

No. 103
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Wednesday, December 23, 2020.

11:30 a.m.

The House was called to order by the Clerk.

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

The Honorable Gary L. Randall, Clerk of the House, offered the following invocation:

“Heavenly Father as we approach the end of the legislative session, we offer thanks for the year that was and ask for Your blessing as we look forward to a new session filled with challenges and opportunity.

Lord, we ask that You extend Your heavenly grace to those who will not be returning in the new year...and for those who will return, and those new to service in this chamber, we ask for divine guidance and pray that the work that is done will make Michigan a place we are proud to call home.

Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor Tuesday, December 22, for her approval of the following bills:

Enrolled House Bill No. 5846 at 4:47 p.m.

Enrolled House Bill No. 5847 at 4:49 p.m.

Enrolled House Bill No. 5849 at 4:51 p.m.

Enrolled House Bill No. 6235 at 4:53 p.m.

Enrolled House Bill No. 5852 at 4:55 p.m.

Enrolled House Bill No. 4098 at 4:57 p.m.

Enrolled House Bill No. 5851 at 4:59 p.m.

Enrolled House Bill No. 5850 at 5:01 p.m.

Enrolled House Bill No. 5197 at 5:03 p.m.

Enrolled House Bill No. 5198 at 5:05 p.m.

Enrolled House Bill No. 5611 at 5:07 p.m.

Enrolled House Bill No. 4792 at 5:09 p.m.

Enrolled House Bill No. 5178 at 5:11 p.m.
Enrolled House Bill No. 5570 at 5:13 p.m.
Enrolled House Bill No. 5126 at 5:15 p.m.
Enrolled House Bill No. 4437 at 5:17 p.m.
Enrolled House Bill No. 4396 at 5:19 p.m.
Enrolled House Bill No. 5059 at 5:21 p.m.
Enrolled House Bill No. 5575 at 5:23 p.m.
Enrolled House Bill No. 5314 at 5:25 p.m.
Enrolled House Bill No. 5856 at 5:27 p.m.
Enrolled House Bill No. 5679 at 5:29 p.m.
Enrolled House Bill No. 6333 at 5:31 p.m.
Enrolled House Bill No. 4159 at 5:33 p.m.
Enrolled House Bill No. 4816 at 5:35 p.m.
Enrolled House Bill No. 5470 at 5:37 p.m.
Enrolled House Bill No. 4223 at 5:39 p.m.
Enrolled House Bill No. 5853 at 5:41 p.m.
Enrolled House Bill No. 5827 at 5:43 p.m.
Enrolled House Bill No. 5085 at 5:45 p.m.
Enrolled House Bill No. 5427 at 5:47 p.m.
Enrolled House Bill No. 5426 at 5:49 p.m.
Enrolled House Bill No. 4395 at 5:51 p.m.
Enrolled House Bill No. 5504 at 5:53 p.m.
Enrolled House Bill No. 4694 at 5:55 p.m.
Enrolled House Bill No. 6313 at 5:57 p.m.
Enrolled House Bill No. 5854 at 5:59 p.m.
Enrolled House Bill No. 4508 at 6:01 p.m.
Enrolled House Bill No. 5770 at 6:03 p.m.
Enrolled House Bill No. 5298 at 6:05 p.m.
Enrolled House Bill No. 6190 at 6:07 p.m.
Enrolled House Bill No. 5825 at 6:09 p.m.
Enrolled House Bill No. 4313 at 6:11 p.m.
Enrolled House Bill No. 5844 at 6:13 p.m.
Enrolled House Bill No. 5855 at 6:15 p.m.
Enrolled House Bill No. 4866 at 6:17 p.m.
Enrolled House Bill No. 4923 at 6:19 p.m.
Enrolled House Bill No. 4924 at 6:21 p.m.
Enrolled House Bill No. 4488 at 6:23 p.m.
Enrolled House Bill No. 4489 at 6:25 p.m.
Enrolled House Bill No. 4490 at 6:27 p.m.
Enrolled House Bill No. 4491 at 6:29 p.m.
Enrolled House Bill No. 4492 at 6:31 p.m.
Enrolled House Bill No. 5553 at 6:33 p.m.
Enrolled House Bill No. 5857 at 6:35 p.m.
Enrolled House Bill No. 5735 at 6:37 p.m.
Enrolled House Bill No. 5002 at 6:39 p.m.
Enrolled House Bill No. 5003 at 6:41 p.m.
Enrolled House Bill No. 4170 at 6:43 p.m.
Enrolled House Bill No. 4186 at 6:45 p.m.
Enrolled House Bill No. 4187 at 6:47 p.m.
Enrolled House Bill No. 5832 at 6:49 p.m.
Enrolled House Bill No. 4042 at 6:51 p.m.
Enrolled House Bill No. 5920 at 6:53 p.m.
Enrolled House Bill No. 4910 at 6:55 p.m.
Enrolled House Bill No. 4911 at 6:57 p.m.
Enrolled House Bill No. 5024 at 6:59 p.m.
Enrolled House Bill No. 5025 at 7:01 p.m.

Enrolled House Bill No. 5217 at 7:03 p.m.
 Enrolled House Bill No. 5218 at 7:05 p.m.
 Enrolled House Bill No. 5417 at 7:07 p.m.
 Enrolled House Bill No. 5418 at 7:09 p.m.
 Enrolled House Bill No. 5419 at 7:11 p.m.

Messages from the Senate

December 23, 2020

The Honorable Lee Chatfield
 Speaker of the House
 State Capitol Building
 Lansing, Michigan 48913

Speaker Chatfield:

I herewith return to the House the following House Bills and House Concurrent Resolutions which failed passage or adoption by the Senate:

House Bill Nos.:	4007	4008	4009	4010	4011	4012	4013	4014	4015	4016
	4018	4020	4030	4035	4045	4056	4081	4095	4108	4112
	4137	4138	4139	4141	4144	4146	4162	4181	4185	4208
	4213	4224	4230	4233	4235	4237	4246	4254	4255	4256
	4257	4258	4259	4260	4261	4265	4274	4275	4291	4315
	4316	4320	4321	4331	4366	4370	4371	4372	4373	4374
	4376	4377	4378	4383	4406	4407	4434	4440	4454	4475
	4483	4493	4509	4510	4516	4517	4551	4552	4567	4568
	4569	4587	4615	4616	4628	4680	4681	4682	4683	4684
	4700	4704	4705	4706	4707	4708	4709	4717	4735	4736
	4737	4823	4861	4954	4955	4958	4993	5008	5015	5046
	5047	5048	5049	5050	5051	5097	5137	5138	5146	5147
	5153	5159	5160	5161	5253	5286	5299	5368	5369	5395
	5397	5407	5411	5421	5437	5479	5551	5589	5627	5657
	5658	5672	5684	5685	5686	5687	5688	5689	5690	5691
	5692	5693	5694	5695	5696	5697	5698	5699	5700	5704
	5709	5729	5731	5777	5795	5802	5803	5804	5836	5837
	5843	5859	5861	5897	5910	5975	5976	5977	5981	6100
	6132	6162	6169	6170	6233					

House Concurrent Resolution Nos.:	3	7	12	17	31
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Very respectfully,
 Margaret O'Brien
 Secretary of the Senate

Messages from the Governor

Date: December 22, 2020

Time: 4:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5481 (Public Act No. 250, 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 2661, 2663, 2665, 2667, 2671, 2673, and 2677 (MCL 339.2661, 339.2663, 339.2665, 339.2667, 339.2671, 339.2673, and 339.2677), as added by 2012 PA 505, and by adding section 2670.

(Filed with the Secretary of State on December 22, 2020, at 5:38 p.m.)

Date: December 22, 2020

Time: 4:32 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5824 (Public Act No. 251, I.E.), being

An act to amend 1911 PA 44, entitled “An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act,” by amending section 5 (MCL 209.5), as amended by 2001 PA 36.

(Filed with the Secretary of State on December 22, 2020, at 5:40 p.m.)

The following message from the Governor was received and read:

December 22, 2020

Gary Randall
Clerk of the House
Michigan House of Representatives
State Capitol, Room 426
Lansing, MI 48909

Dear Mr. Randall,

In accordance with section 14 of article 5 of the Michigan Constitution of 1963, I write to advise the Michigan House of Representatives that I granted the following commutations during 2020.

Mr. Larry A. McGhee, whose sentence I commuted on December 22, 2020 based on the affirmative recommendation of the Michigan Parole Board.

Mr. Michael Alonzo Thompson, whose sentence I commuted on December 22, 2020 based on the affirmative recommendation of the Michigan Parole Board.

Mr. Lawrence Edward Cadroy, whose sentence I commuted on December 22, 2020 based on the affirmative recommendation of the Michigan Parole Board.

Mr. Lorenzo L. Garrett, whose sentence I commuted on December 22, 2020 based on the affirmative recommendation of the Michigan Parole Board.

Sincerely,
Gretchen Whitmer
Governor

The message was referred to the Clerk.

Explanation of “No” Votes

Rep. Kuppa, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

HB 6333

While change can be good, House Bill 6333 will result in the loss of a long-standing and treasured House tradition. This bill gives legislative leadership the ability to decide a Member’s seat assignment, as opposed to the language of the existing statute, which involved seniority and a measure of chance. Politics is all about relationships - and especially creating and nurturing unlikely friendships. It’s something that I learned not only in my years of active involvement in interfaith dialogue but also at the training I received from the Council of State Governments. Leadership shouldn’t decide who a Member is seated next to like children being assigned seats in elementary school. If our collective goal as a legislative body is to serve people and communities across the state of Michigan, we can best do that if we form relationships free from political interference.”

Communications from State Officers

The following communications from the Secretary of State were received on December 23, 2020 and read:

Notices of Filing
Administrative Rules

March 13, 2020

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Emergency Administrative Rule Extension #2019-090-HS (Secretary of State Filing #20-03-01) on this date at 1:42 P.M. for the Department of Health and Human Services entitled, "Protection of Youth from Nicotine Product Addiction – Emergency Rules."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

March 13, 2020

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2019-033-AC (Secretary of State Filing #20-03-02) on this date at 1:42 P.M. for the Department of Agriculture and Rural Development entitled, "Regulation No. 629; Seed Potato Certification Requirements."

These rules take effect on January 1, 2021.

March 16, 2020

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules requests the withdrawal of Administrative Rule #2019-033-AC (Secretary of State Filing #20-03-02) on this date at 2:46 P.M. for the Department of Agriculture and Rural Development and will be resubmitted after the completion of the Joint Committee on Administrative Rules 15-session day review period.

March 18, 2020

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Emergency Administrative Rule #2020-201-LE (Secretary of State Filing #20-03-03) on this date at 4:52 P.M. for the Department of Labor and Economic Opportunity entitled, "Workers' Disability Compensation Agency – General Rules."

These rules take effect immediately upon filing with the Secretary of State and shall remain in effect for 6 months.

Sincerely,
Jocelyn Benson
Secretary of State
Melissa Malerman, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Announcements by the Clerk

December 23, 2020

Received from the Auditor General a copy of the:

- Performance audit report on the Disadvantaged Business Enterprise Program, Office of Business Development, Michigan Department of Transportation (591-0351-20), December, 2020.

Gary L. Randall
Clerk of the House

By unanimous consent the House returned to the order of

Messages from the Senate

December 23, 2020

The Honorable Lee Chatfield
Speaker of the House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Speaker:

I have the honor to inform you that the Senate has completed the business of the session and is now ready to adjourn.

Very respectfully,
Margaret O'Brien
Secretary of the Senate

The hour of 12:00 Noon having arrived,

Pursuant to the resolution fixing the date of final adjournment and the provision of the Constitution determining the hour of such adjournment, the Clerk declared the House adjourned without day.

GARY L. RANDALL
Clerk of the House of Representatives