million times, virtually nearly 55 million times, and borrowed over 57 million physical items and close to 12 million e-materials; and

Whereas, In 2020, Michigan public libraries provided more than 13,000 live virtual programs for children, teens, and adults reaching over 608,000 people; and

Whereas, During the worldwide pandemic in 2020, 76% of Michigan's public libraries offered curbside services and 82% continued to provide reference services via phone and internet - providing a way to continue getting information and materials to residents even when library buildings were closed to the public; and

Whereas, Hundreds of libraries and millions of library supporters across Michigan are celebrating Michigan Library Appreciation Month this October; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2021 as Michigan Library Appreciation Month in the state of Michigan. We encourage all residents to visit their library in person or virtually to connect to the myriad of services, resources, and collections their library provides.

The question being on the adoption of the resolution,

The resolution was adopted.

By unanimous consent the House considered **House Resolution No. 174** out of numerical order.

Reps. Farrington, Allor and Calley offered the following resolution:

House Resolution No. 174.

A resolution to urge the United States Congress to oppose unnecessary and harmful changes to Internal Revenue Service reporting requirements for Michigan's financial institutions.

Whereas, The U.S. Department of Treasury has proposed requiring financial institutions to report financial account information for accounts with a gross flow threshold or fair market value of \$600 or more. The proposal calls for financial institutions to report gross inflows and outflows with a breakdown for physical cash, transactions with foreign accounts, and transfers to and from another account with the same owner. It would apply to business and personal accounts, including bank, loan, and investment accounts at those financial institutions subject to the proposed requirement; and

Whereas, There are very real concerns over data privacy and security if this proposed Internal Revenue Service reporting requirement, or a similar requirement, is put in place. Keeping member and customer account information private and secure is among the primary goals of all financial institutions in Michigan and this proposal could jeopardize the security of accounts and personal information. As we have seen, numerous government data breaches have occurred in recent years. Moreover, the proposal constitutes an invasion of consumer privacy; and

Whereas, Financial institutions throughout our state and country are already subject to many burdensome regulations that increase costs, damage customer relations, and otherwise hurt these businesses. The adoption of this extensive and intrusive financial reporting proposal would deepen that burden for Michigan's community-based and other financial institutions; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress to oppose unnecessary and harmful changes to Internal Revenue Service reporting requirements for Michigan's financial institutions; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the United State House of Representatives, the President of the United State Senate, the members of the Michigan congressional delegation, and the chairs of the United States Senate Committee on Finance and United States House Committee on Ways and Means.

The resolution was referred to the Committee on Financial Services.

By unanimous consent the House considered **House Resolution No. 175** out of numerical order.

Rep. Martin offered the following resolution:

House Resolution No. 175.

A resolution calling on Unemployment Insurance Agency Acting Director Liza Estlund Olson to resign.

Whereas, The Unemployment Insurance Agency (UIA) has continuously failed to meet its obligations to the people of Michigan since the beginning of the COVID-19 Pandemic. The UIA has paid out hundreds of millions in fraudulent claims, delayed payments for months to tens of thousands of Michigan residents, and allowed politically connected state employees to skip the line past hard-working families trying to make ends meet; and

Whereas, Governor Whitmer appointed Liza Estlund Olson as Acting Director of the UIA on November 5, 2020, entrusting her with the important responsibility of rectifying the agency's problems and providing high-quality service to the hard-working people of Michigan; and

Whereas, Acting Director Olson has failed to resolve the problems at the UIA and is mismanaging the agency. In recent months, the UIA has given benefits to ineligible recipients; sent confusing notices to hundreds of thousands of people warning that they owed back payments; denied benefits to deserving people; and intentionally hid information from the House Oversight Committee. Furthermore, even though 18 months have passed since the start of the Pandemic, the UIA still has 20,000 unpaid Michigan workers and only recently opened UIA offices for in-person appointments; and

Whereas, The UIA's failures are so widespread and systemic that a change in leadership is the only way to move forward. The people of Michigan have been forced out of their jobs, only to find a dysfunctional and inept agency that cannot adequately handle its responsibilities; and

Whereas, The UIA needs a director who is interested and capable of fixing the broken agency and delivering the benefits and service owed to Michigan's dedicated and committed workforce; now, therefore, be it

Resolved by the House of Representatives, That we call on Unemployment Insurance Agency Acting Director Liza Estlund Olson to resign; and be it further

Resolved, That a copy of this resolution be transmitted to Acting Director Olson.

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.

Second Reading of Bills

Senate Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to protect certain communications with members of the legislature.

The joint resolution was read a second time.

Rep. Frederick moved that the joint resolution be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 220, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 802 (MCL 257.802), as amended by 2019 PA 88.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5041, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1, 3h, and 11 (MCL 722.111, 722.113h, and 722.121), section 1 as amended by 2020 PA 6 and section 3h as added and section 11 as amended by 2017 PA 257.

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

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

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

The motion prevailed.

House Bill No. 5042, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1, 5c, and 5m (MCL 722.111, 722.115c, and 722.115m), section 1 as amended by 2020 PA 6, section 5c as amended by 2017 PA 256, and section 5m as added by 2017 PA 258.

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

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

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

The motion prevailed.

House Bill No. 5043, entitled

A bill to create family child care networks; to prescribe the powers and duties of state departments and agencies; and to provide resources to child care providers.

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

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

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

The motion prevailed.

House Bill No. 5044, entitled

A bill to provide for infant and toddler child care contracts; to prescribe the powers and duties of certain state departments and agencies; and to provide resources for certain child care providers.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5045, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 11b (MCL 722.121b), as amended by 2017 PA 258.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5046, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 2 (MCL 722.112), as amended by 2017 PA 257.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5047, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 3g (MCL 722.113g), as amended by 2017 PA 257.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5048, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding section 8e.

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

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

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

The motion prevailed.

Senate Bill No. 280, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 471 and 477 (MCL 168.471 and 168.477), as amended by 2018 PA 608.

The bill was read a second time.

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

The motion prevailed.

Pending the Second Reading of

Senate Bill No. 416, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16186 (MCL 333.16186), as amended by 2020 PA 329.

Rep. Frederick moved that the bill be re-referred to the Committee on Health Policy.

The motion prevailed.

Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, October 3, 2021

Michigan House of Representatives
State Capitol Building
Lansing, MI 48909-7514

Representatives,

Today I am returning several election-related bills to you without approval.

Enrolled House Bills 4837, 4838, and 4492 attempt to suppress the vote or perpetuate the “Big Lie”: the calculated disinformation campaign to discredit the 2020 election. I will have no part in any effort that grants an ounce of credence to this deception, so injurious to our democracy.

The 2020 election was free, secure, and accurate. The results were certified and officially audited by trusted local election officials, as required by law. Judges appointed by both Republicans and Democrats rejected more than 60 lawsuits challenging the outcome.

HB 4837 implies that outside parties had access to the state’s qualified voter file. They did not. HB 4838 implies that electronic poll books were connected to the internet and vulnerable to tampering. They never

were. And HB 4492 would make it more difficult for seniors and persons living in large apartment complexes to vote. While HB 4528 is worth further consideration, it must have the necessary funding to accomplish its purpose.

I am laser focused on kitchen-table issues that get things done for Michiganders, like fixing the roads, ensuring clean water, and providing good-paying jobs. We can and should work together on election policy, as well – but only in ways that strengthen our democracy. I am ready to join hands with anyone who shares these goals.

Sincerely,
Gretchen Whitmer
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Frederick moved that the bill be re-referred to the Committee on Elections and Ethics.
The motion prevailed.

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Executive Office, Lansing, October 3, 2021

Michigan House of Representatives
State Capitol Building
Lansing, MI 48909-7514

Representatives,

Today I am returning several election-related bills to you without approval.

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HB 4837 implies that outside parties had access to the state’s qualified voter file. They did not. HB 4838 implies that electronic poll books were connected to the internet and vulnerable to tampering. They never were. And HB 4492 would make it more difficult for seniors and persons living in large apartment complexes to vote. While HB 4528 is worth further consideration, it must have the necessary funding to accomplish its purpose.

I am laser focused on kitchen-table issues that get things done for Michiganders, like fixing the roads, ensuring clean water, and providing good-paying jobs. We can and should work together on election policy, as well – but only in ways that strengthen our democracy. I am ready to join hands with anyone who shares these goals.

Sincerely,
Gretchen Whitmer
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Frederick moved that the bill be re-referred to the Committee on Elections and Ethics.
The motion prevailed.

The following veto message from the Governor was received and read:

Executive Office, Lansing, October 3, 2021

Michigan House of Representatives
State Capitol Building
Lansing, MI 48909-7514

Representatives,

Today I am returning several election-related bills to you without approval.

Enrolled House Bills 4837, 4838, and **4492** attempt to suppress the vote or perpetuate the “Big Lie”: the calculated disinformation campaign to discredit the 2020 election. I will have no part in any effort that grants an ounce of credence to this deception, so injurious to our democracy.

The 2020 election was free, secure, and accurate. The results were certified and officially audited by trusted local election officials, as required by law. Judges appointed by both Republicans and Democrats rejected more than 60 lawsuits challenging the outcome.

HB 4837 implies that outside parties had access to the state's qualified voter file. They did not. HB 4838 implies that electronic poll books were connected to the internet and vulnerable to tampering. They never were. And HB 4492 would make it more difficult for seniors and persons living in large apartment complexes to vote. While HB 4528 is worth further consideration, it must have the necessary funding to accomplish its purpose.

I am laser focused on kitchen-table issues that get things done for Michiganders, like fixing the roads, ensuring clean water, and providing good-paying jobs. We can and should work together on election policy, as well – but only in ways that strengthen our democracy. I am ready to join hands with anyone who shares these goals.

Sincerely,
Gretchen Whitmer
Governor

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Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Frederick moved that the bill be re-referred to the Committee on Elections and Ethics.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sneller, Cherry, Clemente, Cavanagh, Neeley, Rogers, Hertel, Anthony, Kuppa, Sowerby, Martin, Howell, Ellison, Mueller, Lasinski, Allor, Bezotte, Brabec, Breen, Calley, Haadsma, Hope, Morse, Sabo, Steenland, Thanedar, Weiss and Witwer offered the following resolution:

House Resolution No. 172.

A resolution to declare October 2021 as Disability Employment Awareness Month in the state of Michigan.

Whereas, The most current labor statistics provided by the US Department of Labor show only 21.3% of people with disabilities are participating in the workforce; and

Whereas, Twenty-nine percent or almost 1 in 3 adults of Michigan residents have developmental disabilities; and

Whereas, People with developmental disabilities in Michigan share with the rest of the states nearly 10 million residents the right to work in competitive integrated work environments with needed supports while making a living wage; and

Whereas, The United States Department of Labor has designated the 2021 theme for National Disability Employment Month to be “America’s Recovery: Powered by Inclusion.”; and

Whereas, This theme reflects the commitment to an inclusive recovery; and

Whereas, Those with disabilities deserve to have full and complete access to economic opportunity as do all other Americans and the accommodations and supports that are required to thrive in the workplace; and

Whereas, Every person should be seen for their ability with valuable strengths and their important contributions to their community; and

Whereas, By promoting opportunities for all citizens with disabilities in Michigan to gain individual integrated employment and engaging businesses to value the contributions that employees with disabilities bring to their organizations, we will enhance the employment landscape; and

Whereas, Celebrating the abilities and contributions of the people with developmental disabilities can only serve to enrich the communities of Michigan and enhance our diversity; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2021 as Disability Employment Awareness Month in the state of Michigan.

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.

Messages from the Senate

Senate Bill No. 258, entitled

A bill to amend 1963 PA 247, entitled “An act to define the term “newspaper” as used in the statutes of this state regarding publication of notices,” by amending section 1 (MCL 691.1051).

The Senate has passed the bill.

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

Senate Bill No. 259, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1461 (MCL 600.1461); and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 405, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers that conduct business in this state; to provide for the disposition of allegedly misappropriated property in the possession of pawnbrokers; to provide remedies and prescribe penalties; and to provide for the powers and duties of certain local governmental units and state agencies,” by amending the title and sections 8, 9, and 18 (MCL 446.208, 446.209, and 446.218), the title and section 9 as amended by 2018 PA 345 and section 8 as amended by 2002 PA 469.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Huizenga introduced

House Bill No. 5357, entitled

A bill to amend 2010 PA 270, entitled “Property assessed clean energy act,” (MCL 460.931 to 460.949) by amending the title, by designating section 1 as part 1 and sections 3 to 19 as part 2, and by adding part 3. The bill was read a first time by its title and referred to the Committee on Energy.

Reps. Howell, Martin, Sowerby, Cherry, Wakeman, Aiyash and Cambensy introduced

House Bill No. 5358, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 43528c and 43528d.

The bill was read a first time by its title and referred to the Committee on Natural Resources and Outdoor Recreation.

Reps. Cherry, Howell, Martin, Sowerby, Wakeman, Aiyash and Cambensy introduced

House Bill No. 5359, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 48714a and 48714b.

The bill was read a first time by its title and referred to the Committee on Natural Resources and Outdoor Recreation.

Reps. Martin, Howell, Sowerby, Cherry, Wakeman, Aiyash and Cambensy introduced

House Bill No. 5360, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40113a (MCL 324.40113a), as amended by 2016 PA 382.

The bill was read a first time by its title and referred to the Committee on Natural Resources and Outdoor Recreation.

Reps. VanSingel and Steckloff introduced

House Bill No. 5361, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 144 (MCL 389.144), as amended by 2003 PA 306.

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

Reps. Steckloff and VanSingel introduced

House Bill No. 5362, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 43 (MCL 211.43), as amended by 1994 PA 253.

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

Reps. Steven Johnson, Outman, Bellino, Mueller and Yaroch introduced

House Bill No. 5363, entitled

A bill to amend 1952 PA 214, entitled “An act authorizing the Mackinac bridge authority to acquire a bridge and a utility tunnel connecting the Upper and Lower Peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting, and terminal facilities; extending the corporate existence of the authority; authorizing the authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of the bridge and authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of bonds and granting certain rights and remedies to the holders of bonds; authorizing banks and trust companies to perform certain acts in connection with the payment and security of bonds; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications, and location of the bridge; authorizing employment of engineers regardless of whether those

engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state transportation department to operate and maintain the bridge or to contribute to the bridge and enter into leases and agreements in connection with the bridge; exempting bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; authorizing the creation of the Mackinac Straits corridor authority; authorizing the operation of a utility tunnel by the authority or the Mackinac Straits corridor authority; providing for the construction and use of certain buildings; and making an appropriation,” by amending section 12 (MCL 254.322), as amended by 2004 PA 336.

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

Reps. Beeler, LaFave, Markkanen and Maddock introduced

House Bill No. 5364, entitled

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

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

Reps. Markkanen, LaFave and Beeler introduced

House Bill No. 5365, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43510 (MCL 324.43510), as amended by 2013 PA 108.

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

Reps. LaFave and Beeler introduced

House Bill No. 5366, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 227 and 230 (MCL 750.227 and 750.230), section 227 as amended by 1986 PA 8; and to repeal acts and parts of acts.

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

Reps. LaFave, Markkanen and Beeler introduced

House Bill No. 5367, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 5a, 5b, 5c, 5f, 5o, 12, 12a, and 15 (MCL 28.425a, 28.425b, 28.425c, 28.425f, 28.425o, 28.432, 28.432a, and 28.435), sections 5a, 5b, and 5o as amended by 2017 PA 95, sections 5c and 5f as amended by 2015 PA 3, section 12 as amended by 2010 PA 209, section 12a as amended by 2016 PA 301, and section 15 as added by 2000 PA 265.

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

Rep. Griffin moved that the House adjourn.

The motion prevailed, the time being 3:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 6, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

