

No. 66
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2019

House Chamber, Lansing, Tuesday, July 2, 2019.

10:00 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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, June 26:

House Bill Nos.	4775	4776	4777	4778	4779	4780	4781	4782	4783	4784	4785	4786	4787
	4788	4789	4790	4791	4792	4793	4794	4795	4796	4797	4798	4799	4800
	4801	4802	4803	4804	4805								

Messages from the Governor

Date: June 26, 2019

Time: 1:33 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4121 (Public Act No. 35, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 78q (MCL 211.78q), as amended by 2016 PA 518.

(Filed with the Secretary of State June 26, 2019, at 3:22 p.m.)

Date: June 26, 2019
Time: 1:41 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4367 (Public Act No. 39, I.E.), being

An act to allow certain employees or agents to carry and administer opioid antagonists in certain circumstances; to provide access to opioid antagonists by certain agencies and employees or agents; to limit the civil and criminal liability of certain agencies and employees or agents for the possession, distribution, and use of opioid antagonists under certain circumstances; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 26, 2019, at 3:30 p.m.)

Date: June 26, 2019
Time: 1:43 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4296 (Public Act No. 40, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts;” by amending section 1993 (MCL 600.1993), as added by 2015 PA 233.

(Filed with the Secretary of State June 26, 2019, at 3:32 p.m.)

Communications from State Officers

The following communications from the State Budget Office were received and read:

June 26, 2019

Transmitted under this cover is a schedule entitled “Statement of Revenue Subject to Constitutional Limitation - Legal Basis.” The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Sections 26 and 33 of the Michigan Constitution for the fiscal year 2018.

The computed amount of revenue subject to the constitutional limitation is \$33.0 billion, which is \$8.7 billion under the limit.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant’s review is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

June 26, 2019

This letter transmits the “Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis” for fiscal year 2018, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2018 is 55.25%, which is \$2.1 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant’s review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Chris Kolb
State Budget Director

The communications were referred to the Clerk.

The following communication from the Department of State Police was received and read:

June 30, 2019

I am pleased to present to the Michigan Legislature the 26th annual Asset Forfeiture Report. Michigan's asset forfeiture laws provide for the seizure of cash and property assets of drug traffickers and other criminal organizations when that property is obtained through illegal activity. The report this year is the third and final report to be submitted specifically under the Uniform Forfeiture Reporting Act, PA 148 of 2015, which became effective February 1, 2016.

PA 148 repealed the prior asset forfeiture reporting requirements and requires submission of a summary to the Michigan Department of State Police of the reporting agency's activities regarding forfeiture of property under the following sections of law: Public Health Code, MCL 333.7521-MCL 333.7533 (Controlled Substances); the Identity Theft Protection Act, MCL 445.79d; Revised Judicature Act of 1961, MCL 600.4701-600.4709 (Omnibus); and Revised Judicature Act of 1961, MCL 600.3801-600.3840 (Public Nuisance). Additionally, the type of information to be reported for each seizure and forfeiture of property was expanded to provide for greater transparency regarding the government seizure of private property.

Effective August 7, 2019, the legislation signed this year will require a criminal conviction before some property seized under the Public Health Code can be forfeited to law enforcement. The 2020 Asset Forfeiture Report will include forfeitures under PA 148 of 2015 as well as PA 7 and PA 9 of 2019, and beginning with the 2021 report, will cover data from forfeitures under PA 7 and PA 9 of 2019.

This report covers the period of January 1, 2018, through December 31, 2018. This is the second report in which all reporting agencies submitted forfeiture data based upon the calendar year. Over \$15 million in cash and assets amassed by drug traffickers was forfeited. Asset forfeiture funds were used to support law enforcement by providing resources for equipment, personnel, vehicles, training, and supplies. Assets seized pursuant to this program also allowed some agencies to contribute monies to non-profit organizations that assist in obtaining information from citizens for solving crimes.

I submit this report for your information and review.

Sincerely,
Col. Joseph M. Gasper
DIRECTOR

The communication was referred to the Clerk.

Introduction of Bills

Reps. Schroeder, Bellino, O'Malley, Markkanen, Hornberger, Frederick, Mueller and Kuppa introduced **House Bill No. 4806, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending the title and sections 10g, 10h, and 10q (MCL 460.10g, 460.10h, and 460.10q), the title as amended by 2016 PA 341, section 10g as amended by 2008 PA 286, section 10h as added by 2000 PA 142, and section 10q as added by 2000 PA 141.

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

Reps. Kuppa and Schroeder introduced

House Bill No. 4807, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," (MCL 290.601 to 290.635) by adding section 28g. The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Robinson introduced

House Bill No. 4808, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11123 and 11124 (MCL 324.11123 and 324.11124), section 11123 as amended by 2014 PA 254 and section 11124 as amended by 2010 PA 357.

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

Reps. Robinson, Tyrone Carter, Gay-Dagnogo, Garrett, Yancey, Cynthia Johnson, Bolden, Pagan, Coleman, Neeley, Brixie, Garza, Sowerby, Hammoud, Kuppa and Whitsett introduced

House Bill No. 4809, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11119.

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

Announcements by the Clerk

June 24, 2019

Received from the Judicial Tenure Commission the 2018 Annual Report.

Gary L. Randall
Clerk of the House

June 28, 2019

Received from the Auditor General a copy of the:

- Report on internal control, compliance, and other matters on the financial audit of the *State of Michigan Comprehensive Annual Financial Report* for the fiscal year ended September 30, 2018 (071-0010-19).

Gary L. Randall
Clerk of the House

The Clerk declared the House adjourned until Wednesday, July 10, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives