

No. 41
STATE OF MICHIGAN
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House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Wednesday, May 13, 2020.

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.

Afendoulis—present	Filler—present	Jones—present	Rabhi—present
Albert—present	Frederick—present	Kahle—present	Reilly—present
Alexander—present	Garrett—present	Kennedy—present	Rendon—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
Camilleri—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—excused	Miller—present	Wentworth—present
Clemente—present	Hornberger—present	Mueller—present	Whiteford—present
Cole—present	Howell—present	Neeley, C.—present	Whitsett—present
Coleman—present	Huizenga—present	O'Malley—present	Wittenberg—excused
Crawford—present	Iden—present	Pagan—excused	Witwer—present
Eisen—present	Inman—present	Paquette—present	Wozniak—present
Elder—present	Johnson, C.—present	Peterson—present	Yancey—excused
Ellison—present	Johnson, S.—present	Pohutsky—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

Rep. Graham Filler, from the 93rd District, offered the following invocation:

“Lord, as we stand in the Capitol, I lack eloquent language of phrases that sum up the gravity of what the individuals of our state are going through today. So I ask You Lord, to do a simple thing in this Legislature. That simple thing is: please open the ears and eyes of these legislators and help us listen with all our might, to the words of the people who are struggling, so that we might serve them better everyday. I pray this in Jesus’ name, Amen.”

Rep. Rabhi moved that Reps. Hope, Pagan, Wittenberg and Yancey be excused from today’s session. The motion prevailed.

Motions and Resolutions

Reps. Kuppa, Elder, Tyrone Carter, Haadsma, Peterson, Cambensy, Hammoud, Kennedy, Cynthia Johnson, Garza, Shannon, Stone, Pohutsky, Sowerby, Koleszar, Bolden, Hoadley, Hood, Ellison, Brixie, Hertel, Sabo, Sneller, Warren, Lasinski, Rabhi, Tate, Cynthia Neeley, Greig, Cherry, Chirkun, Love, Clemente, Liberati and Witwer offered the following resolution:

House Resolution No. 252.

A resolution to declare March 22, 2020, as Michigan Water Day and World Water Day in the state of Michigan.

Whereas, Since 1993, the United Nations has designated March 22nd as World Water Day. In 2010, the United Nations acknowledged “the importance of equitable access to safe and clean drinking water and sanitation as an integral component of the realization of all human rights”; and

Whereas, The theme of World Water Day in 2020 is the link between water and climate change and we recognize the importance of the sustainable managements of our natural resources; and

Whereas, Clean water is integral to the global economy and international security, and nearly 1.5 billion laborers around the world work in water-related sectors. Reliable water infrastructure is integral to the health, safety, and well-being of people; and

Whereas, Water services should meet the needs of all Michiganders, including those who are the most vulnerable, so that their voices are heard in the decision making process; and

Whereas, Michigan has the largest freshwater coastline in the United States and has more than 11,000 inland lakes. A Michigander is never more than six miles away from a fresh body of water; and

Whereas, The Great Lakes make up more than twenty percent of the world’s freshwater supply and are a source of drinking water for about forty million people. Approximately 525,886 jobs in Michigan are directly connected to the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 22, 2020, as Michigan Water Day and World Water Day in the state of Michigan. It is with great honor and appreciation that we take this time to join other states and nations in expressing our commitment to ensuring that clean affordable drinking water is available to all Michiganders; and commit ourselves to promotion of public awareness to prevent our precious water from pollution and depletion. On this day, we will celebrate and honor the pure water in our state, our country, and our world; and be it further

Resolved, While we recognize the interconnectedness of humanity and appreciate global challenges, we also recognize our duty as Michiganders in protecting our natural resources and instilling a sense of pride in ourselves and our children for our Great Lakes; and be it further

Resolved, We cherish and acknowledge the special responsibility of protecting Michigan’s waters for current and future generations.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Manoogian, Frederick, Brixie, Clemente, Crawford, Garza, Greig, Haadsma, Hood, Kuppa, Liberati, Love, Sabo, Schroeder, Shannon, Sneller, Stone and Witwer offered the following resolution:

House Resolution No. 253.

A resolution to declare April 24, 2020, as a Day of Remembrance in the state of Michigan for the Armenian Genocide of 1915-1923.

Whereas, The state of Michigan recognizes that the Armenian Genocide occurred from 1915 to 1923. Armenians, as well as Greeks, Assyrian-Chaldeans, Syriacs, Arameans, Maronites, and other Christians were subject to torture, starvation, mass murder, lethal human medical experimentation, and exile from their historic homeland. Over 1.5 million lost their lives. The Armenian Genocide represented a deliberate attempt by the Ottoman Empire to eliminate all traces of an ancient, thriving, and noble civilization that had lived in these regions for millennia; and

Whereas, The majority of the Armenian population was displaced from their homes and forced to escape to neighboring and faraway communities and countries. Many refugees fled to the United States. Today, Michigan is honored to be home to a vibrant Armenian-American population of more than 17,000 Michiganders. This thriving community is a proud reminder of survival and perseverance in the face of extreme injustice; and

Whereas, the state of Michigan and its citizens played a vital role in relief efforts to assist those persecuted by the Ottoman Empire. As staunch supporters of the Near East Relief campaign, Michiganders from all walks of life donated 100 tons of relief supplies to Armenian refugees, collected on "Bundle Day" in 1923. Michigan women also established collection drives for foodstuffs packages through the "Say It with Flour" campaign; and

Whereas, Michigan Armenian churches and community organizations have organized numerous charity and community drives across the state, including, but not limited to, providing college scholarships for deserving students and serving Armenian refugee communities across the state; and

Whereas, Both houses of the 116th Congress of the United States recently voted to commemorate and recognize the atrocities of the Armenian Genocide, reject efforts to associate the United States government with efforts to deny the existence of the Armenian Genocide or any genocide, and encourage education and public understanding about the Armenian Genocide; and

Whereas, By recognizing and consistently remembering the Armenian Genocide, the Holocaust and all cases of past and ongoing genocide, we help protect historic memory, ensure that similar atrocities do not occur again, and remain vigilant against hatred, persecution and tyranny. The Armenian community of Michigan has used its deep understanding of historic pain and dispersal to constantly and consistently stand alongside other persecuted communities in Michigan and around the world; and Whereas, Armenian communities around the world commemorate this tragedy on April 24, 2020. On this day, we honor the victims and survivors of the Genocide and reaffirm our commitment to preventing future atrocities from being committed against any people; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 24, 2020, as a Day of Remembrance in the state of Michigan for the Armenian Genocide of 1915-1923.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Anthony, Brixie, Calley, Garza, Green, Greig, Haadsma, Hood, Kuppa, Liberati, Love, Sabo, Schroeder, Shannon, Sneller, Stone and Warren offered the following resolution:

House Resolution No. 254.

A resolution to declare May 6-12, 2020, as Nurses Week in the state of Michigan.

Whereas, May 6-12, 2020, is recognized as National Nurses Week, beginning with National Nurses Day on May 6 and ending with the birthday of Florence Nightingale, the founder of modern nursing, on May 12; and

Whereas, Nurses are the largest sector of the healthcare workforce and provide the most direct and continuous skilled care to people of every age; and

Whereas, Nurses are educated professionals who perform the challenging and complex job of caring for the sick and injured every day in a myriad of settings, often under very difficult conditions; and

Whereas, Nurses are globally recognized for their commitment to advocating for their patients and refusing to compromise their high standards for safe, high-quality patient care; and

Whereas, Nurses make valuable contributions to advancing health and safety by promoting prevention and healthy behaviors among Michigan residents; and

Whereas, Nurses advocate for their patients at the bedside and beyond, working to create a world in which all people have access to care and can live safe, healthy, and prosperous lives; and

Whereas, Nurses in Michigan fight for the health, safety, and human rights not only of the sick and injured, but also of the elderly, the young, those with disabilities, the economically disadvantaged, and the most vulnerable among us; and

Whereas, Under this unprecedented time nurses are working day and night caring for those who have contracted the novel coronavirus, at the risk of their own lives and the lives of their family; and

Whereas, Under the leadership of the Michigan Nurses Association, the largest group representing Michigan registered nurses, nurses across Michigan are working to enhance the nursing profession; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 6-12, 2020, as Nurses Week in the state of Michigan. We convey our upmost respect and gratitude for the work of nurses every day throughout our state and urge all residents to do so year-round; and be it further

Resolved, That supporting nurses' ability to provide safe, quality care and developing and maintaining a thriving nurse workforce is of concern to all Michigan residents. We honor the work and dedication of nurses around the world and here in Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hope, Brixie, Clemente, Garza, Green, Greig, Haadsma, Hood, Kuppa, Love, Sabo, Schroeder, Sneller, Stone and Warren offered the following resolution:

House Resolution No. 255.

A resolution to encourage Congress to address the unique needs of domestic violence victims and survivors in the next phase of federal stimulus funding in response to COVID-19.

Whereas, The spread of the novel coronavirus (COVID-19) has resulted in a global pandemic spreading across 146 countries and other locations. In order to combat the rapid spread of the virus, drastic measures have been taken, including the closure of all non-essential businesses and ordering residents to stay at home; and

Whereas, While these measures are necessary to protect the health and safety of vulnerable populations, the heightened confinement has led to potentially dangerous situations for survivors of domestic violence. According to various experts, financial stressors and uncertainty due to the pandemic exacerbate underlying tensions. As a result, perpetrators are exploiting the situation by using the increased vulnerability created by required physical distancing and resultant social isolation as a new or heightened tactic of abuse; and

Whereas, There has been a documented increase in contacts made to domestic violence programs across the country. In Michigan, contacts to the Michigan Coalition to End Domestic and Sexual Violence have grown in March and the first half of April in 2020, compared to the same period in 2019. The state Domestic and Sexual Violence Prevention and Treatment Board has also seen a surge in help requests; and

Whereas, Survivors of domestic violence need additional resources and support to cope with the far-reaching consequences of this pandemic. In a letter to Congress, the National Coalition Against Domestic Violence (NCADV) urged Congress to ensure that their next stimulus bill "comprehensively meets the needs of victims and survivors that are both created and compounded by the COVID-19 crisis"; now, therefore, be it

Resolved by the House of Representatives, That we encourage Congress to address the unique needs of domestic violence victims and survivors in the next phase of federal stimulus funding in response to COVID-19 and honor the requests for appropriations by Michigan and national domestic violence programs for US Departments of Justice, Health and Human Services, and Housing and Urban Development; 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 Judiciary.

Reps. Warren, Ellison, Brixie, Garza, Greig, Haadsma, Hood, Kuppa, Liberati, Sabo, Schroeder, Shannon, Sneller, Stone and Witwer offered the following resolution:

House Resolution No. 256.

A resolution to urge the Congress of the United States to allow grocery store managers to authorize a substitution for a WIC-approved food if the store runs out of the food during a public health emergency.

Whereas, The federal Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides supplemental foods and nutrition education for low-income women who are pregnant or post-partum, infants, and children up to age five who are at nutritional risk. More than 200,000 mothers, infants, and children in Michigan rely on the WIC program every month as a key source of nutritious food; and

Whereas, The public health emergency caused by the COVID-19 pandemic has resulted in panic-buying in grocery stores and other food establishments approved as WIC vendors, leaving some stores with few WIC-approved foods available for WIC participants; and

Whereas, A lack of WIC-approved foods could increase the risk for participants of developing certain medical conditions related to nutrition, such as anemia, underweight, and poor pregnancy outcomes for families who are already particularly vulnerable to the economic impacts and uncertainties of the COVID-19 pandemic; and

Whereas, Federal regulations prohibit WIC vendors from substituting WIC-approved foods with other foods and also prohibit similar foods from being provided as part of WIC food packages that do not meet the minimum federal requirements. For example, WIC stipulates the size of certain food items, and any deviation from the requirement, such as a larger package of an identical type of bread or eggs, requires a federal waiver from the United States Department of Agriculture (USDA). In a public health emergency, the benefits of making this type of substitution outweigh the risks; and

Whereas, It is imperative that the hundreds of thousands of WIC participants in Michigan continue to have access to foods through WIC. A lack of access to good nutrition prenatally and in the first five years of life can negatively impact a child's health and development for years to come; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to allow grocery store managers to authorize a substitution for a WIC-approved food if the store runs out of the food during a public health emergency; 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 Families, Children, and Seniors.

Reps. LaFave and Crawford offered the following resolution:

House Resolution No. 257.

A resolution to reaffirm the sovereignty of tribal nations and to encourage the Michigan Attorney General to not infringe on that sovereignty.

Whereas, Article I, Section 8 of the U.S. Constitution recognizes tribal nations as sovereign governments. Tribal nations' right to self-governance has been repeatedly reaffirmed by treaties, the U.S. Supreme Court, executive orders, and laws enacted by Congress; and

Whereas, The Indian Gaming Regulatory Act of 1988 permits tribes to operate Class III casino-style gaming activities on Indian reservations. The state of Michigan has entered into tribal-state compacts with twelve federally-recognized tribes to authorize Class III casino-style gaming. The state of Michigan has no authority to regulate Indian gaming, except to ensure compliance with the provisions of each tribal-state compact; and

Whereas, In response to the novel coronavirus (COVID-19), the Governor has issued a number of executive orders to limit the operation of businesses and require people to stay home, with exceptions, through May 28, 2020. Despite most cases of COVID-19 being reported in the southern part of the state, far from a majority of Indian casinos, tribal governments followed federal and state guidelines to close Class III casino-style gaming facilities under their jurisdiction; and

Whereas, After weeks of economic closure and staying at home, the number of COVID-19 cases has steadily declined. Tribal governments, often relying on casino revenue to fund services and infrastructure, announced plans to reopen casinos before the Governor's most recent stay-at-home order expires. The Hannahville Indian Community announced plans to reopen a casino in the Upper Peninsula in phases beginning May 6, 2020; and

Whereas, On May 5, 2020, in a letter addressed to the Hannahville Indiana Community Tribal Chairperson, the Michigan Attorney General warned that casino employees and patrons who visit the casino prior to the expiration of the Governor's stay-at-home order would be subject to civil and criminal penalties. Although the letter acknowledges the tribe's right to self-governance, which includes the right to reopen its casinos at any date, it serves as a veiled-threat to control the actions of a sovereign tribal nation; now, therefore, be it

Resolved by the House of Representatives, That we reaffirm the sovereignty of tribal nations and encourage the Michigan Attorney General to not infringe on that sovereignty; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Michigan Attorney General. The resolution was referred to the Committee on Military, Veterans and Homeland Security.

Second Reading of Bills

House Bill No. 5412, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3476 (MCL 500.3476), as amended by 2017 PA 223.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Ways and Means,

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

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

The motion prevailed.

House Bill No. 5413, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401k (MCL 550.1401k), as added by 2012 PA 214.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Ways and Means,

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

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

The motion prevailed.

House Bill No. 5414, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100c and 100d (MCL 330.1100c and 330.1100d), section 100c as amended by 2016 PA 320 and section 100d as amended by 2015 PA 59.

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

The motion prevailed.

House Bill No. 5415, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105g.

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

The motion prevailed.

House Bill No. 5416, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105g.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Ways and Means,

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

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

The motion prevailed.

House Bill No. 5368, entitled

A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 2016 PA 289.

The bill was read a second time.

Rep. Steven Johnson moved to amend the bill as follows:

1. Amend page 7, line 27, after "agriculture" by inserting "**and rural development**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5369, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42, 46, 48, 49, 63, 69, 618a, 634, 660, 660a, 660d, 673, 674, 675d, and 676b (MCL 257.42, 257.46, 257.48, 257.49, 257.63, 257.69, 257.618a, 257.634, 257.660, 257.660a, 257.660d, 257.673, 257.674, 257.675d, and 257.676b), section 42 as amended by 2016 PA 304, section 618a as amended by 2014 PA 303, section 634 as amended by 1988 PA 346, sections 660 and 660d as amended by 2018 PA 394, section 660a as added by 2006 PA 339, section 674 as amended by 2000 PA 268, section 675d as amended by 2010 PA 211, and section 676b as amended by 2018 PA 75, and by adding sections 63a, 64a, 64b, and chapter VIA.

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

The motion prevailed.

House Bill No. 5417, entitled

A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending sections 2, 3a, 4, 8, 9, 10, and 11 (MCL 333.1052, 333.1053a, 333.1054, 333.1058, 333.1059, 333.1060, and 333.1061), sections 2 and 11 as amended by 2017 PA 157 and section 3a as added and sections 4, 8, 9, and 10 as amended by 2013 PA 155, and by adding section 3b.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5418, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1180 and 1181.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5419, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5215 (MCL 700.5215), as amended by 2000 PA 469.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Cole moved that **House Bill No. 5412** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5412, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3476 (MCL 500.3476), as amended by 2017 PA 223.

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

Roll Call No. 194**Yeas—105**

Afendoulis
Albert

Farrington
Filler

Johnson, S.
Jones

Pohutsky
Rabhi

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

Nays—0

In The Chair: Chatfield

The House agreed to the title of the bill.

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

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

Rep. Cole moved that **House Bill No. 5413** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5413, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401k (MCL 550.1401k), as added by 2012 PA 214.

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

Roll Call No. 195

Yeas—105

Afendoulis	Farrington	Johnson, S.	Pohutsky
Albert	Filler	Jones	Rabhi
Alexander	Frederick	Kahle	Reilly
Allor	Garrett	Kennedy	Rendon
Anthony	Garza	Koleszar	Sabo
Bellino	Gay-Dagnogo	Kuppa	Schroeder
Berman	Glenn	LaFave	Shannon
Bolden	Green	LaGrand	Sheppard

Bollin	Greig	Lasinski	Slagh
Brann	Griffin	Leutheuser	Sneller
Brixie	Guerra	Liberati	Sowerby
Byrd	Haadsma	Lightner	Stone
Calley	Hall	Lilly	Tate
Cambensy	Hammoud	Love	VanSingel
Camilleri	Hauck	Lower	VanWoerkom
Carter, B.	Hernandez	Maddock	Vaupel
Carter, T.	Hertel	Manoogian	Wakeman
Chatfield	Hoadley	Marino	Warren
Cherry	Hoitenga	Markkanen	Webber
Chirkun	Hood	Meerman	Wendzel
Clemente	Hornberger	Miller	Wentworth
Cole	Howell	Mueller	Whiteford
Coleman	Huizenga	Neeley, C.	Whitsett
Crawford	Iden	O'Malley	Witwer
Eisen	Inman	Paquette	Wozniak
Elder	Johnson, C.	Peterson	Yaroch
Ellison			

Nays—0

In The Chair: Chatfield

The House agreed to the title of the bill.

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

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

Rep. Cole moved that **House Bill No. 5414** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5414, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100c and 100d (MCL 330.1100c and 330.1100d), section 100c as amended by 2016 PA 320 and section 100d as amended by 2015 PA 59.

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

Roll Call No. 196

Yeas—105

Afendoulis	Farrington	Johnson, S.	Pohutsky
Albert	Filler	Jones	Rabhi
Alexander	Frederick	Kahle	Reilly
Allor	Garrett	Kennedy	Rendon
Anthony	Garza	Koleszar	Sabo
Bellino	Gay-Dagnogo	Kuppa	Schroeder
Berman	Glenn	LaFave	Shannon
Bolden	Green	LaGrand	Sheppard
Bollin	Greig	Lasinski	Slagh
Brann	Griffin	Leutheuser	Sneller
Brixie	Guerra	Liberati	Sowerby
Byrd	Haadsma	Lightner	Stone
Calley	Hall	Lilly	Tate

Cambensy	Hammoud	Love	VanSingel
Camilleri	Hauck	Lower	VanWoerkom
Carter, B.	Hernandez	Maddock	Vaupel
Carter, T.	Hertel	Manoogian	Wakeman
Chatfield	Hoadley	Marino	Warren
Cherry	Hoitenga	Markkanen	Webber
Chirkun	Hood	Meerman	Wendzel
Clemente	Hornberger	Miller	Wentworth
Cole	Howell	Mueller	Whiteford
Coleman	Huizenga	Neeley, C.	Whitsett
Crawford	Iden	O'Malley	Witwer
Eisen	Inman	Paquette	Wozniak
Elder	Johnson, C.	Peterson	Yaroch
Ellison			

Nays—0

In The Chair: Chatfield

The House agreed to the title of the bill.

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

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

Rep. Cole moved that **House Bill No. 5415** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5415, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 105g.

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

Roll Call No. 197

Yeas—105

Afendoulis	Farrington	Johnson, S.	Pohutsky
Albert	Filler	Jones	Rabhi
Alexander	Frederick	Kahle	Reilly
Allor	Garrett	Kennedy	Rendon
Anthony	Garza	Koleszar	Sabo
Bellino	Gay-Dagnogo	Kuppa	Schroeder
Berman	Glenn	LaFave	Shannon
Bolden	Green	LaGrand	Sheppard
Bollin	Greig	Lasinski	Slagh
Brann	Griffin	Leutheuser	Sneller
Brixie	Guerra	Liberati	Sowerby
Byrd	Haadsma	Lightner	Stone
Calley	Hall	Lilly	Tate
Cambensy	Hammoud	Love	VanSingel
Camilleri	Hauck	Lower	VanWoerkom
Carter, B.	Hernandez	Maddock	Vaupel
Carter, T.	Hertel	Manoogian	Wakeman
Chatfield	Hoadley	Marino	Warren
Cherry	Hoitenga	Markkanen	Webber

Chirkun	Hood	Meerman	Wendzel
Clemente	Hornberger	Miller	Wentworth
Cole	Howell	Mueller	Whiteford
Coleman	Huizenga	Neeley, C.	Whitsett
Crawford	Iden	O'Malley	Witwer
Eisen	Inman	Paquette	Wozniak
Elder	Johnson, C.	Peterson	Yaroch
Ellison			

Nays—0

In The Chair: Chatfield

The House agreed to the title of the bill.

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

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

Rep. Cole moved that **House Bill No. 5416** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5416, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105g.

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

Roll Call No. 198

Yeas—105

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

Nays—0

In The Chair: Chatfield

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

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

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 105h.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Cole moved that **House Bill No. 5368** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5368, entitled

A bill to amend 1965 PA 203, entitled “Michigan commission on law enforcement standards act,” by amending section 2 (MCL 28.602), as amended by 2016 PA 289.

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

Roll Call No. 199

Yeas—103

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

Nays—2

Green

Maddock

In The Chair: Chatfield

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

Rep. Cole moved that **House Bill No. 5369** be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5369, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 42, 46, 48, 49, 63, 69, 618a, 634, 660, 660a, 660d, 673, 674, 675d, and 676b (MCL 257.42, 257.46, 257.48, 257.49, 257.63, 257.69, 257.618a, 257.634, 257.660, 257.660a, 257.660d, 257.673, 257.674, 257.675d, and 257.676b), section 42 as amended by 2016 PA 304, section 618a as amended by 2014 PA 303, section 634 as amended by 1988 PA 346, sections 660 and 660d as amended by 2018 PA 394, section 660a as added by 2006 PA 339, section 674 as amended by 2000 PA 268, section 675d as amended by 2010 PA 211, and section 676b as amended by 2018 PA 75, and by adding sections 63a, 64a, 64b, and chapter VIA.

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

Roll Call No. 200

Yeas—102

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

Nays—3

Green	Maddock	Reilly
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In The Chair: Chatfield

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

Rep. Cole 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
Motions and Resolutions

Rep. Cole moved that when the House adjourns today it stand adjourned until Tuesday, May 19, at 1:30 p.m.
 The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, May 12, for her approval of the following bill:
Enrolled House Bill No. 5496 at 2:04 p.m.

The Clerk announced that the following bill had been reproduced and made available electronically on Tuesday, May 12:
House Bill No. 5767

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, May 13:
Senate Bill Nos. 918 919 920 921 922 923

Reports of Standing Committees

The Committee on Transportation, by Rep. O'Malley, Chair, referred
House Bill No. 4721, entitled
 A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 301 (MCL 257.301), as amended by 2011 PA 159.
 to the Committee on Judiciary with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell and Afendoulis

Nays: Reps. Sneller, Clemente, Haadsma and Shannon

The bill and substitute were referred to the Committee on Judiciary.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 2020

Present: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Haadsma and Shannon

Absent: Rep. Yancey

Excused: Rep. Yancey

The Committee on Local Government and Municipal Finance, by Rep. Lower, Chair, referred

House Bill No. 5766, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 37a. to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Lower, Marino, Crawford, Calley, Howell, Eisen, Markkanen, Paquette, Ellison, Sowerby and Garza

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Lower, Chair, of the Committee on Local Government and Municipal Finance, was received and read:

Meeting held on: Wednesday, May 13, 2020

Present: Reps. Lower, Marino, Crawford, Calley, Howell, Eisen, Markkanen, Paquette, Ellison, Sowerby and Garza

Absent: Reps. Hope and Kuppia

Excused: Reps. Hope and Kuppia

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

House Bill No. 5411, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217i.

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, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder and Bolden

Nays: None

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

House Bill No. 5488, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1k of chapter IX (MCL 769.1k), as amended by 2017 PA 64.

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, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder and Bolden

Nays: None

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

Senate Bill No. 718, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625t (MCL 257.625t), as added by 2016 PA 243.

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, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder and Bolden

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: Wednesday, May 13, 2020

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder and Bolden

Absent: Rep. Yancey

Excused: Rep. Yancey

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 2020

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

Absent: Reps. Pagan and Hammoud

Excused: Reps. Pagan and Hammoud

Messages from the Governor

The following message from the Governor was received May 12, 2020 and read:

EXECUTIVE ORDER

No. 2020-82

**Temporary enhancements to operational capacity
and efficiency of health care facilities**

Rescission of Executive Order 2020-49

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the Emergency Powers of the Governor Act, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the Emergency Management Act.

The Emergency Management Act vests the governor with broad powers and duties to "cop[e] with dangers to this state or the people of this state presented by a disaster or emergency," which the governor may implement through "executive orders, proclamations, and directives having the force and effect of law." MCL 30.403(1)–(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, "the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control." MCL 10.31(1).

To provide necessary protections against the dangers to this state posed by the COVID-19 pandemic, the state must ensure that there is an adequate supply of health care providers and facilities. To this end, it is reasonable and necessary to provide limited and temporary relief from certain regulatory requirements to enhance the operational capacity and efficiency of health care facilities.

Executive Order 2020-13 provided this limited and temporary relief. Executive Order 2020-49 clarified that relief and extended its duration. This order extends that duration further, as it remains reasonable and necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents. With this order, Executive Order 2020-49 is rescinded.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. The Department of Health and Human Services ("DHHS") may issue an emergency certificate of need to an applicant and defer strict compliance with the procedural requirements of section 22235 of the Public Health Code, 1978 PA 368, as amended, MCL 333.22235, until the end of the declared states of disaster and emergency.
2. The Department of Licensing and Regulatory Affairs ("LARA") may grant a waiver under section 21564 of the Public Health Code, 1978 PA 368, as amended, MCL 333.21564, to any licensed hospital in this state, regardless of number of beds or location, for the purpose of providing care during the COVID-19 pandemic, to construct, acquire, or operate a temporary or mobile facility for any health care purpose, regardless of where the facility is located. A waiver issued under this section may be renewed by LARA until the end of the declared states of disaster and emergency.
3. LARA may issue a temporary registration as a certified nurse aide to an applicant, regardless of whether the applicant demonstrates to LARA that they have successfully completed the examination requirements of sections 21911 and 21913 of the Public Health Code, 1978 PA 368, as amended, MCL 333.21911 and MCL 333.21913. A temporary registration issued under this section shall be valid for 28 days and may be renewed by LARA until the end of the declared states of disaster and emergency.
4. LARA may renew a license to practice under Part 170, 172, 175, 177, or 187 of the Public Health Code, 1978 PA 368, as amended, regardless of whether the licensee has satisfied the continuing education requirement applicable to their license.
5. LARA may recognize hours worked responding to the COVID-19 pandemic as hours toward continuing education courses or programs required for licensure.
6. LARA may allow a non-nursing assistant such as an activity coordinator, social worker, or volunteer to help feed or transport a patient or resident in a manner consistent with the patient's or resident's care plan.
7. This order is effective immediately and continues through June 9, 2020 at 11:59 pm.
8. Executive Order 2020-49 is rescinded.

Given under my hand and the Great Seal of the State of Michigan.

Date: May 12, 2020

Time: 10:45 pm

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:
JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Rep. Wozniak introduced

House Bill No. 5768, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 5505a.

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

Rep. Wozniak introduced

House Bill No. 5769, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1104 and 5501 (MCL 700.1104 and 700.5501), section 1104 as amended by 2016 PA 57 and section 5501 as amended by 2012 PA 141.

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

Rep. Warren moved that the House adjourn.

The motion prevailed, the time being 3:15 p.m.

The Speaker declared the House adjourned until Tuesday, May 19, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives