

No. 46  
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OF THE  
**House of Representatives**  
100th Legislature  
REGULAR SESSION OF 2020

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House Chamber, Lansing, Wednesday, May 27, 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—excused	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—present	Miller—present	Wentworth—present
Clemente—present	Hornberger—present	Mueller—present	Whiteford—present
Cole—present	Howell—present	Neeley, C.—present	Whitsett—excused
Coleman—present	Huizenga—present	O'Malley—present	Wittenberg—present
Crawford—present	Iden—present	Pagan—present	Witwer—present
Eisen—present	Inman—present	Paquette—present	Wozniak—present
Elder—present	Johnson, C.—present	Peterson—present	Yancey—present
Ellison—present	Johnson, S.—present	Pohutsky—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

Rep. Kathy Crawford, from the 38th District, offered the following invocation:

“A very old Chaplains Service book of prayers has a Prayer for our Country...that is just as meaningful today, maybe more meaningful than it was, in our early history.

Almighty God,

Strengthen the resolve of the people who have come throughout the world to make America their home.

Help us to appreciate the opportunities that are ours as we struggle to bring harmony to an unsettled world.

May we balance our concern for justice with a willingness to display mercy and may our concern for security be tempered with a willingness to take risks which will produce worthwhile change for the good of all people.

O Lord, we pray for Your guidance as we work together for the best interest of our communities, our nation and our world.

When times are prosperous, let us be thankful and...in troubled times...may our deepest trust be in You. Amen.”



Rep. Cole moved that Reps. Calley and Whitsett be excused from today’s session. The motion prevailed.

**Motions and Resolutions**

Reps. Sabo, Brixie, Chirkun, Haadsma, Hood, Kuppa, Sneller, Sowerby, Stone and Witwer offered the following resolution:

**House Resolution No. 265.**

A resolution to declare May 2020 as Oak Wilt Awareness Month in the state of Michigan.

Whereas, Oak wilt, a deadly disease of oak trees caused by a fungal pathogen, is threatening Michigan’s oak trees; and

Whereas, Oak wilt is an invasive species found in Michigan and much of the eastern and central United States and is responsible for the death of hundreds of thousands of oak trees; and

Whereas, The oak wilt fungus can be spread by common sap beetles from infected oak trees to freshly wounded healthy oak trees, especially during spring and early summer, quickly killing red oak species; and

Whereas, The oak wilt fungus can also be transported long distances in infected oak firewood and unprocessed wood products; and

Whereas, New infections and spread of oak wilt can be limited and prevented by avoiding unnecessary pruning or wounding of oak trees during the high risk period of April 15 through July 15; and

Whereas, Nearly 500 million oak trees make up an important part of Michigan’s rural and community forests, providing a significant source of food and habitat for wildlife and adding immeasurable beauty and character to Michigan’s diverse landscapes and communities; and

Whereas, Oak trees are also an important part of the outdoor recreation and wood products industries that help sustain Michigan’s environment and economy; and

Whereas, The economic and ecological costs associated with oak wilt and its impacts to communities, utilities, outdoor recreation, forestry and wood products and other industries are significant; and

Whereas, All residents are encouraged to learn about oak wilt and the many ways to prevent its spread; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2020 as Oak Wilt Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Tyrone Carter, Brixie, Chirkun, Haadsma, Hood, Kuppa, Shannon, Sneller and Sowerby offered the following resolution:

**House Resolution No. 266.**

A resolution to oppose actions by the United States Environmental Protection Agency to weaken the Mercury and Air Toxics Standards.

Whereas, The Mercury and Air Toxics Standards (MATS) are a federal rule that regulates emissions of mercury and other hazardous air pollutants from coal- and oil-fired power plants. The MATS rule was put in place to protect the health of people across the country, particularly children and seniors who are more vulnerable to the health impacts of mercury and other harmful pollutants; and

Whereas, On April 16, 2020, the U.S. Environmental Protection Agency (EPA) finalized its conclusion that it is not “appropriate and necessary” to regulate the emissions of air toxics from power plants because the economic costs are higher than the public health benefits of the rule; and

Whereas, EPA’s decision was based on a flawed cost-benefit analysis of the rule that disregards the indirect impacts on public health, referred to as co-benefits, and does not include any of the new scientific evidence demonstrating the direct benefits of the rule. The decision will remove EPA’s legal justification for enforcing the MATS rule and will leave the rule vulnerable to future court challenges; and

Whereas, This change will undermine regulations limiting mercury and other toxins, jeopardizing the health of Michigan residents both from pollution and COVID-19. Mortality rates from COVID-19 tend to be higher in counties with higher levels of long-term air pollution. Communities of color, which already suffer from a disproportionate burden of illness and death, could be particularly affected by these regulatory changes; and

Whereas, Human exposure is not limited to the air we breathe. When coal is burned, toxins, including mercury, fall from the sky into our lakes and streams or are swept into our waterways by rainfall and snowmelt. Once it is in our water, mercury becomes part of the food chain and builds up in large fish that are often headed to consumer markets. A large number of Michigan’s waters cannot be enjoyed to their fullest because of mercury pollution; and

Whereas, This rollback runs counter to decades of scientific consensus on the health and environmental hazards of mercury. The harmful effects of mercury on people and wildlife are well-documented. In Michigan, pregnant women are warned against eating certain fish due to the mercury levels in fish. Mercury accumulates in the body over time, which can damage a baby’s developing brain and nervous system, impairing the child’s IQ and motor skills. The devastating health effects of mercury are undeniable; and

Whereas, Despite the COVID-19 crisis we are facing today, the Trump administration and the EPA continue their series of attacks on public health and the Great Lakes, compounding the health and economic impacts of the pandemic. Rolling back environmental controls will increase pollution in our air, lakes, rivers, and streams with devastating effects on human health, tourism, businesses, and our state’s economy; now, therefore, be it

Resolved by the House of Representatives, That we oppose actions by the United States Environmental Protection Agency to weaken the Mercury and Air Toxics Standards; and be it further

Resolved, That copies of this resolution be transmitted to the Administrator of the United States Environmental Protection Agency and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Natural Resources and Outdoor Recreation.

Reps. Hoitenga, Steven Johnson, Hornberger, Reilly, Rendon, Meerman, Crawford, Maddock, Markkanen and Berman offered the following resolution:

**House Resolution No. 267.**

A resolution to memorialize the Congress of the United States to not enact a federal bailout for states.

Whereas, The COVID-19 Pandemic has led to a significant economic disruption in the United States. In order to limit the spread of the COVID-19, several governors, including Michigan Governor Gretchen Whitmer, have ordered nonessential businesses and schools to close and mandated that people stay at home, except for certain essential activities; and

Whereas, These decisions have directly led to a severe decline in tax revenue in these states. As businesses are closed and employees have been laid off, the projected revenue from income, sales, and other state taxes has fallen off dramatically; and

Whereas, Some states have declared that they will need a bailout from the federal government to replace this lost revenue and avoid cutting services. These governors argue that without unrestricted funding from the federal government the states will need to make cuts to essential services and face an even steeper climb out of the economic downturn caused by the Pandemic; and

Whereas, Congress has already provided significant economic support to the states in previous COVID-19 related stimulus bills. It has properly limited that support to helping states pay for costs related directly to responding to the Pandemic. The Coronavirus Aid, Relief, and Economic Security (CARES) Act included a \$150 billion Coronavirus Relief Fund for the states along with additional funding for education, elections security, and other state functions; and

Whereas, States like Michigan have practiced responsible fiscal policy and are prepared to address revenue shortfalls without a federal bailout. They have avoided taking on significant debt, accumulated rainy day funds, and addressed long-term obligations. Some state rainy day funds alone could cover a significant portion of annual expenditures; and

Whereas, Other states have non-existent rainy day funds and have accumulated significant debt through pension obligations and other sources. They have avoided making the tough budgetary decisions, failed to plan properly for the inevitable economic downturns, and demonstrated themselves to be poor stewards of taxpayer money; and

Whereas, It should not be incumbent on the federal government and American taxpayers to bail out states for their fiscal irresponsibility. Bailing out states that have failed to budget responsibly will incentivize this type of behavior to continue in the future. By telling states that the federal government will not step in to save them in times of economic stress, there will be no reason for these states to continue to be irresponsible with taxpayer money in the future; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to not enact a federal bailout for states; and be it further

Resolved, That copies of this resolution be transmitted to Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Government Operations.

Reps. Hope, Brixie, Chirkun, Hood, Kuppa and Sowerby offered the following resolution:

**House Resolution No. 268.**

A resolution to amend the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That Rule 2 of the Standing Rules of the House of Representatives is hereby amended to read as follows:

**“Admission to Floor--Defined.**

Rule 2. (1) No person shall be admitted on the floor of the House for a period of 30 minutes immediately preceding the time set for any call to order during any session of the House through adjournment, except as follows:

- (a) Representatives and Senators;
- (b) Former Legislators, unless otherwise restricted;
- (c) Sergeants at arms, pages, Clerk’s staff, and legislative staff who are specifically designated and approved by the Majority Floor Leader to be working on the House floor during session;
- (d) Directors of Michigan Departments and the Governor’s legislative liaisons may be admitted to the Thatcher or Document room and may have floor access with the permission of the Majority Floor Leader;
- (e) Immediate family of Representatives who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;
- (f) Media correspondents accredited by the Clerk of the House who are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Clerk. Media correspondents shall not use the center aisle or be at the Members’ desks without the permission of the Majority Floor Leader; and
- (g) Such other persons as may be invited by the Speaker or Majority Floor Leader.

(2) No group or individual shall be allowed access to the floor when the House is not in session unless permission is granted by the Majority Floor Leader or Clerk. The Majority Floor Leader and Clerk shall issue guidelines to ensure that guests using the floor are responsible for costs incurred by the House. If permission is given to a Member to bring guests on the floor when the House is not in session, the Member shall accompany the guests.

(3) Only Members shall sit in Members’ chairs.

(4) Any person who is a lobbyist or employed by a lobbyist shall not be admitted on the floor of the House at any time, except immediate family of a Representative if admitted under rule 2(1)(e) on the first session day of an odd-numbered year for a swearing-in ceremony or under rule 2(1)(d). A former Legislator or immediate family of Representatives shall not lobby on the floor, except if they are admitted under rule 2(1)(d). The words “floor of the House,” when used in these rules, shall mean the space of the main floor of Representative Hall, together with adjacent rooms on the second floor of the Capitol under the jurisdiction of the Clerk, including the Democrat and Republican caucus rooms and the corridor behind the House rostrum.

(5) Guests may be introduced only by permission of the Presiding Officer. Guests shall not be introduced during a roll call vote. Guests are to use the center aisle only if being escorted by a Member or House staff.

(6) Use of the center aisle should be kept at a minimum.

(7) The Majority Floor Leader must grant approval for the distribution of items on the floor and items must pertain to that day's agenda. All printed material intended for distribution on the floor shall be clearly identified by the Member requesting the distribution.

**(8) Each person admitted on the floor shall wear a non-medical, protective face covering over his or her nose and mouth at all times while on the floor. This subsection does not apply to individuals who are not able to medically tolerate wearing a face covering. This subsection is intended to be temporary and only applies during the period in which the U.S. Centers for Disease Control and Prevention recommends wearing cloth face coverings in public settings.”**

The resolution was referred to the Committee on Government Operations.

Reps. Meerman, Leutheuser, Miller, Paquette, Wozniak, Hoitenga, Frederick, Markkanen, Yaroch, Calley, Filler, Allor, O'Malley, Eisen, Bollin, Lightner and Kahle offered the following concurrent resolution:

**House Concurrent Resolution No. 24.**

A concurrent resolution to demand that the Governor compile and make publicly available certain data, to encourage medical professionals to provide elective medical procedures, and to encourage the people of Michigan to continue to practice safe social distancing.

Whereas, COVID-19 is a respiratory disease that can result in serious illness and death; and

Whereas, In Executive Order 2020-17, Governor Whitmer prohibited hospitals, clinics, and medical professionals from conducting elective medical procedures, including non-essential preventive care, even in cases where hospitals and medical professionals have the capacity to safely do so; and

Whereas, Governor Whitmer has not provided and made available to the public, daily, county-level data on COVID-19 hospitalizations, hospital occupancy rates, emergency room visits, or medical staffing numbers. Providing these and other data would improve government transparency and accountability and would allow Michigan residents to learn more about the state of the COVID-19 Pandemic in their area; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we demand that the Governor compile and make available within three days from the date of this concurrent resolution, in a manner easily accessible by the public, detailed data summarized by county on:

- The daily number of available hospital beds occupied by all patients since January 1, 2020, segregated by in-patient beds, negative air flow beds, and intensive care unit (ICU) beds, as provided by the hospitals.
- The daily number of available hospital beds occupied by confirmed COVID-19 patients since January 1, 2020, segregated by in-patient beds, negative air flow beds, and ICU beds, as provided by the hospitals.
- The daily number of emergency room visits in total and the daily number of emergency room visits by patients testing positive for COVID-19 since January 1, 2020.
- The daily number of confirmed COVID-19 hospitalizations and confirmed COVID-19 deaths that are related to retirement homes or nursing homes since January 1, 2020.
- The daily number of confirmed COVID-19 hospitalizations and confirmed COVID-19 deaths of individuals who have had other pre-existing or underlying health conditions since January 1, 2020, with segregation of those health conditions and a breakdown of confirmed COVID-19 hospitalizations and confirmed COVID-19 deaths by age, gender, and race.
- The daily number of ventilators available and daily inventories of hospital personal protective equipment (PPE) since March 10, 2020.
- The daily quantities of PPE possessed by the state government and the quantities distributed to each hospital since March 10, 2020.
- The number of medical professionals who have been furloughed, had work hours reduced, or received a cut in pay since March 10, 2020.
- The daily number of COVID-19 tests conducted since March 10, 2020, including positive and negative results.

; and be it further

Resolved, That we demand that all data related to emergency room visits, hospitalizations, and deaths related to COVID-19 patients be confirmed to be COVID-19 positive patients, and the date of the emergency visit, hospitalization, or death be recorded as the actual date of occurrence, not the date of any data adjustments being made subsequently; and be it further

Resolved, That we encourage the people of Michigan to continue to follow national guidelines for safe social distancing and take steps to protect the populations most at risk, including those residing in nursing homes and retirement homes; and be it further

Resolved, That hospitals, clinics, and medical professionals should have the freedom to provide elective procedures and preventive care where it is deemed appropriate based on staffing capacity, hospital capacity, and availability of PPE and as medical professionals in those facilities determine the best approach to implement national guidelines for safe social distancing; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

The concurrent resolution was referred to the Committee on Health Policy.

**Reports of Standing Committees**

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 4792, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21106 (MCL 324.21106).

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Byrd, Hertel and Bolden

Nays: Rep. Warren

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5097, entitled**

A bill to amend 2005 PA 244, entitled "Deferred presentment service transactions act," by amending the title and sections 2, 11, 13, 15, 17, 22, 31, 32, 33, 34, 35, 36, 45, and 53 (MCL 487.2122, 487.2131, 487.2133, 487.2135, 487.2137, 487.2142, 487.2151, 487.2152, 487.2153, 487.2154, 487.2155, 487.2156, 487.2165, and 487.2173), section 2 as amended by 2016 PA 140 and section 35 as amended by 2016 PA 141, and by adding sections 31a and 32a.

With the recommendation that the substitute (H-5) 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. Iden, Lilly, Leutheuser, Griffin, Hauck, Meerman, Byrd, Hertel and Bolden

Nays: Rep. Warren

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5248, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending section 9 (MCL 722.929), as amended by 2013 PA 38.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5249, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending sections 2 and 6 (MCL 722.922 and 722.926), as amended by 2014 PA 455.

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

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5253, entitled**

A bill to amend 2005 PA 244, entitled "Deferred presentment service transactions act," by amending section 51 (MCL 487.2171).

With the recommendation that the substitute (H-3) 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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5339, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 36a (MCL 567.256a), as added by 2016 PA 312.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Byrd, Hertel and Bolden

Nays: Rep. Warren

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5340, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 36 (MCL 567.256), as amended by 2016 PA 312.

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. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Byrd, Hertel and Bolden

Nays: Rep. Warren

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**Senate Bill No. 248, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16226 and 17754 (MCL 333.16226 and 333.17754), section 16226 as amended by 2018 PA 463 and section 17754 as amended by 2014 PA 525.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**Senate Bill No. 254, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7333 and 16221 (MCL 333.7333 and 333.16221), section 7333 as amended by 2018 PA 34 and section 16221 as amended by 2018 PA 463.

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. Iden, Lilly, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden

Nays: None

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: Wednesday, May 27, 2020

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

**Third Reading of Bills**

**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.

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

**Roll Call No. 210**

**Yeas—106**

Afendoulis	Filler	Jones	Rabhi
Albert	Frederick	Kahle	Reilly
Alexander	Garrett	Kennedy	Rendon
Allor	Garza	Koleszar	Sabo
Anthony	Gay-Dagnogo	Kuppa	Schroeder
Bellino	Glenn	LaFave	Shannon
Berman	Green	LaGrand	Sheppard
Bolden	Greig	Lasinski	Slagh



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

**Nays—1**

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.

**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.

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

**Roll Call No. 211****Yeas—77**

Afendoulis	Frederick	LaFave	Rendon
Albert	Glenn	LaGrand	Sabo
Alexander	Green	Lasinski	Schroeder
Allor	Griffin	Leutheuser	Shannon
Anthony	Guerra	Lightner	Sheppard
Bellino	Haadsma	Lilly	Slagh
Berman	Hall	Lower	Sneller
Bolden	Hauck	Maddock	Tate
Bollin	Hernandez	Manoogian	VanSingel
Brann	Hertel	Marino	VanWoerkom
Byrd	Hornberger	Markkanen	Vaupel
Cambensy	Howell	Meerman	Wakeman
Chatfield	Huizenga	Miller	Webber
Clemente	Iden	Mueller	Wendzel
Cole	Inman	O'Malley	Wentworth
Crawford	Johnson, S.	Paquette	Whiteford

Eisen	Kahle	Peterson	Witwer
Elder	Koleszar	Pohutsky	Wozniak
Farrington	Kuppa	Reilly	Yaroch
Filler			

**Nays—30**

Brixie	Garrett	Hope	Pagan
Camilleri	Garza	Johnson, C.	Rabhi
Carter, B.	Gay-Dagnogo	Jones	Sowerby
Carter, T.	Greig	Kennedy	Stone
Cherry	Hammoud	Liberati	Warren
Chirkun	Hoadley	Love	Wittenberg
Coleman	Hoitenga	Neeley, C.	Yancey
Ellison	Hood		

In The Chair: Chatfield

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

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

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

**House Bill No. 5217, entitled**

A bill to prohibit postsecondary educational institutions in this state and certain athletic organizations from preventing a college athlete from receiving compensation for the use of his or her name, image, likeness rights, or athletic reputation.

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

**Roll Call No. 212**

**Yeas—94**

Afendoulis	Filler	Johnson, S.	Peterson
Allor	Frederick	Jones	Pohutsky
Anthony	Garrett	Kahle	Rabhi
Bellino	Garza	Kennedy	Rendon
Berman	Glenn	Koleszar	Sabo
Bolden	Green	Kuppa	Schroeder

Bollin	Greig	LaFave	Shannon
Brann	Griffin	LaGrand	Sheppard
Brixie	Guerra	Lasinski	Slagh
Byrd	Haadsma	Leutheuser	Sneller
Cambensy	Hall	Liberati	Sowerby
Camilleri	Hammoud	Lightner	Stone
Carter, B.	Hauck	Lilly	Tate
Carter, T.	Hernandez	Love	VanSingel
Chatfield	Hertel	Lower	Vaapel
Cherry	Hoadley	Manoogian	Warren
Chirkun	Hoitenga	Markkanen	Webber
Clemente	Hood	Meerman	Wendzel
Cole	Hope	Miller	Wentworth
Coleman	Howell	Neeley, C.	Wittenberg
Crawford	Huizenga	O'Malley	Witwer
Elder	Iden	Pagan	Wozniak
Ellison	Inman	Paquette	Yancey
Farrington	Johnson, C.		

**Nays—13**

Albert	Hornberger	Mueller	Wakeman
Alexander	Maddock	Reilly	Whiteford
Eisen	Marino	VanWoerkom	Yaroch
Gay-Dagnogo			

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 prohibit postsecondary educational institutions in this state and certain athletic organizations from preventing a college athlete from receiving compensation for the use of his or her name, image, or likeness rights.

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.

**House Bill No. 5218, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 411e (MCL 750.411e); and to repeal acts and parts of acts.

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

**Roll Call No. 213**

**Yeas—95**

Afendoulis	Filler	Johnson, C.	Peterson
Allor	Frederick	Johnson, S.	Pohutsky
Anthony	Garrett	Jones	Rabhi
Bellino	Garza	Kahle	Rendon
Berman	Gay-Dagnogo	Kennedy	Sabo
Bolden	Glenn	Koleszar	Schroeder
Bollin	Green	Kuppa	Shannon

Brann	Greig	LaFave	Sheppard
Brixie	Griffin	LaGrand	Slagh
Byrd	Guerra	Lasinski	Sneller
Cambensy	Haadsma	Leutheuser	Sowerby
Camilleri	Hall	Liberati	Stone
Carter, B.	Hammoud	Lightner	Tate
Carter, T.	Hauck	Lilly	VanSingel
Chatfield	Hernandez	Love	Vaupel
Cherry	Hertel	Lower	Warren
Chirkun	Hoadley	Manoogian	Webber
Clemente	Hoitenga	Markkanen	Wendzel
Cole	Hood	Meerman	Wentworth
Coleman	Hope	Miller	Wittenberg
Crawford	Howell	Neeley, C.	Witwer
Elder	Huizenga	O'Malley	Wozniak
Ellison	Iden	Pagan	Yancey
Farrington	Inman	Paquette	

### Nays—12

Albert	Hornberger	Mueller	Wakeman
Alexander	Maddock	Reilly	Whiteford
Eisen	Marino	VanWoerkom	Yaroch

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.

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Cole moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Cole moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5395**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Cole moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Cole moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5396**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

## Second Reading of Bills

### House Bill No. 5541, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1 and 2 (MCL 28.291 and 28.292), section 1 as amended by 2018 PA 605 and section 2 as amended by 2018 PA 669.

The bill was read a second time.

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

The motion prevailed.

### Senate Bill No. 350, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 18 (MCL 69.18), as amended by 1984 PA 179.

The bill was read a second time.

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

The motion prevailed.

### House Bill No. 5097, entitled

A bill to amend 2005 PA 244, entitled “Deferred presentment service transactions act,” by amending the title and sections 2, 11, 13, 15, 17, 22, 31, 32, 33, 34, 35, 36, 45, and 53 (MCL 487.2122, 487.2131, 487.2133, 487.2135, 487.2137, 487.2142, 487.2151, 487.2152, 487.2153, 487.2154, 487.2155, 487.2156, 487.2165, and 487.2173), section 2 as amended by 2016 PA 140 and section 35 as amended by 2016 PA 141, and by adding sections 31a and 32a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Ways and Means,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Sowerby moved to amend the bill as follows:

1. Amend page 44, following line 12, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4251 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. Anthony moved to amend the bill as follows:

1. Amend page 27, line 3, after “exceed” by striking out the balance of the line through “34(5)” on line 18 and inserting “**an annual percentage rate of 36%. As used in this subparagraph, “annual percentage rate” means a rate calculated for a military annual percentage rate under 32 CFR 232.4.**”.

2. Amend page 27, line 25, after “exceed” by striking out “11%” and inserting “3%”.

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

Rep. Liberati moved to amend the bill as follows:

1. Amend page 28, line 14, after “to,” by inserting “rent or mortgage costs.”.

2. Amend page 28, line 18, after “customer.” by striking out the balance of the subdivision and inserting “For purposes of this subdivision, a customer does not have the reasonable financial ability to repay the small loan if payments for the proposed small loan cause the customer to have a debt-to-income ratio higher than 41%. As used in this subdivision:

(i) “Debt-to-income ratio” means the ratio of a customer’s total monthly debt obligations to the customer’s gross monthly income.”.

3. Amend page 42, following line 12, by inserting:

“Sec. 40. A licensee shall not do any of the following:

(a) Enter into a tying arrangement through which the licensee conditions the sale of 1 financial service to a consumer on the agreement by the consumer to purchase 1 or more other financial services from the licensee or an affiliate or subsidiary of the licensee.

(b) Knowingly permit a person to violate an order that has been issued under this act or any other financial licensing act that prohibits that person from being employed by, an agent of, or a control person of the licensee.

(c) **Enter into a deferred presentment service transaction without first determining and documenting that the customer has a reasonable ability to repay the loan. In determining whether the customer has a reasonable ability to repay the deferred presentment service transaction, the licensee must, at a minimum, verify the customer's current and anticipated income and expenses, and the customer's credit history. For purposes of this subdivision, a customer does not have the reasonable ability to repay a deferred presentment service transaction if payments for the proposed deferred presentment service transaction cause the customer to have a debt-to-income ratio higher than 41%. As used in this subdivision:**

(i) **"Debt-to-income ratio" means the ratio of a customer's total monthly debt obligations to the customer's gross monthly income.**

(ii) **"Total monthly debt obligations" consists of the sum of a customer's rent or mortgage-related obligations, any other secured or unsecured debt obligations, and payments for child support and alimony.**

(d) **Make, offer, assist, arrange, guarantee, or collect a deferred presentment service transaction with fees or charges that are greater than permitted under this act.**

(e) **Engage in any device or subterfuge to evade the requirements of this act."**

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

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

1. Amend page 18, line 5, after "us" by striking out "or" and inserting a comma.
2. Amend page 18, line 8, after "service" by inserting a comma and **"or were a party to a previous deferred presentment service agreement or small loan agreement with us, or any other licensee, that was closed at any time in the last 30 days"**.
3. Amend page 20, line 1, after "us" by striking out "or" and inserting a comma.
4. Amend page 20, line 4, after "service" by inserting a comma and **"or were a party to a previous deferred presentment service agreement or small loan agreement with us, or any other licensee, that was closed at any time in the last 30 days"**.
5. Amend page 22, line 7, after "us" by striking out "or" and inserting a comma.
6. Amend page 22, line 10, after "service" by inserting a comma and **"or were a party to a previous deferred presentment service agreement or small loan agreement with us, or any other licensee, that was closed at any time in the last 30 days"**.
7. Amend page 25, line 14, after "us" by striking out "or" and inserting a comma.
8. Amend page 25, line 17, after "service" by inserting a comma and **"or were a party to a previous deferred presentment service agreement or small loan agreement with us, or any other licensee, that was closed at any time in the last 30 days"**.
9. Amend page 28, line 25, after "licensee" by striking out "or" and inserting a comma.
10. Amend page 28, line 27, after "licensee," by inserting **"or was a party to a previous deferred presentment service agreement or small loan agreement with the licensee, or any other licensee, that was closed at any time in the last 30 days,"**.
11. Amend page 28, line 29, after "licensee" by striking out "or" and inserting a comma.
12. Amend page 29, line 2, after "licensee" by inserting a comma and **"or was a party to a previous deferred presentment service agreement or small loan agreement with the licensee, or any other licensee, that was closed at any time in the last 30 days"**.
13. Amend page 32, line 2, after the first "licensee" by inserting a comma and **"or was a party to a previous deferred presentment service transaction or small loan with the licensee, or any other licensee, that was closed at any time in the last 30 days"**.
14. Amend page 32, line 12, after "licensee" by striking out "and" and inserting a comma.
15. Amend page 32, line 14, after "licensee" by inserting a comma and **"and was not a party to a previous deferred presentment service transaction or small loan with the licensee, or any other licensee, that was closed at any time in the last 30 days"**.
16. Amend page 33, line 11, after "licensee" by striking out "and" and inserting a comma.
17. Amend page 33, line 13, after "licensees" by inserting a comma and **"and was not a party to a previous deferred presentment service transaction or small loan with the licensee, or any other licensee, that was closed at any time in the last 30 days"**.

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

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

The motion prevailed.

**House Bill No. 5253, entitled**

A bill to amend 2005 PA 244, entitled "Deferred presentment service transactions act," by amending section 51 (MCL 487.2171).

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Ways and Means,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Gay-Dagnogo moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

**House Bill No. 5395, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5396, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 278, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221 and 310 (MCL 257.221 and 257.310), section 221 as amended by 1998 PA 64 and section 310 as amended by 2018 PA 177.

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

The motion prevailed.

**Senate Bill No. 279, entitled**

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2018 PA 606.

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

The motion prevailed.

**House Bill No. 4159, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 8, 13, 13b, and 16 (MCL 125.2652, 125.2658, 125.2663, 125.2663b, and 125.2666), section 2 as amended by 2018 PA 203, section 8 as amended by 2016 PA 471, and sections 13, 13b, and 16 as amended by 2017 PA 46.

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

The motion prevailed.

**House Bill No. 5481, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2661, 2663, 2665, 2667, 2673, and 2677 (MCL 339.2661, 339.2663, 339.2665, 339.2667, 339.2673, and 339.2677), as added by 2012 PA 505, and by adding section 2670.

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

The motion prevailed.

**House Bill No. 5700, entitled**

A bill to amend 2016 PA 281, entitled “Medical marihuana facilities licensing act,” by amending sections 102 and 402 (MCL 333.27102 and 333.27402), section 102 as amended by 2019 PA 3 and section 402 as amended by 2018 PA 582.

The bill was read a second time.

Rep. Alexander 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. 5541** be placed on its immediate passage.

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

**House Bill No. 5541, entitled**

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1 and 2 (MCL 28.291 and 28.292), section 1 as amended by 2018 PA 605 and section 2 as amended by 2018 PA 669.

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

**Roll Call No. 214**

**Yeas—107**

Afendoulis	Filler	Jones	Rabhi
Albert	Frederick	Kahle	Reilly
Alexander	Garrett	Kennedy	Rendon
Allor	Garza	Koleszar	Sabo
Anthony	Gay-Dagnogo	Kuppa	Schroeder
Bellino	Glenn	LaFave	Shannon
Berman	Green	LaGrand	Sheppard
Bolden	Greig	Lasinski	Slagh
Bollin	Griffin	Leutheuser	Sneller
Brann	Guerra	Liberati	Sowerby
Brixie	Haadsma	Lightner	Stone
Byrd	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	Hope	Miller	Wentworth



Cole	Hornberger	Mueller	Whiteford
Coleman	Howell	Neeley, C.	Wittenberg
Crawford	Huizenga	O'Malley	Witwer
Eisen	Iden	Pagan	Wozniak
Elder	Inman	Paquette	Yancey
Ellison	Johnson, C.	Peterson	Yaroch
Farrington	Johnson, S.	Pohutsky	

### Nays—0

In The Chair: Hornberger

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 **Senate Bill No. 350** be placed on its immediate passage.

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

### Senate Bill No. 350, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 18 (MCL 69.18), as amended by 1984 PA 179.

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

### Roll Call No. 215

### Yeas—107

Afendoulis	Filler	Jones	Rabhi
Albert	Frederick	Kahle	Reilly
Alexander	Garrett	Kennedy	Rendon
Allor	Garza	Koleszar	Sabo
Anthony	Gay-Dagnogo	Kuppa	Schroeder
Bellino	Glenn	LaFave	Shannon
Berman	Green	LaGrand	Sheppard
Bolden	Greig	Lasinski	Slagh
Bollin	Griffin	Leutheuser	Sneller
Brann	Guerra	Liberati	Sowerby
Brixie	Haadsma	Lightner	Stone
Byrd	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	Hope	Miller	Wentworth
Cole	Hornberger	Mueller	Whiteford
Coleman	Howell	Neeley, C.	Wittenberg
Crawford	Huizenga	O'Malley	Witwer
Eisen	Iden	Pagan	Wozniak
Elder	Inman	Paquette	Yancey
Ellison	Johnson, C.	Peterson	Yaroch
Farrington	Johnson, S.	Pohutsky	

**Nays—0**

In The Chair: Hornberger

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies.”

The House agreed to the full title.

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. 5097** be placed on its immediate passage.

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

**House Bill No. 5097, entitled**

A bill to amend 2005 PA 244, entitled “Deferred presentment service transactions act,” by amending the title and sections 2, 11, 13, 15, 17, 22, 31, 32, 33, 34, 35, 36, 45, and 53 (MCL 487.2122, 487.2131, 487.2133, 487.2135, 487.2137, 487.2142, 487.2151, 487.2152, 487.2153, 487.2154, 487.2155, 487.2156, 487.2165, and 487.2173), section 2 as amended by 2016 PA 140 and section 35 as amended by 2016 PA 141, and by adding sections 31a and 32a.

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

**Roll Call No. 216**

**Yeas—58**

Afendoulis	Frederick	Jones	Schroeder
Bellino	Garza	LaFave	Shannon
Berman	Gay-Dagnogo	Leutheuser	Sheppard
Bolden	Green	Lightner	Tate
Byrd	Griffin	Lilly	VanSingel
Cambensy	Hall	Maddock	VanWoerkom
Carter, T.	Hauck	Marino	Vaupel
Chatfield	Hernandez	Markkanen	Wakeman
Chirkun	Hertel	Meerman	Webber
Cole	Hoitenga	Mueller	Wendzel
Coleman	Howell	O’Malley	Wentworth
Crawford	Huizenga	Paquette	Witwer
Eisen	Iden	Rendon	Wozniak
Elder	Inman	Sabo	Yaroch
Filler	Johnson, S.		

**Nays—49**

Albert	Garrett	Kennedy	Peterson
Alexander	Glenn	Koleszar	Pohutsky
Allor	Greig	Kuppa	Rabhi
Anthony	Guerra	LaGrand	Reilly
Bollin	Haadsma	Lasinski	Slagh

Brann	Hammoud	Liberati	Sneller
Brixie	Hoadley	Love	Sowerby
Camilleri	Hood	Lower	Stone
Carter, B.	Hope	Manoogian	Warren
Cherry	Hornberger	Miller	Whiteford
Clemente	Johnson, C.	Neeley, C.	Wittenberg
Ellison	Kahle	Pagan	Yancey
Farrington			

In The Chair: Hornberger

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 2005 PA 244, entitled “Deferred presentment service transactions act,” by amending the title and sections 2, 11, 13, 15, 17, 19, 22, 31, 32, 33, 34, 35, 36, 45, 48, and 53 (MCL 487.2122, 487.2131, 487.2133, 487.2135, 487.2137, 487.2139, 487.2142, 487.2151, 487.2152, 487.2153, 487.2154, 487.2155, 487.2156, 487.2165, 487.2168, and 487.2173), section 2 as amended by 2016 PA 140 and section 35 as amended by 2016 PA 141, and by adding sections 24, 31a, and 32a.

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. 5253** be placed on its immediate passage.

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

#### **House Bill No. 5253, entitled**

A bill to amend 2005 PA 244, entitled “Deferred presentment service transactions act,” by amending section 51 (MCL 487.2171).

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

#### **Roll Call No. 217**

#### **Yeas—98**

Afendoulis	Filler	Jones	Rabhi
Albert	Frederick	Kahle	Reilly
Allor	Garrett	Kennedy	Rendon
Anthony	Garza	Koleszar	Sabo
Bellino	Gay-Dagnogo	Kuppa	Schroeder
Berman	Green	LaFave	Shannon
Bolden	Greig	LaGrand	Sheppard
Bollin	Griffin	Lasinski	Sneller
Brann	Guerra	Leutheuser	Sowerby
Brixie	Haadsma	Liberati	Stone
Byrd	Hall	Lightner	Tate
Cambensy	Hammoud	Lilly	VanSingel
Camilleri	Hauck	Lower	VanWoerkom
Carter, B.	Hernandez	Manoogian	Vaupel
Carter, T.	Hertel	Marino	Wakeman
Chatfield	Hoadley	Markkanen	Warren
Cherry	Hoitenga	Meerman	Webber
Chirkun	Hood	Mueller	Wendzel
Clemente	Hope	Neeley, C.	Wentworth
Cole	Howell	O’Malley	Wittenberg

Coleman	Huizenga	Pagan	Witwer
Crawford	Iden	Paquette	Wozniak
Eisen	Inman	Peterson	Yancey
Elder	Johnson, C.	Pohutsky	Yaroch
Ellison	Johnson, S.		

**Nays—9**

Alexander	Hornberger	Maddock	Slagh
Farrington	Love	Miller	Whiteford
Glenn			

In The Chair: Hornberger

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. 5395** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

**House Bill No. 5395, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

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

**Roll Call No. 218**

**Yeas—57**

Afendoulis	Glenn	LaFave	Rendon
Albert	Green	Leutheuser	Schroeder
Alexander	Griffin	Lightner	Sheppard
Allor	Hall	Lilly	Slagh
Bellino	Hauck	Lower	VanSingel
Berman	Hernandez	Maddock	VanWoerkom
Bollin	Hoitenga	Marino	Vaupel
Brann	Hornberger	Markkanen	Wakeman
Chatfield	Howell	Meerman	Webber
Cole	Huizenga	Miller	Wendzel
Crawford	Iden	Mueller	Wentworth
Eisen	Inman	O’Malley	Whiteford
Farrington	Johnson, S.	Paquette	Wozniak
Filler	Kahle	Reilly	Yaroch
Frederick			

**Nays—50**

Anthony	Ellison	Jones	Pohutsky
Bolden	Garrett	Kennedy	Rabhi
Brixie	Garza	Koleszar	Sabo

Byrd	Gay-Dagnogo	Kuppa	Shannon
Cambensy	Greig	LaGrand	Sneller
Camilleri	Guerra	Lasinski	Sowerby
Carter, B.	Haadsma	Liberati	Stone
Carter, T.	Hammoud	Love	Tate
Cherry	Hertel	Manoogian	Warren
Chirkun	Hoadley	Neeley, C.	Wittenberg
Clemente	Hood	Pagan	Witwer
Coleman	Hope	Peterson	Yancey
Elder	Johnson, C.		

In The Chair: Hornberger

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. 5396** be placed on its immediate passage.

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

#### **House Bill No. 5396, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

#### **Roll Call No. 219**

#### **Yeas—57**

Afendoulis	Glenn	LaFave	Rendon
Albert	Green	Leutheuser	Schroeder
Alexander	Griffin	Lightner	Sheppard
Allor	Hall	Lilly	Slagh
Bellino	Hauck	Lower	VanSingel
Berman	Hernandez	Maddock	VanWoerkom
Bollin	Hoitenga	Marino	Vaupel
Brann	Hornberger	Markkanen	Wakeman
Chatfield	Howell	Meerman	Webber
Cole	Huizenga	Miller	Wendzel
Crawford	Iden	Mueller	Wentworth
Eisen	Inman	O'Malley	Whiteford
Farrington	Johnson, S.	Paquette	Wozniak
Filler	Kahle	Reilly	Yaroch
Frederick			

#### **Nays—50**

Anthony	Ellison	Jones	Pohutsky
Bolden	Garrett	Kennedy	Rabhi
Brixie	Garza	Koleszar	Sabo
Byrd	Gay-Dagnogo	Kuppa	Shannon
Cambensy	Greig	LaGrand	Sneller

Camilleri	Guerra	Lasinski	Sowerby
Carter, B.	Haadsma	Liberati	Stone
Carter, T.	Hammoud	Love	Tate
Cherry	Hertel	Manoogian	Warren
Chirkun	Hoadley	Neeley, C.	Wittenberg
Clemente	Hood	Pagan	Witwer
Coleman	Hope	Peterson	Yancey
Elder	Johnson, C.		

In The Chair: Hornberger

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.

**Second Reading of Bills**

Pending the Second Reading of  
**House Bill No. 4269, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278f.

Rep. Cole moved that the bill be re-referred to the Committee on Ways and Means.  
The motion prevailed.

Pending the Second Reading of  
**House Bill No. 4271, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2018 PA 232 and section 1278b as amended by 2018 PA 230.

Rep. Cole moved that the bill be re-referred to the Committee on Ways and Means.  
The motion prevailed.

Pending the Second Reading of  
**House Bill No. 4282, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2018 PA 232.

Rep. Cole moved that the bill be re-referred to the Committee on Ways and Means.  
The motion prevailed.



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  
**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following Senate bills had been received on Wednesday, May 27:  
**Senate Bill Nos. 926 927**

**Reports of Standing Committees**

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

**House Bill No. 5802, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 317, 904, and 907 (MCL 257.317, 257.904, and 257.907), section 317 as amended by 2018 PA 566, section 904 as amended by 2018 PA 212, and section 907 as amended by 2015 PA 126.  
to the Committee on Judiciary.

## Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller and Haadsma  
Nays: None  
The bill was referred to the Committee on Judiciary.

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

**House Bill No. 5803, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2008 PA 508.  
to the Committee on Judiciary.

## Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller and Haadsma  
Nays: None  
The bill was referred to the Committee on Judiciary.

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

**House Bill No. 5804, entitled**

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2018 PA 67.  
to the Committee on Judiciary.

## Favorable Roll Call

To Refer:

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller and Haadsma  
Nays: None  
The bill was 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 27, 2020

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

Absent: Reps. Clemente, Yancey and Shannon

Excused: Reps. Clemente, Yancey and Shannon

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred  
**House Bill No. 5558, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 43528c and 43528d.  
 to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Howell, Wakeman, Rendon, Eisen, Sowerby, Cambensy and Pohutsky  
 Nays: Rep. Reilly  
 The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred  
**House Bill No. 5559, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 48714a and 48714b.  
 to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Howell, Wakeman, Rendon, Eisen, Sowerby, Cambensy and Pohutsky  
 Nays: Rep. Reilly  
 The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred  
**House Bill No. 5560, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113a (MCL 324.40113a), as amended by 2016 PA 382.  
 to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Howell, Wakeman, Rendon, Eisen, Sowerby, Cambensy and Pohutsky  
 Nays: Rep. Reilly  
 The bill was referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair, of the Committee on Natural Resources and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, May 27, 2020

Present: Reps. Howell, Wakeman, Reilly, Rendon, Eisen, Sowerby, Cambensy and Pohutsky

Absent: Rep. Calley

Excused: Rep. Calley

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

**House Bill No. 5137, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7401 (MCL 333.7401), as amended by 2016 PA 548.

With the recommendation that the substitute (H-5) 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, Wozniak, LaGrand, Guerra, Elder and Bolden

Nays: None

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

**House Bill No. 5138, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2016 PA 549.

With the recommendation that the substitute (H-5) 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. 5299, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter XI (MCL 771.1), as amended by 2006 PA 631.

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. 5627, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by repealing section 7415 (MCL 333.7415).

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

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

**House Bill No. 5657, entitled**

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and wireless communication devices and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit

or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons, substances, and wireless communication devices; to prohibit or limit the selling, giving, or furnishing of certain weapons, substances, and wireless communication devices to prisoners; to prohibit the control or possession of certain weapons, substances, and wireless communication devices by prisoners; and to prescribe penalties,” by amending section 5 (MCL 800.285), as amended by 1982 PA 343.

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

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

#### **House Bill No. 5658, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 29 of chapter VII (MCL 767.29), as amended by 1988 PA 90.

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 27, 2020

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

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 27, 2020

Present: Reps. LaFave, Mueller, Afendoulis, Markkanen, Chirkun, Tyrone Carter and Manoogian

Absent: Reps. Marino and Jones

Excused: Reps. Marino and Jones

#### Messages from the Senate

#### **Senate Bill No. 926, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

**Senate Bill No. 927, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

The Senate has passed the bill.

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

**Messages from the Governor**

The following message from the Governor was received May 26, 2020 and read:

**EXECUTIVE ORDER****No. 2020-104****Increasing COVID-19 testing by expanding the scope of practice for certain professionals and encouraging the establishment of community testing locations**

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 (EMA), MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended (EPGA), 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.

Those executive orders have been challenged in Michigan House of Representatives and Michigan Senate v Whitmer. On May 21, 2020, the Court of Claims ruled that Executive Order 2020-67 is a valid exercise of authority under the Emergency Powers of the Governor Act but that Executive Order 2020-68 is not a valid exercise of authority under the Emergency Management Act. Both of those rulings are likely to be appealed.

On May 22, 2020, I issued Executive Order 2020-99, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

The Emergency Powers of the Governor Act provides a sufficient legal basis for issuing this executive order. In relevant part, it 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).

Nevertheless, subject to the ongoing litigation and the possibility that current rulings may be overturned or otherwise altered on appeal, I also invoke Emergency Management Act as a basis for executive action to combat the spread of COVID-19 and mitigate the effects of this emergency on the people of Michigan, with the intent to preserve the rights and protections provided by the EMA. The EMA 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). This executive order falls within the scope of those powers and duties, and to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has not granted an extension request, they too provide a sufficient legal basis for this order.

To help prevent the further spread of COVID-19 and provide protections against the dangers to this state posed by the COVID-19 emergency, it is reasonable and necessary to enable a broader range of qualified medical professionals to order COVID-19 tests and to encourage the establishment of community testing locations by reducing barriers to siting and staffing such test sites.

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

1. It is the public policy of the State of Michigan that testing for COVID-19 should be available to any individual with reason to be tested for COVID-19 without any out-of-pocket cost to such individual.
  - (a) For purposes of this order, “person with reason to be tested for COVID-19” includes anyone who meets at least one of the COVID-19 testing prioritization criteria specified by the Chief Medical Executive.
  - (b) A person with reason to be tested for COVID-19 may receive a test at a community testing location without securing an order from a medical provider in advance. Medical providers will be available to order testing upon arrival. A person who wishes to be tested may call the coronavirus hotline at 1-888-535-6136 or visit [www.michigan.gov/coronavirustest](http://www.michigan.gov/coronavirustest) to find an appropriate testing location.
  - (c) DHHS may issue orders and directives to implement this section.
2. Qualifications.
  - (a) Nothing in this order is intended to alter any obligation of a health insurance company, pursuant to the terms of an insurance policy, to cover costs related to COVID-19 testing for any policyholder.
  - (b) Nothing in this order is intended to supersede the medical judgment of any health care provider.
3. A licensee holding one of the following license types may establish and administer a COVID-19 testing service without an additional state license or permit at any site, with permission from the person with the right to occupy and exclude others from the property:
  - (a) Physician’s assistant, licensed under Part 170 of the Public Health Code, 1978 PA 368, as amended (“Public Health Code”), MCL 333.17001 et seq.;
  - (b) Advanced practice registered nurse, licensed practical nurse, or registered professional nurse, licensed under Part 172 of the Public Health Code, MCL 17201 et seq.;
  - (c) Pharmacist, licensed under Part 177 of the Public Health Code, MCL 333.17701 et seq.
4. The licensees identified in section 2 must be considered to be persons authorized to order a laboratory test that has been classified by the Food and Drug Administration as moderate or high complexity, consistent with section 20521 of the Public Health Code, 1978 PA 368, as amended. MCL 333.20521.
5. Strict compliance with the scope-of-practice, supervision, and delegation provisions of the parts of the public health code identified in paragraph 1 of this order are temporarily suspended to the extent necessary to allow licensees governed by these parts to comply with section 6 of this order, provided the licensee is properly trained to perform those tasks and functions.
6. Licensees administering a COVID-19 testing service or testing laboratory shall comply with the following:
  - (a) Any specimen collected at a COVID-19 testing service shall be tested at a laboratory or entity in accordance with federal CLIA regulations as facilitated by the Department of Licensing and Regulatory Affairs. High-complexity tests, including PCR tests, must be tested at a laboratory that is CLIA certified. Waived tests, including rapid point-of-care diagnostic tests, must be tested at an entity that has obtained a CLIA waiver.
  - (b) The licensee shall provide personnel with any training necessary to operate a COVID-19 testing service.
  - (c) The licensee shall comply with any reporting requirements issued by DHHS.
  - (d) COVID-19 testing service personnel shall use proper personal protective equipment when administering and conducting specimen collection and testing.
  - (e) A licensee collecting specimens for testing who does not perform testing shall securely store specimens pending retrieval by the entity that will test the specimens.
  - (f) A licensee shall refer patients to appropriate medical providers for follow up, if not available through the entity conducting testing.

7. Unlicensed individuals may perform any of the tasks and functions of COVID-19 testing services, including screening of patients, observing self-swabbing, temporarily storing specimens pending transmittal to a laboratory, transmitting specimens to a laboratory, reporting test results to the Michigan Disease Surveillance System, and referring patients to appropriate medical providers for follow-up, provided:
  - (a) The unlicensed individuals have been trained to perform the tasks and functions they are performing; and
  - (b) The unlicensed individuals are supervised by a licensed medical provider referenced in section 2 of this order or by county or municipal health personnel who have been properly trained to supervise the performance of the tasks and functions the unlicensed individuals are performing.
8. Insofar as section 11 of the Emergency Management Act, MCL 30.411, remains in effect, anyone establishing, volunteering, or working at a community testing location constitutes personnel of a disaster relief force, and, with respect to the activities of COVID-19 testing, are entitled to the same rights and immunities as provided by law for the employees of this state under MCL 30.411(1)(c).
9. Definitions.
  - (a) For purpose of this order, "COVID-19 testing service" means any operation that administers the collection of samples to be tested by a CLIA certified or CLIA waived entity for COVID-19 to individuals in this state.
  - (b) For purposes of this order, "community testing location" means a COVID-19 testing service that (a) offers testing for any individual with reason to be tested for COVID-19; (b) does not require any out-of-pocket payment for a COVID-19 test for any individual with reason to be tested for COVID-19; (c) does not require a person with reason to be tested for COVID-19 to obtain a prescription for testing in advance of booking an appointment; and (d) has medical providers available and able to order a COVID-19 test onsite.
10. This order is effective immediately upon issuance.

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

Date: May 26, 2020

Time: 2:45 pm

[SEAL]

GRETCHEN WHITMER  
GOVERNOR  
By the Governor:  
JOCELYN BENSON  
SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received May 26, 2020 and read:

### **EXECUTIVE ORDER**

**No. 2020-105**

#### **Declaration of State of Emergency**

On May 19, 2020, I issued Executive Order 2020-94 declaring a state of emergency for the city of Midland and the county of Midland due to severe flooding as a result of the failure of the Edenville and Sanford Dam structures along the Tittabawassee River. On May 22, 2020, I amended and expanded the state declaration of emergency, issuing Executive Order 2020-98 to include impacted areas of Arenac, Gladwin, and Saginaw counties. This event has also caused severe flooding in Iosco County.

In response, the county of Iosco, has taken several actions that include declaring a local state of emergency; activating disaster response and recovery operations; evacuating and providing shelter to affected residents; and issuing emergency public information. The assistance of voluntary organizations and the state are required to protect public health, safety, and property, and to lessen or avert more severe and lasting harm to the community.

Despite these measures, local resources are insufficient to respond to the extreme flooding under the current conditions. State assistance and other outside resources are necessary to effectively respond to, and recover from, the impacts of flooding.

Under the Emergency Management Act, 1976 PA 390, MCL 30.403(4), "[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that

the threat of an emergency exists.” Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, I find it reasonable and necessary to amend and expand Executive Order 2020-94, and order the following:

1. In addition to the city of Midland and the counties of Midland, Arenac, Gladwin, and Saginaw, a state of emergency is also declared for the county of Iosco.
2. Any emergency order issued in response to the COVID-19 crisis is temporarily suspended in these counties to the extent such order impedes the emergency response effort under this declaration.
3. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and augment all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.

The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than June 16, 2020, unless extended as provided by 1976 Public Act 390, as amended.

Date: May 26, 2020

Time: 8:42 pm

[SEAL]

GRETCHEN WHITMER  
GOVERNOR

By the Governor:  
JOCELYN BENSON  
SECRETARY OF STATE

The message was referred to the Clerk.

**Introduction of Bills**

Rep. Lower introduced

**House Bill No. 5810, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78a (MCL 211.78a), as amended by 2014 PA 499, and by adding section 44e.

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



Rep. VanWoerkom moved that the House adjourn.

The motion prevailed, the time being 4:45 p.m.

Associate Speaker Pro Tempore Hornberger declared the House adjourned until Thursday, May 28, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives