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House of Representatives
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House Chamber, Lansing, Tuesday, June 4, 2019.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

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

e/d/s = entered during session

Bishop Harvey Beavers Jr., Pastor of Spiritual Israel Church & Its Army in Ypsilanti, offered the following invocation:

“At this appointed place and time, I RISE TO GIVE HONOR TO THE HOLY FATHER, THE KING OF ALL ISRAEL to pray for the men and women gathered in this place today.

Heavenly Father we thank You for all of Your wonderful blessings in our lives. We come to You this day asking that You impart upon these legislators the wisdom, understanding and compassion necessary to perform their duties in the best interest of the citizens of the state of Michigan, especially the disadvantaged and less fortunate. We ask that You grant each one the courage necessary to stand for what is right even if it means to stand alone. We sincerely ask that You grant this body of legislators the spirit of compromise, that they can carry out the expectations of the citizens so that the great state of Michigan will continue to be a place we all can be proud of.

We asked these blessings in the name of the Lord God of Israel.
Amen.”

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

Rep. Webber moved that Rep. Inman be excused from today’s session.
The motion prevailed.

The Speaker assumed the Chair.

Reports of Standing Committees

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

House Bill No. 4451, entitled

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

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, Wentworth, Warren, Byrd and Hertel

Nays: None

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

House Bill No. 4549, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 10 (MCL 722.120), as amended by 2017 PA 257.

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, Wentworth, Warren, Byrd and Hertel
 Nays: None

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

House Bill No. 4550, entitled

A bill to amend 2008 PA 260, entitled "Guardianship assistance act," by amending section 4 (MCL 722.874), as amended by 2015 PA 227.

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, Wentworth, Warren, Byrd and Hertel
 Nays: None

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

Senate Bill No. 239, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1803 (MCL 339.1803).

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, Wentworth, Warren, Byrd and Hertel
 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: Tuesday, June 4, 2019

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

Absent: Rep. Neeley

Excused: Rep. Neeley

Second Reading of Bills**Senate Bill No. 239, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1803 (MCL 339.1803).

The bill was read a second time.

Rep. Webber moved to amend the bill as follows:

1. Amend page 2, line 16, by striking out all of enacting section 1.

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

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

The motion prevailed.

Rep. Webber moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 239, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1803 (MCL 339.1803).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 106

Yeas—109

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

Nays—0

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 revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,"

The House agreed to the full title.

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

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

The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4397, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 2105, 2108, 2118, 2120, 3101, 3101a, 3104, 3107, 3111, 3112, 3113, 3114, 3115, 3135, 3142, 3148, 3157, 3163, 3172, 3173a, 3174, 3175, and 3177 (MCL 500.150, 500.2105, 500.2108, 500.2118, 500.2120, 500.3101, 500.3101a, 500.3104, 500.3107, 500.3111, 500.3112, 500.3113, 500.3114, 500.3115, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3172, 500.3173a, 500.3174, 500.3175, and 500.3177), section 150 as amended by 1992 PA 182, section 2108 as amended by 2015 PA 141, sections 2118 and 2120 as amended by 2007 PA 35, section 3101 as amended by 2017 PA 140, section 3101a as amended by 2018 PA 510, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3113 as amended by 2016 PA 346, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, sections 3172, 3173a, 3174, and 3175 as amended by 2012 PA 204, and section 3177 as amended by 1984 PA 426, and by adding sections 261, 1245, 2116b, 3107c, 3107d, 3107e, 3157a, and 3157b and chapter 63.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending sections 3009, 3109a, 3111, 3116, 3135, and 3151 (MCL 500.3009, 500.3109a, 500.3111, 500.3116, 500.3135, and 500.3151), section 3009 as amended by 2016 PA 346, section 3109a as amended by 2012 PA 454, and section 3135 as amended by 2012 PA 158, and by adding sections 2111f, 3107c, and 3107d.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Webber moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Robinson moved to amend the Senate substitute (S-1) as follows:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**”, by inserting:

“Sec. 2111. (1) Notwithstanding any provision of this act or this chapter to the contrary, classifications and territorial base rates used by an insurer in this state with respect to automobile insurance or home insurance ~~shall~~**must** conform to the applicable requirements of this section.

(2) Classifications established under this section for automobile insurance ~~shall~~**must** be based only on 1 or more of the following factors, which ~~shall~~**must** be applied by an insurer on a uniform basis throughout this state:

(a) With respect to all automobile insurance coverages:

(i) Either the age of the driver; the length of driving experience; or the number of years licensed to operate a motor vehicle.

(ii) Driver primacy, based on the proportionate use of each vehicle insured under the policy by individual drivers insured or to be insured under the policy.

(iii) Average miles driven weekly, annually, or both.

(iv) Type of use, such as business, farm, or pleasure use.

(v) Vehicle characteristics, features, and options, such as engine displacement, ability of the vehicle and its equipment to protect passengers from injury, and other similar items, including vehicle make and model.

(vi) Daily or weekly commuting mileage.

(vii) Number of cars insured by the insurer or number of licensed operators in the household. However, number of licensed operators ~~shall~~**must** not be used as an indirect measure of marital status.

(viii) Amount of insurance.

(b) In addition to the factors prescribed in subdivision (a), with respect to personal protection insurance coverage:

(i) Earned income.

(ii) Number of dependents of income earners insured under the policy.

(iii) Coordination of benefits.

(iv) Use of a safety belt.

(c) In addition to the factors prescribed in subdivision (a), with respect to collision and comprehensive coverages:

(i) The anticipated cost of vehicle repairs or replacement, which may be measured by age, price, cost new, or value of the insured automobile, and other factors directly relating to that anticipated cost.

(ii) Vehicle make and model.

(iii) Vehicle design characteristics related to vehicle damageability.

(iv) Vehicle characteristics relating to automobile theft prevention devices.

(d) With respect to all automobile insurance coverage other than comprehensive, successful completion by the individual driver or drivers insured under the policy of an accident prevention education course that meets the following criteria:

(i) The course ~~shall~~**must** include a minimum of 8 hours of classroom instruction.

(ii) The course ~~shall~~**must** include, but not be limited to, a review of all of the following:

(A) The effects of aging on driving behavior.

(B) The shapes, colors, and types of road signs.

(C) The effects of alcohol and medication on driving.

(D) The laws relating to the proper use of a motor vehicle.

(E) Accident prevention measures.

(F) The benefits of safety belts and child restraints.

(G) Major driving hazards.

(H) Interaction with other highway users, such as motorcyclists, bicyclists, and pedestrians.

(3) Each insurer shall establish a secondary or merit rating plan for automobile insurance, other than comprehensive coverage. A secondary or merit rating plan required under this subsection ~~shall~~**must** provide for premium surcharges for ~~any or all~~ coverages for automobile insurance, other than comprehensive coverage, based ~~upon on any or all~~ of the following, when that information becomes available to the insurer:

(a) Substantially at-fault accidents.

(b) Convictions for, determinations of responsibility for civil infractions for, or findings of responsibility in probate court for civil infractions for violations under chapter VI of the Michigan vehicle code, 1949 PA 300, MCL 257.601 to 257.750. However, an insured ~~shall~~**must** not be merit rated for a civil infraction under chapter VI of the Michigan vehicle code, 1949 PA 300, MCL 257.601 to 257.750, for a period of time longer than that which the secretary of state’s office carries points for that infraction on the insured’s motor vehicle record.

(4) An insurer shall not establish or maintain rates or rating classifications for automobile insurance based on sex or marital status of the insured, or any of the following:

- (a) Sex.
- (b) Marital status.
- (c) Home ownership.
- (d) Educational level attained.
- (e) Occupation.
- (f) The postal zone in which the insured resides.
- (g) Credit score, consumer or credit information or data, insurance score, or credit report.

(5) Notwithstanding other provisions of this chapter, automobile insurance risks may be grouped by territory.

(6) This section does not limit insurers or rating organizations from establishing and maintaining statistical reporting territories. This section does not prohibit an insurer from establishing or maintaining, for automobile insurance, a premium discount plan for senior citizens in this state who are 65 years of age or older, if the plan is uniformly applied by the insurer throughout this state. If an insurer has not established and maintained a premium discount plan for senior citizens, the insurer shall offer reduced premium rates to senior citizens in this state who are 65 years of age or older and who drive less than 3,000 miles per year, regardless of statistical data.

(7) Classifications established under this section for home insurance other than inland marine insurance provided by policy floaters or endorsements shall ~~shall~~ **must** be based only on 1 or more of the following factors:

- (a) Amount and types of coverage.
- (b) Security and safety devices, including locks, smoke detectors, and similar, related devices.
- (c) Repairable structural defects reasonably related to risk.
- (d) Fire protection class.
- (e) Construction of structure, based on structure size, building material components, and number of units.
- (f) Loss experience of the insured, based on prior claims attributable to factors under the control of the insured that have been paid by an insurer. An insured's failure, after written notice from the insurer, to correct a physical condition that presents a risk of repeated loss ~~shall be considered~~ **is** a factor under the control of the insured for purposes of this subdivision.

(g) Use of smoking materials within the structure.

(h) Distance of the structure from a fire hydrant.

(i) Availability of law enforcement or crime prevention services.

(8) Notwithstanding other provisions of this chapter, home insurance risks may be grouped by territory.

(9) An insurer may use factors in addition to those permitted by this section for insurance if the plan is consistent with the purposes of this act and reflects reasonably anticipated reductions or increases in losses or expenses.”

The question being on the adoption of the amendment offered by Rep. Robinson,

Rep. Robinson demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Rep. Robinson,

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Cynthia Johnson moved to amend the Senate substitute (S-1) as follows:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**”, by inserting:

“Sec. 2111. (1) Notwithstanding any provision of this act or this chapter to the contrary, classifications and territorial base rates used by an insurer in this state with respect to automobile insurance or home insurance ~~shall~~ **must** conform to the applicable requirements of this section.

(2) Classifications established under this section for automobile insurance ~~shall~~ **must** be based only on 1 or more of the following factors, which ~~shall~~ **must** be applied by an insurer on a uniform basis throughout this state:

(a) With respect to all automobile insurance coverages:

(i) Either the age of the driver; the length of driving experience; or the number of years licensed to operate a motor vehicle.

(ii) Driver primacy, based on the proportionate use of each vehicle insured under the policy by individual drivers insured or to be insured under the policy.

(iii) Average miles driven weekly, annually, or both.

(iv) Type of use, such as business, farm, or pleasure use.

(v) Vehicle characteristics, features, and options, such as engine displacement, ability of the vehicle and its equipment to protect passengers from injury, and other similar items, including vehicle make and model.

(vi) Daily or weekly commuting mileage.

(vii) Number of cars insured by the insurer or number of licensed operators in the household. However, number of licensed operators ~~shall~~ **must** not be used as an indirect measure of marital status.

(viii) Amount of insurance.

(b) In addition to the factors prescribed in subdivision (a), with respect to personal protection insurance coverage:

- (i) Earned income.
- (ii) Number of dependents of income earners insured under the policy.
- (iii) Coordination of benefits.
- (iv) Use of a safety belt.

(c) In addition to the factors prescribed in subdivision (a), with respect to collision and comprehensive coverages:

(i) The anticipated cost of vehicle repairs or replacement, which may be measured by age, price, cost new, or value of the insured automobile, and other factors directly relating to that anticipated cost.

- (ii) Vehicle make and model.
- (iii) Vehicle design characteristics related to vehicle damageability.
- (iv) Vehicle characteristics relating to automobile theft prevention devices.

(d) With respect to all automobile insurance coverage other than comprehensive, successful completion by the individual driver or drivers insured under the policy of an accident prevention education course that meets the following criteria:

- (i) The course ~~shall~~**must** include a minimum of 8 hours of classroom instruction.
- (ii) The course ~~shall~~**must** include, but not be limited to, a review of all of the following:
 - (A) The effects of aging on driving behavior.
 - (B) The shapes, colors, and types of road signs.
 - (C) The effects of alcohol and medication on driving.
 - (D) The laws relating to the proper use of a motor vehicle.
 - (E) Accident prevention measures.
 - (F) The benefits of safety belts and child restraints.
 - (G) Major driving hazards.
 - (H) Interaction with other highway users, such as motorcyclists, bicyclists, and pedestrians.

(3) Each insurer shall establish a secondary or merit rating plan for automobile insurance, other than comprehensive coverage. A secondary or merit rating plan required under this subsection ~~shall~~**must** provide for premium surcharges for ~~any or all~~ coverages for automobile insurance, other than comprehensive coverage, based ~~upon on any or all of~~ the following, when that information becomes available to the insurer:

(a) Substantially at-fault accidents.

(b) Convictions for, determinations of responsibility for civil infractions for, or findings of responsibility in probate court for civil infractions for violations under chapter VI of the Michigan vehicle code, 1949 PA 300, MCL 257.601 to 257.750. However, an insured ~~shall~~**must** not be merit rated for a civil infraction under chapter VI of the Michigan vehicle code, 1949 PA 300, MCL 257.601 to 257.750, for a period of time longer than that which the secretary of state's office carries points for that infraction on the insured's motor vehicle record.

(4) An insurer shall not establish or maintain rates or rating classifications for automobile insurance based on ~~sex or marital~~**any of the following**:

- (a) **Sex.**
- (b) **Marital status.**
- (c) **Home ownership.**
- (d) **Educational level attained.**
- (e) **Occupation.**
- (f) **The postal zone or other territory in which the insured resides.**
- (g) **Credit score as provided in section 2162.**

(5) ~~Notwithstanding other provisions of this chapter, automobile insurance risks may be grouped by territory.~~

(6) (7)-This section does not limit insurers or rating organizations from establishing and maintaining statistical reporting territories. This section does not prohibit an insurer from establishing or maintaining, for automobile insurance, a premium discount plan for senior citizens in this state who are 65 years of age or older, if the plan is uniformly applied by the insurer throughout this state. If an insurer has not established and maintained a premium discount plan for senior citizens, the insurer shall offer reduced premium rates to senior citizens in this state who are 65 years of age or older and who drive less than 3,000 miles per year, regardless of statistical data.

(6) (7)-Classifications established under this section for home insurance other than inland marine insurance provided by policy floaters or endorsements ~~shall~~**must** be based only on 1 or more of the following factors:

- (a) Amount and types of coverage.
- (b) Security and safety devices, including locks, smoke detectors, and similar, related devices.
- (c) Repairable structural defects reasonably related to risk.
- (d) Fire protection class.
- (e) Construction of structure, based on structure size, building material components, and number of units.

(f) Loss experience of the insured, based on prior claims attributable to factors under the control of the insured that have been paid by an insurer. An insured's failure, after written notice from the insurer, to correct a physical condition that presents a risk of repeated loss ~~shall be considered~~**is** a factor under the control of the insured for purposes of this subdivision.

- (g) Use of smoking materials within the structure.
- (h) Distance of the structure from a fire hydrant.
- (i) Availability of law enforcement or crime prevention services.
- (7) ~~(8)~~ Notwithstanding other provisions of this chapter, home insurance risks may be grouped by territory.
- (8) ~~(9)~~ An insurer may use factors in addition to those permitted by this section for insurance if the plan is consistent with the purposes of this act and reflects reasonably anticipated reductions or increases in losses or expenses.”

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

Rep. Pohutsky moved to amend the Senate substitute (S-1) as follows:

1. Amend page 4, line 3, after the first “to” by striking out “(12)” and inserting “(6)”.
2. Amend page 24, following line 3, by inserting:

“Sec. 3157. (1) ~~A Subject to subsections (2) to (6), a physician, hospital, clinic, or other person or~~ **medical institution that lawfully rendering renders** treatment to an injured person for an accidental bodily injury covered by personal protection insurance, ~~and a person or institution including, but not limited to,~~ providing rehabilitative occupational training following the injury, may charge a reasonable amount for the products, services, ~~and or~~ accommodations rendered. The charge ~~shall must~~ not exceed the amount the person ~~or institution~~ customarily charges for like products, services, ~~and or~~ accommodations in cases **that do not involving involve** insurance.

(2) **Except as otherwise provided in subsections (3) and (4), after January 1, 2020, a person, including a hospital, clinic, or other medical institution, that lawfully renders products, services, or accommodations to an injured person for an accidental bodily injury covered by personal protection insurance is entitled to be paid for the services at 200% of the maximum amount payable under Medicare.**

(3) **Subsection (2) only limits the dollar amount payable for products, services, or accommodations, and does not limit the scope or duration of products, services, or accommodations that are allowable expenses payable as personal protection benefits under section 3107(1)(a).**

(4) **A person that renders products, services, or accommodations may, at its sole discretion, charge and accept payment in an amount that is less than the amount provided under subsection (2).**

(5) **Subsections (2) to (4) and (6) apply to motor vehicle accidents that occur after January 1, 2020.**

(6) **As used in this section:**

(a) **“Medicare” means subchapter XVIII of the social security act, 42 USC 1395 to 1395III.**

(b) **“Products, services, or accommodations” means those products, services, or accommodations under section 3107(1)(a) that are specifically described and monetarily quantified to be greater than zero under rates of reimbursement under Medicare. A product, service, or accommodation not specifically described or monetarily quantified to be greater than zero under rates of reimbursement under Medicare is subject to the requirements of section 3107(1)(a).”**

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

Rep. Lasinski moved to amend the Senate substitute (S-1) as follows:

1. Amend page 24, following line 3, by inserting:

“Sec. 3172. (1) A person entitled to claim because of accidental bodily injury arising out of the ownership, operation, maintenance, or use of a motor vehicle as a motor vehicle in this state may ~~obtain~~ **claim** personal protection insurance benefits through the assigned claims plan if ~~no any of the following~~ **apply:**

(a) **No** personal protection insurance is applicable to the injury. ~~no~~

(b) **No** personal protection insurance applicable to the injury can be identified. ~~no~~

(c) **No** personal protection insurance applicable to the injury ~~cannot can~~ be ascertained because of a dispute between 2 or more automobile insurers concerning their obligation to provide coverage or the equitable distribution of the loss. ~~no the~~

(d) **The** only identifiable personal protection insurance applicable to the injury is, because of financial inability of 1 or more insurers to fulfill their obligations, inadequate to provide benefits up to the maximum prescribed. ~~In that case, unpaid~~

(2) **Unpaid** benefits due or coming due **as described in subsection (1)** may be collected under the assigned claims plan, and the insurer to which the claim is assigned is entitled to reimbursement from the defaulting insurers to the extent of their financial responsibility.

(3) **A person entitled to claim personal protection insurance benefits through the assigned claims plan under subsection (1) shall file a completed application on a claim form provided by the Michigan automobile insurance placement facility and provide reasonable proof of loss to the Michigan automobile insurance placement facility. The Michigan automobile insurance placement facility or an**

insurer assigned to administer a claim on behalf of the Michigan automobile insurance placement facility under the assigned claims plan shall specify in writing the materials that constitute a reasonable proof of loss within 60 days after receipt by the Michigan automobile insurance placement facility of an application that complies with this subsection.

(4) The Michigan automobile insurance placement facility or an insurer assigned to administer a claim on behalf of the Michigan automobile insurance placement facility under the assigned claims plan is not required to pay interest in connection with a claim for any period of time during which the claim is reasonably in dispute.

~~(5) (2) Except as otherwise provided in this subsection, personal protection insurance benefits, including benefits arising from accidents occurring before March 29, 1985, payable through the assigned claims plan shall must be reduced to the extent that benefits covering the same loss are available from other sources, regardless of the nature or number of benefit sources available and regardless of the nature or form of the benefits, to a person claiming personal protection insurance benefits through the assigned claims plan. This subsection only applies if the personal protection insurance benefits are payable through the assigned claims plan because no personal protection insurance is applicable to the injury, no personal protection insurance applicable to the injury can be identified, or the only identifiable personal protection insurance applicable to the injury is, because of financial inability of 1 or more insurers to fulfill their obligations, inadequate to provide benefits up to the maximum prescribed under subsection (1)(a), (b), or (d). As used in this subsection, "sources" and "benefit sources" do not include the program for medical assistance for the medically indigent under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, or insurance under the health insurance for the aged act, title and disabled under subchapter XVIII of the social security act, 42 USC 1395 to 1395kkk-1.1395lll.~~

~~(6) (3) If the obligation to provide personal protection insurance benefits cannot be ascertained because of a dispute between 2 or more automobile insurers concerning their obligation to provide coverage or the equitable distribution of the loss, and if a method of voluntary payment of benefits cannot be agreed upon among or between the disputing insurers, all of the following apply:~~

~~(a) The insurers who are parties to the dispute shall, or the claimant may, immediately notify the Michigan automobile insurance placement facility of their inability to determine their statutory obligations.~~

~~(b) The claim shall be assigned by the Michigan automobile insurance placement facility shall assign the claim to an insurer and the insurer shall immediately provide personal protection insurance benefits to the claimant or claimants entitled to benefits.~~

~~(c) An action. The insurer assigned the claim by the Michigan automobile insurance placement facility shall be immediately commenced commence an action on behalf of the Michigan automobile insurance placement facility by the insurer to whom the claim is assigned in circuit court to declare the rights and duties of any interested party.~~

~~(d) The insurer to whom the claim is assigned shall join as parties defendant to the action commenced under subdivision (c) each insurer disputing either the obligation to provide personal protection insurance benefits or the equitable distribution of the loss among the insurers.~~

~~(e) The circuit court shall declare the rights and duties of any interested party whether or not other relief is sought or could be granted.~~

~~(f) After hearing the action, the circuit court shall determine the insurer or insurers, if any, obligated to provide the applicable personal protection insurance benefits and the equitable distribution, if any, among the insurers obligated, and shall order reimbursement to the Michigan automobile insurance placement facility from the insurer or insurers to the extent of the responsibility as determined by the court. The reimbursement ordered under this subdivision shall must include all benefits and costs paid or incurred by the Michigan automobile insurance placement facility and all benefits and costs paid or incurred by insurers determined not to be obligated to provide applicable personal protection insurance benefits, including reasonable, actually incurred attorney fees and interest at the rate prescribed in section 3175 as of applicable on December 31 of the year preceding the determination of the circuit court.~~

(7) After July 1, 2020, the Michigan automobile insurance placement facility and the insurer to whom a claim is assigned by the Michigan automobile insurance placement facility are only required to provide personal protection insurance benefits under section 3107(1)(a) up to whichever of the following is applicable:

(a) Unless subdivision (b) applies, the limit provided in section 3107c(1)(b).

(b) If the person is entitled to claim benefits under the assigned claims plan under section 3107d(6)(c) or 3109a(2)(d)(ii), \$2,000,000.00."

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

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 107

Yeas—89

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

Nays—20

Anthony	Gay-Dagnogo	Lasinski	Robinson
Bolden	Hood	Neeley	Sneller
Brixie	Johnson, C.	Pagan	Stone
Cherry	Jones	Peterson	Warren
Ellison	LaGrand	Rabhi	Wittenberg

In The Chair: Wentworth

The House agreed to the title as amended.

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

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

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Yancey, Kennedy, Anthony, Garrett, Brixie, Hood, Rabhi, Hoadley, Ellison, Gay-Dagnogo, Coleman, Pagan, Robinson, Peterson, Cambensy, Love, Chirkun, Elder, Garza, Haadsma, Hope, Kuppa, Lasinski, Liberati, Shannon, Sneller, Sowerby, Warren and Witwer offered the following resolution:

House Resolution No. 113.

A resolution to declare May 28, 2019, as Menstrual Hygiene Day in the state of Michigan.

Whereas, Menstrual Hygiene Day serves to increase public awareness of the need to ensure women and girls are able to maintain healthy menstruation practices; and

Whereas, Menstrual Hygiene Day is also a new effort to destigmatize women’s menstrual cycles, and advocate for better access to feminine hygiene products for females who may otherwise be forced to resort to less sanitary options; and

Whereas Menstrual hygiene is a worldwide issue. Women and girls around the world face different challenges in managing their menstruation depending on social norms, customs, geography, and education; and

Whereas, Taboos and negative social norms surrounding menstruation are perpetuated by society as a whole. Therefore, creating an inclusive conversation with women and girls, as well as boys and men, is critical to create understanding and foster a supportive and healthy environment in menstrual health; and

Whereas, In late 2015 Michigan experienced a dramatic increase of toxic shock syndrome cases, which can be caused from extended use of super absorbent tampons. In late 2015, five cases were reported. The previous ten years averaged four cases total, so it is important to raise awareness of the risks of improper menstrual hygiene so that these types of cases can be prevented, now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 28, 2019, as Menstrual Hygiene Day in the state of Michigan; and be it further

Resolved, That the members of this legislative body encourage all Michiganders to recognize the importance of menstrual health and access to feminine hygiene products and to start a conversation to recognize that menstruation is not a taboo and menstrual health is key for women and girls' health and wellbeing everywhere.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hoadley, Chirkun, Elder, Garza, Haadsma, Hope, Kuppa, Lasinski, Liberati, Love, Shannon, Sneller, Sowerby, Warren and Witwer offered the following resolution:

House Resolution No. 114.

A resolution to declare June 2019 as Lesbian, Gay, Bisexual, and Transgender Pride Month in the state of Michigan.

Whereas, Michigan is a state that is rich in diversity and community and this diversity is demonstrated to all who live, work, and visit our state; and

Whereas, The people of Michigan value this diversity and celebrate the rich variation of persons in our state; and

Whereas, The people of Michigan benefit from the multiple talents, viewpoints, and cultural backgrounds of all of its citizens; and

Whereas, The people of Michigan firmly believe in a society that values the freedom, worth, and dignity of each human being; and

Whereas, The people of Michigan understand and appreciate the cultural, civic, and economic contributions of the gay, lesbian, bisexual, and transgender communities to the greater community of the state; and

Whereas, Cities throughout Michigan will host and celebrate LGBT Pride events throughout the month of June; and

Whereas, June is recognized and celebrated as LGBT pride month throughout the country and worldwide; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 2019 as Lesbian, Gay, Bisexual, and Transgender Pride Month in the state of Michigan, and be it further

Resolved, That we pledge to continue our efforts in creating and maintaining a state that provides equal opportunity, fair treatment, and human dignity for all people.

The resolution was referred to the Committee on Government Operations.

Reps. Tate, Camilleri, Brenda Carter, Stone, Pagan, Clemente, Wittenberg, Manoogian, Sowerby, Kennedy, Koleszar, Brixie, Hope, Gay-Dagnogo, Hoadley, Sabo, Chirkun, Garza, Haadsma, Kuppa, Lasinski, Liberati, Love, Shannon, Sneller, Warren and Witwer offered the following concurrent resolution:

House Concurrent Resolution No. 8.

A concurrent resolution to adopt a Literacy Bill of Rights.

Whereas, Literacy is essential to ensuring children can achieve a successful future. Poor literacy skills leave young people unprepared for college or career training, for the workforce, and to be self-sufficient, productive citizens. It is estimated that illiteracy costs U.S. businesses and taxpayers about \$300 billion per year; and

Whereas, Michigan students lag behind their counterparts across the nation in reading. In 2017, Michigan ranked 35th in fourth-grade reading scores, with nearly one-third of fourth graders not able to read at a basic level. In 2018, around 30 percent of Michigan third to eighth grade students were not proficient in English Language Arts; and

Whereas, Michigan has substantial literacy gaps among its student populations. Black children, children attending urban schools, and children from low-income families all score significantly lower than their fellow Michigan students on national reading assessments; and

Whereas, Michigan's literacy gaps and poor literacy rates statewide will not be resolved until we acknowledge the fundamental importance of ensuring every child in Michigan has access to the resources necessary to become a literate adult and has the same opportunities regardless of their circumstances; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we believe all students in the state of Michigan are entitled to the following rights:

1. The right to a meaningful opportunity to learn to read and write. This opportunity includes access to basic resources, such as books and technology, as well as access to education professionals trained in literacy instruction methods and principles that help nurture and develop literacy and writing skills.
 2. The right to access texts that further their literacy development provided to them by their school, including, but not limited to, a school library with a variety of informative and diverse texts.
 3. The right to accessible, meaningful, and culturally and linguistically appropriate texts at all times.
 4. The right to a facility that is capable of serving students, including, but not limited to, one that is equipped with textbooks, basic working facilities, and access to basic technology that aids in reading and writing efforts.
 5. The right to interact with others while reading, writing, or listening to a text. Interaction involves questions, comments, discussions, and other communications about or related to the text.
 6. The right to life choices made available through reading and writing competencies. Life choices include, but are not limited to, employment and filling out job applications, community participation, and self-advocacy.
 7. The right to lifelong educational opportunities incorporating literacy instruction and use. Literacy educational opportunities, regardless of when they are provided, have potential to provide power that cannot be taken away.
 8. The right to live and learn in environments that provide varied models and demonstrations of print use.
 9. The right to live and learn in environments that maintain the expectations and attitudes that all individuals have the right to learn to read and write and that all individuals are literacy learners.
 10. The right to have access to environments that are safe, secure, and conducive to learning.
- The concurrent resolution was referred to the Committee on Education.

Reps. Chatfield and Greig offered the following resolution:

House Resolution No. 115.

A resolution to urge the resignation of Representative Larry Inman of the One Hundred-fourth House District, state of Michigan.

Whereas, Article XI, Section 1 of the *Constitution of the State of Michigan of 1963* provides in relevant part:

“All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability.”

; and

Whereas, House Rule 74(3) states:

“A Member shall not use his or her position in any manner to solicit or obtain anything of value for himself or herself, House employees or any other Member which tends to influence the manner in which the Member performs his or her official duties.”

; and

Whereas, House Rule 74(6) states:

“A Member shall conduct himself or herself to justify the confidence placed in him or her by the people and shall, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office.”

; and

Whereas, House Rule 74(7) states:

“A Member shall not engage in any conduct that materially impairs the ability of the Member to perform the duties of his or her office or substantially impair the public confidence in the House.”

; and

Whereas, House Rule 74(8) states:

“A Member shall adhere to these rules and all applicable laws. Any violation of law or these rules by a Member is subject to the House’s plenary authority to reprimand, censure, or expel its Members. A reprimand, censure, or expulsion is in addition to any potential civil or criminal penalties otherwise provided by law.”

; and

Whereas, On May 15, 2019, Representative Larry Inman was charged by a federal grand jury with attempted extortion under color of official right, solicitation of a bribe, and false statement to the Federal Bureau of Investigation (FBI). The charges stem from a series of text messages in which he allegedly solicited money in exchange for his vote against legislation repealing Michigan’s prevailing wage; and

Whereas, Representative Larry Inman subsequently made statements to numerous press outlets that seem to acknowledge the authenticity of the text messages underlying the criminal charges against him, including by positing, “Text messages can be taken out of context,” and inexcusably declaring, “I think that’s the lesson learned: If you’re going to have a communication with a lobbyist, have it one-on-one rather than by text”; and

Whereas, Representative Larry Inman’s pattern of conduct, including both the actions alleged in the indictment and numerous public statements made afterward, has drawn ridicule and disgrace to the state of Michigan and the Michigan House of Representatives, shaking the public trust and confidence in this legislative body, staining the honor, dignity, and integrity of the House, and distracting from the serious policy issues and debates before this body; and

Whereas, Public trust and confidence in government are prerequisites to the functioning of a democratic society; now, therefore, be it

Resolved by the House of Representatives, That it is in the best interest of the state and this institution that Representative Larry Inman resign from his position as representative of the One Hundred-fourth House District, state of Michigan; and be it further

Resolved, That the House of Representatives hereby urges Representative Larry Inman to resign from his position as representative of the One Hundred-fourth House District, state of Michigan, effective immediately; and be it further

Resolved, That the House of Representatives reserves the right to take further disciplinary action permitted by Article IV, Section 16 of the *Constitution of the State of Michigan of 1963* and the Standing Rules of the House of Representatives in the event that Representative Larry Inman does not immediately resign from his position as representative of the One Hundred-fourth House District, state of Michigan; and be it further

Resolved, That copies of this resolution be delivered to Representative Larry Inman.

The question being on the adoption of the resolution,

Rep. Webber moved that consideration of the resolution be postponed for the day.

The motion prevailed.

Second Reading of Bills

House Bill No. 4549, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 10 (MCL 722.120), as amended by 2017 PA 257.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4550, entitled

A bill to amend 2008 PA 260, entitled “Guardianship assistance act,” by amending section 4 (MCL 722.874), as amended by 2015 PA 227.

The bill was read a second time.

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

The motion prevailed.

Rep. Webber moved that House Committees be given leave to meet during the balance of today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been reproduced and made available electronically on Tuesday, June 4:

Senate Bill No. 350

Reports of Standing Committees

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

Senate Bill No. 129, entitled

A bill to amend 2016 PA 436, entitled "Unmanned aircraft systems act," by amending section 5 (MCL 259.305).

to the Committee on Ways and Means with the recommendation that the substitute (H-3) be adopted.

Favorable Roll Call

To Refer:

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

Nays: None

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

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

Senate Bill No. 192, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2015 PA 11.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Ways and Means.

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

Senate Bill No. 193, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 39 (MCL 256.659), as amended by 2010 PA 16.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

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

Nays: None

The bill was referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 4, 2019

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 Education, by Rep. Hornberger, Chair, referred

House Bill No. 4208, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1249 (MCL 380.1249), as amended by 2018 PA 235.

to the Committee on Ways and Means with the recommendation that the substitute (H-3) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Markkanen, O'Malley, Wakeman, Camilleri, Sowerby, Brenda Carter, Tyrone Carter, Koleszar and Stone

Nays: None

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

The Committee on Education, by Rep. Hornberger, Chair, referred

House Bill No. 4262, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 2 (MCL 409.102), as amended by 1996 PA 438.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman, Camilleri, Brenda Carter, Tyrone Carter and Koleszar

Nays: Rep. Sowerby

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 4, 2019

Present: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman, Camilleri, Sowerby, Brenda Carter, Tyrone Carter, Koleszar and Stone

The Committee on Natural Resources and Outdoor Recreation, by Rep. Howell, Chair, referred

House Bill No. 4340, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40112 (MCL 324.40112), as amended by 2015 PA 12.

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, Calley, Reilly, Rendon, Eisen and Cambensy

Nays: Reps. Sowerby and Pohutsky

The bill and substitute were 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: Tuesday, June 4, 2019

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

The Committee on Government Operations, by Rep. Sheppard, Chair, reported

Senate Bill No. 200, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744b (MCL 333.17744b), as amended by 2016 PA 384.

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. Sheppard, Cole, Lilly and Rabhi

Nays: None

The Committee on Government Operations, by Rep. Sheppard, Chair, reported

Senate Bill No. 282, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20919 (MCL 333.20919), as amended by 2018 PA 383.

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. Sheppard, Cole, Lilly and Rabhi

Nays: None

The Committee on Government Operations, by Rep. Sheppard, Chair, reported

Senate Bill No. 283, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5 and 1178 (MCL 380.5 and 380.1178), as amended by 2016 PA 385; and to repeal acts and parts of acts.

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. Sheppard, Cole, Lilly and Rabhi

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheppard, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, June 4, 2019

Present: Reps. Sheppard, Cole, Lilly and Rabhi

Absent: Rep. Greig

Excused: Rep. Greig

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

House Bill No. 4108, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2016 PA 35.

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, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder and Bolden

Nays: Rep. Steven Johnson

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

House Bill No. 4509, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 5707.

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 and LaGrand

Nays: Reps. Guerra, Elder and Bolden

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 4, 2019

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. Webber, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, June 4, 2019

Present: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoitenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza and Robinson

Messages from the Senate**House Bill No. 4055, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 109 (MCL 560.109), as amended by 2017 PA 196.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4119, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as amended by 2012 PA 191.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Notices

June 4, 2019

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
PO Box 30014
Lansing, MI 48909

Mr. Clerk,

Pursuant to MCL 600.1082, Senate Majority Leader Mike Shirkey and I are making the following appointment and reappointments to the State Drug Treatment Court Advisory Committee:

Alma Valenzuela of Zeeland to advocate for the rights of crime victims for a four-year term that begins June 14, 2019 and expires June 13, 2023;

The Honorable Amy Ronayne Krause, to represent domestic violence service provider programs that receive funding from the state domestic violence prevention and treatment board for a four-year term that begins June 14, 2019 and expires June 13, 2023;

The Honorable Susan Dobrich to represent the Michigan Association of Drug Court Professionals for a four-year term that begins June 14, 2019 and expires June 13, 2023;

Christina Nicholas, LMSW of Rochester Hills to represent an individual representing a substance abuse coordinating agency for a four-year term that begins June 14, 2019 and expires June 13, 2023; and

Heidi Cannon of Onstead to represent a probation officer who has worked at least two years for a drug or alcohol treatment court for a four-year term that begins August 5, 2019 and expires August 4, 2023.

Sincerely,

Lee Chatfield
107th House District
Speaker of the House

Mike Shirkey
16th Senate District
Senate Majority Leader

Messages from the Governor

The following message from the Governor was received June 3, 2019 and read:

EXECUTIVE ORDER

No. 2019-12

Declaration of State of Emergency

Beginning on May 25, 2019, Tuscola County experienced heavy and damaging rainfall resulting in widespread flooding, washed out roadways, culvert failures, hazardous driving conditions, and increased emergency vehicle response times due to inaccessible roadways and bridges.

Tuscola County has taken several actions to respond to this incident, which include: declaring a local state of emergency; activating its disaster response and recovery operation; issuing emergency public information; and providing aid to impacted residents. In addition to these efforts, 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 order the following:

1. A state of emergency is declared for Tuscola County.
2. The Emergency Management and Homeland Security Division of the Department of State Police will coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated area under the Michigan Emergency Management Plan.
3. 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 Thursday, June 27, 2019, unless extended as provided by the Emergency Management Act.

Given under my hand and the great seal of the State of Michigan,

Date: June 3, 2019

[SEAL]

GRETCHEN WHITMER

GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2017-094-LR (Secretary of State Filing #19-01-28) on this date at 3:57 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Social Work – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2017-086-LR (Secretary of State Filing #19-01-29) on this date at 3:56 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Massage Therapy – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2017-002-LR (Secretary of State Filing #19-01-30) on this date at 3:56 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Acupuncture – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section MCL 24.233, 24.244, or 24.245a(6). Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2019-019-TY (Secretary of State Filing #19-02-01) on this date at 3:37 P.M. for the Department of Treasury entitled, "Motor Fuel Tax".

These rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), of 1969 PA 306, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-066-ED (Secretary of State Filing #19-02-02) on this date at 3:37 P.M. for the Department of Education entitled, "School Administrator Certification Code".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-067-ED (Secretary of State Filing #19-02-03) on this date at 3:37 P.M. for the Department of Education entitled, "Certification and Licensure of School Counselors".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-068-ED (Secretary of State Filing #19-02-04) on this date at 3:37 P.M. for the Department of Education entitled, "School Psychologist Certificate Code".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-069-ED (Secretary of State Filing #19-02-05) on this date at 3:37 P.M. for the Department of Education entitled, "Teacher Certification Code".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 6, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2019-018-NR (Secretary of State Filing #19-03-01) on this date at 4:00 P.M. for the Department of Natural Resources entitled, "Forest and Mineral Resource Development Fund Program".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6), or 48 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 25, 2019

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed an Emergency Rule Extension, Administrative Rule #2018-071-HS (Secretary of State Filing #19-04-01) on this date at 1:50 P.M. for the Department of Health and Human Services entitled, "Reporting of Poisonings Due to the Use of Prescription or Illicit Drugs".

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

April 29, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2019-025-LR (Secretary of State Filing #19-04-02) on this date at 3:59 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Wage and Hour Division – General Rules".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section MCL 24.233, 24.244, or 24.245a(6). Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Jocelyn Benson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Reps. Hoitenga, Alexander, Steven Johnson, Mueller and LaFave introduced

House Bill No. 4687, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102 and 40111a (MCL 324.40102 and 324.40111a), section 40102 as amended by 2015 PA 24 and section 40111a as amended by 2015 PA 265.

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

Reps. Hoadley, Sneller, Kennedy, Kuppa, Manoogian, Liberati, Camilleri, Lasinski, Hope, Anthony, Ellison, Gay-Dagnogo, LaGrand, Pagan, Koleszar, Pohutsky, Sowerby, Tyrone Carter, Shannon, Stone, Witwer, Garza, Brenda Carter, Robinson, Elder, Hertel, Jones, Wittenberg, Cherry, Byrd, Cambensy, Garrett, Yancey, Love, Chirkun, Whitsett, Hood, Rabhi, Cynthia Johnson, Guerra, Clemente, Sabo, Hammoud, Haadsma, Tate, Coleman, Neeley, Bolden, Peterson, Greig, Brann, Brixie and Warren introduced

House Bill No. 4688, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 502, 504, 505, and 506 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, section 202 as amended by 2009 PA 190, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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

Announcements by the Clerk

May 28, 2019

Received from the Michigan Land Bank Fast Track Authority, report regarding the conveyance of the former State Fairgrounds pursuant to P.A. 75 of 2012, Sec.4.

Gary L. Randall
Clerk of the House

May 30, 2019

Received from the State Officers Compensation Commission, the 2019 report and determinations in accordance with Public Act 357 of 1968.

Gary L. Randall
Clerk of the House

Rep. Kennedy moved that the House adjourn.
The motion prevailed, the time being 3:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 5, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives