

No. 11
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House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Thursday, January 30, 2020.

12:00 Noon.

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.

Afendoulis—present	Filler—present	Jones—present	Reilly—present
Albert—present	Frederick—present	Kahle—present	Rendon—present
Alexander—present	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—present
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—present	Johnson, C.—present	Pohutsky—present	Yancey—present
Ellison—present	Johnson, S.—present	Rabhi—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

Fr. Charlie Hall, Pastor of St. Francis De Sales Catholic Church in Norton Shores, offered the following invocation:

“Blessed are You God of creation and source of life and all that is good and beautiful within it.

And we thank You for the great gift and responsibility of sharing with us the power to make decisions that will shape and guide the lives that belong ultimately to You.

We particularly ask Your guidance for those who will struggle and deliberate here.

Help each of them to speak clearly and with courage that piece of Your Truth to which their eyes have been opened and to which they need to open the eyes of others.

But help each of them, as well, to listen attentively and with humility to that piece of Your Truth to which their eyes need to be opened by others.

Help each of them to breathe in deeply of Your Love which is both gentle and fierce and never self-serving before it has served the needs of others.

Don’t let their trust be naïve, but don’t let a healthy skepticism be poisoned by the cynical.

Help them to serve the ideals that led them to run for office without being dismissive of the vision and values of others.

We boldly ask all of this with humility and confidence that You even more than we want what is best for all people that do dwell within these pleasant peninsulas, and that if we can do no more at this moment than to sincerely share this prayer, then we have taken the first step in together serving Your purposes.

And so we ask, God help them. God help us. Amen.”

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

Rep. Rabhi moved that Rep. Pagan be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. VanSingel, Calley, Liberati and Sabo offered the following resolution:

House Resolution No. 225.

A resolution to declare February 2020 as Children’s Dental Health Month in the state of Michigan.

Whereas, Dental health problems can cause children to experience pain, trouble sleeping, poor performance at school, difficulty eating, self-esteem issues, and other impediments to success, and

Whereas, Poor oral health can affect overall health; and

Whereas, Dental decay is largely preventable with proper dental care, good eating habits, and proper oral hygiene; and

Whereas, Children’s Dental Health Month brings together health care providers, community health organizations, educators, and other stakeholders to promote the importance of children’s dental health and help reduce the incidence of dental disease among children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2020 as Children’s Dental Health Month in the state of Michigan. We encourage Michigan residents to take action to ensure that children receive the dental care that they need to achieve optimum health.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Miller, Calley, Liberati and Sabo offered the following resolution:

House Resolution No. 226.

A resolution to declare February 2020 as School-Based Health Care Awareness Month in the state of Michigan.

Whereas, Michigan's school-based and school-linked health centers (also known as child and adolescent health centers) have been delivering comprehensive primary healthcare, mental healthcare, and prevention services for over 30 years; and

Whereas, There are over 125 school-based and school-linked health centers and programs in the state of Michigan delivering a range of primary, preventive, early intervention, and mental health services to children and youth of all grade levels in urban, rural, and suburban schools across the state; and

Whereas, Children and youth served by school-based and school-linked health centers show improved rates of school attendance, enhanced scores on standardized tests, less absenteeism due to illness, and increased immunization rates, while having their wellness and healthcare needs addressed; and

Whereas, School-Based Health Care Awareness Month is a time to acknowledge the commitment and passion that school-based health center staff and parent/guardians show for all Michigan children and youth; and

Whereas, We also recognize the critical role these individuals play in improving the health and well-being of all Michigan children; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 2020 as School-Based Health Care Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 18.

A concurrent resolution to oppose the inclusion of labor peace agreements in the Marijuana Regulatory Agency's permanent rules and to oppose the inclusion of labor peace agreements or any similar construct in the administrative rules of this state.

(For text of concurrent resolution, see House Journal No. 8, p. 112.)

(The concurrent resolution was reported by the Committee on Government Operations on January 28.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 5159, entitled

A bill to amend 2016 PA 281, entitled "Medical marijuana 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 second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Judiciary,

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

Rep. LaFave moved to amend the bill as follows:

1. Amend page 10, following line 29, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4996 of the 100th Legislature is enacted into law."

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

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

The motion prevailed.

House Bill No. 5160, entitled

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

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

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

Rep. LaFave moved to amend the bill as follows:

1. Amend page 10, following line 1, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4996 of the 100th Legislature is enacted into law.”.

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

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

The motion prevailed.

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 second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

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

Rep. LaFave moved to amend the bill as follows:

1. Amend page 2, following line 18, by inserting:

“Enacting section 1. This act does not take effect unless House Bill No. 4996 of the 100th Legislature is enacted into law.”.

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

Rep. Bellino 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 Senate bills had been received on Thursday, January 30:

Senate Bill Nos. 384 714

The Clerk announced that the following bill had been reproduced and made available electronically on Thursday, January 30:

Senate Bill No. 763

Reports of Standing Committees

The Committee on Health Policy, by Rep. Vaupel, Chair, reported

Senate Concurrent Resolution No. 8.

A concurrent resolution to declare Adverse Childhood Experiences (ACEs) a critical health issue, commit the Legislature to action, and encourage the Governor to direct agencies to assess and report progress on reducing ACEs.

(For text of concurrent resolution, see House Journal No. 51 of 2019, p. 618.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaupel, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, January 30, 2020

Present: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Iden, Chair, of the Committee on Ways and Means, was received and read:

Meeting held on: Thursday, January 30, 2020

Present: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden

Messages from the Senate

Senate Bill No. 384, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 464b.

The Senate has passed the bill.

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

Senate Bill No. 711, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 109 (MCL 436.1109), as amended by 2018 PA 409, and by adding section 504.

The Senate has passed the bill.

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

Senate Bill No. 714, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32312, 32312a, and 32510 (MCL 324.32312, 324.32312a, and 324.32510), section 32312 as amended by 2019 PA 84, section 32312a as added by 1997 PA 126, and section 32510 as added by 1995 PA 59, and by adding sections 32312c and 32517.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Hall, Schroeder, Webber, VanWoerkom, LaFave and LaGrand introduced

House Bill No. 5426, entitled

A bill to amend 2017 PA 132, entitled "Cyber civilian corps act," by amending sections 2, 3, 4, 5, 6, and 7 (MCL 18.222, 18.223, 18.224, 18.225, 18.226, and 18.227).

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

Reps. VanWoerkom, Schroeder, Webber, Hall, LaFave and LaGrand introduced

House Bill No. 5427, entitled

A bill to amend 2017 PA 132, entitled “Cyber civilian corps act,” by amending sections 9 and 10 (MCL 18.229 and 18.230).

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

Reps. Hall, Chirkun, Liberati, Garza and Berman introduced

House Bill No. 5428, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 910.

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

Rep. Anthony introduced

House Bill No. 5429, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406v.

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

Reps. Hoadley, Garza, Sowerby, Coleman, Hood, Cynthia Johnson, Stone, Sneller, Haadsma, Yancey, Manoogian, Koleszar, Kuppa, Anthony, Wittenberg, Liberati, Kennedy, Clemente, Bolden, Chirkun, Shannon, Tate, Love, Hope, Greig, Garrett, Cherry, Hammoud, Warren, Witwer, Lasinski, Brenda Carter, Pohutsky, Guerra, Whitsett, Elder, Peterson, Ellison and Jones introduced

House Bill No. 5430, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2027 (MCL 500.2027), as amended by 1998 PA 26.

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

Reps. Koleszar, Hoadley, Brixie, Sneller, Clemente, Stone, Liberati, Sabo, Cherry, Manoogian, Kuppa, Sowerby, Cynthia Johnson, Garza, Hood, Yancey, Bolden, Wittenberg, Chirkun, Shannon, Haadsma, Tate, Hope, Greig, Guerra, Garrett, Witwer, Lasinski, Brenda Carter, Pohutsky, Whitsett, Ellison, Warren, Peterson and Jones introduced

House Bill No. 5431, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406w.

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

Reps. Kuppa, Brixie, Hope, Stone, Hoadley, Liberati, Sneller, Clemente, Cherry, Manoogian, Sabo, Koleszar, Sowerby, Hood, Yancey, Bolden, Wittenberg, Shannon, Tate, Haadsma, Greig, Guerra, Coleman, Garza, Cynthia Johnson, Garrett, Witwer, Chirkun, Lasinski, Brenda Carter, Pohutsky, Whitsett, Warren, Elder, Ellison and Jones introduced

House Bill No. 5432, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406x.

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

Reps. Hoitenga, Steven Johnson, Paquette, Meerman, Eisen, Green, Lightner, Whitsett, Markkanen, LaFave, Hall, Hornberger and Allor introduced

House Bill No. 5433, 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 section 5o (MCL 28.425o), as amended by 2017 PA 95.

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

Rep. Guerra introduced

House Bill No. 5434, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

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

Reps. Guerra, Love, Wittenberg, Sneller, Manoogian, Sowerby, Camilleri, Anthony, Hope and Brann introduced

House Bill No. 5435, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 765, 765a, and 765b (MCL 168.765, 168.765a, and 168.765b), section 765 as amended by 2018 PA 603, section 765a as added by 2018 PA 123, and section 765b as added by 2018 PA 127.

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

Rep. Sheppard introduced

House Bill No. 5436, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4o (MCL 205.94o), as amended by 2015 PA 204.

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

Rep. Sneller introduced

House Bill No. 5437, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 517a (MCL 436.1517a), as amended by 2018 PA 472.

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

Rep. Berman moved that the House adjourn.

The motion prevailed, the time being 1:00 p.m.

Associate Speaker Pro Tempore Lilly declared the House adjourned until Tuesday, February 4, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

