

No. 26  
STATE OF MICHIGAN  
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**House of Representatives**  
101st Legislature  
REGULAR SESSION OF 2021

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House Chamber, Lansing, Tuesday, March 23, 2021.

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.

Aiyash—present	Damoose—present	LaFave—present	Roth—present
Albert—present	Eisen—present	LaGrand—present	Sabo—present
Alexander—present	Ellison—present	Lasinski—present	Schroeder—excused
Allor—excused	Farrington—present	Liberati—present	Scott—present
Anthony—present	Filler—present	Lightner—present	Shannon—present
Beeler—present	Fink—present	Lilly—present	Slagh—present
Bellino—present	Frederick—present	Maddock—present	Sneller—present
Berman—present	Garza—present	Manoogian—present	Sowerby—present
Beson—present	Glenn—present	Marino—present	Steckloff—present
Bezotte—present	Green—present	Markkanen—present	Steenland—present
Bolden—present	Griffin—present	Martin—present	Stone—present
Bollin—present	Haadsma—present	Meerman—present	Tate—present
Borton—present	Hall—present	Morse—present	Thanedar—present
Brabec—present	Hammoud—present	Mueller—present	Tisdell—present
Brann—present	Hauck—present	Neeley—present	VanSingel—present
Breen—present	Hertel—present	O'Malley—present	VanWoerkom—present
Brixie—present	Hoitenga—present	O'Neal—present	Wakeman—present
Calley—present	Hood—present	Outman—present	Weiss—present
Cambensy—present	Hope—present	Paquette—present	Wendzel—present
Camilleri—present	Hornberger—present	Peterson—present	Wentworth—present
Carra—present	Howell—present	Pohutsky—present	Whiteford—present
Carter, B—present	Huizenga—present	Posthumus—present	Whitsett—present
Carter, T—present	Johnson, C—excused	Puri—present	Witwer—present
Cavanagh—present	Johnson, S—present	Rabhi—present	Wozniak—present
Cherry—present	Jones—present	Reilly—present	Yancey—present
Clemente—present	Kahle—present	Rendon—present	Yaroch—present
Clements—present	Koleszar—present	Rogers—present	Young—present
Coleman—present	Kuppa—present		

e/d/s = entered during session

Rep. Diana Farrington, from the 30th District, offered the following invocation:

“Gracious Heavenly Father,

We thank and praise You for another day to serve through our roles as leaders of this state. What an awesome opportunity and responsibility we have to speak and act on behalf of the constituents we serve. Where the efforts of this House have fallen short, we ask Your forgiveness, and the forgiveness of all the residents of Michigan.

The coronavirus has given us many struggles, much sorrow and sadness, and many challenges for our world, our nation and for our state. We are grateful for the heroism and extra effort of our health care workers and first responders during the pandemic as well as the vaccines that are now available. We ask the Lord that He would continue to see us through.

We ask Your blessing on us all as we gather together. Give us the wisdom and guidance to make the necessary decisions in dealing with the business matters of the day. May we do so with joy and enthusiasm, working together, encouraging each other to excellence and to go further to be the best we can be to better our state. God bless our wonderful state of Michigan!

May all that is done this day be for Your greater honor and glory. We ask this in the name of the Lord Jesus Christ. Amen.”



Rep. Frederick moved that Reps. Allor and Schroeder be excused from today’s session.  
The motion prevailed.

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

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

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, March 18:

**House Bill Nos.**        4534 4535 4536 4537 4538 4539 4540 4541 4542 4543 4544 4545  
                                 4546 4547

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Tuesday, March 23:

**Senate Bill Nos.**        269 270  
**Senate Joint Resolution**        G

The Clerk announced that the following Senate bills had been received on Tuesday, March 23:

**Senate Bill Nos.**        25 257

**Reports of Standing Committees**

The Committee on Commerce and Tourism, by Rep. Marino, Chair, reported

**House Bill No. 4272, entitled**

A bill to regulate the labeling of certain portable fuel containers as made in and for use in Michigan; and to make findings that, under certain circumstances, portable fuel containers have not entered or substantially affected interstate commerce.

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. Marino, Roth, Farrington, Wakeman, Martin, Cambensy, Whitsett and Liberati

Nays: Reps. Wendzel, Cherry and Manoogian

The Committee on Commerce and Tourism, by Rep. Marino, Chair, referred

**House Bill No. 4471, entitled**

A bill to prohibit employers from discriminating against an individual because the individual has not received or declines to receive certain vaccinations; to prohibit retaliation; and to provide remedies. to the Committee on Workforce, Trades, and Talent.

Favorable Roll Call

To Refer:

Yeas: Reps. Marino, Roth, Farrington, Wakeman, Wendzel, Martin, Cambensy, Cherry, Manoogian, Whitsett and Liberati

Nays: None

The bill was referred to the Committee on Workforce, Trades, and Talent.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Marino, Chair, of the Committee on Commerce and Tourism, was received and read:

Meeting held on: Tuesday, March 23, 2021

Present: Reps. Marino, Roth, Farrington, Wakeman, Wendzel, Martin, Cambensy, Cherry, Manoogian, Whitsett and Liberati

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

**House Bill No. 4538, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104 (MCL 388.1704), as amended by 2020 PA 165, and by adding section 11b.

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. Hornberger, Paquette, Green, Markkanen, Beeler, Damoose, Posthumus, Camilleri, Brenda Carter, Koleszar and Shannon

Nays: None

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

**Senate Bill No. 118, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 163 (MCL 388.1763), as amended by 2020 PA 165.

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. Hornberger, Paquette, Green, Markkanen, O'Malley, Beeler, Damoose, Posthumus, Camilleri, Brenda Carter, Koleszar, Shannon and Stone

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 23, 2021

Present: Reps. Hornberger, Paquette, Green, Markkanen, O'Malley, Beeler, Damoose, Posthumus, Camilleri, Brenda Carter, Koleszar, Shannon and Stone

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

**House Bill No. 4184, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8512 (MCL 600.8512), as amended by 2014 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. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

Nays: None

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

**House Bill No. 4201, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

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, Mueller, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

Nays: Rep. Steven Johnson

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

**House Bill No. 4202, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 2012 PA 263.

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, Mueller, Kahle, Rendon, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

Nays: Rep. Steven Johnson

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

**House Bill No. 4203, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 33 (MCL 257.1833), as amended by 2018 PA 422.

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, Mueller, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

Nays: Rep. Steven Johnson

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

**House Bill No. 4204, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," (MCL 257.1801 to 257.1877) by adding section 20.

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, Mueller, Kahle, Rendon, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

Nays: Rep. Steven Johnson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 23, 2021

Present: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope and Breen

The Committee on Military, Veterans and Homeland Security, by Rep. LaFave, Chair, reported

**Senate Bill No. 10, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 8 (MCL 15.268), as amended by 2018 PA 467.

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. LaFave, Beeler, Eisen, Bezotte, Martin, Jones, Coleman, Rogers and Steenland

Nays: None

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: Tuesday, March 23, 2021

Present: Reps. LaFave, Beeler, Eisen, Bezotte, Martin, Jones, Coleman, Rogers and Steenland

The Committee on Regulatory Reform, by Rep. Hauck, Chair, reported

**House Bill No. 4249, entitled**

A bill to amend 2016 PA 281, entitled "Medical marijuana facilities licensing act," by amending sections 502 and 504 (MCL 333.27502 and 333.27504), section 502 as amended by 2018 PA 648 and section 504 as amended by 2018 PA 10, and by adding section 407b.

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. Hauck, Hoytenga, Bellino, Hall, Mueller, Wendzel, Clements, Damoose, Outman, Hertel, Jones, Yancey, Garza, Witwer and Steenland

Nays: None

The Committee on Regulatory Reform, by Rep. Hauck, Chair, reported

**House Bill No. 4250, entitled**

A bill to amend 2018 IL 1, entitled “Michigan Regulation and Taxation of Marihuana Act,” by amending sections 3, 11, and 15 (MCL 333.27953, 333.27961, and 333.27965), section 3 as amended by 2020 PA 208.

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. Hauck, Hoitenga, Bellino, Hall, Mueller, Wendzel, Clements, Damoose, Outman, Hertel, Jones, Yancey, Garza, Witwer and Steenland

Nays: None

The Committee on Regulatory Reform, by Rep. Hauck, Chair, reported

**House Bill No. 4251, entitled**

A bill to prohibit the sale of vapor products or alternative nicotine products that contain vitamin E acetate; and to prescribe penalties.

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. Hauck, Hoitenga, Bellino, Hall, Mueller, Wendzel, Clements, Damoose, Outman, Hertel, Jones, Yancey, Garza, Witwer and Steenland

Nays: None

The Committee on Regulatory Reform, by Rep. Hauck, Chair, reported

**House Bill No. 4295, entitled**

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

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. Hauck, Hoitenga, Bellino, Hall, Mueller, Wendzel, Clements, Outman, Hertel, Jones, Yancey, Garza, Witwer and Steenland

Nays: Rep. Damoose

The Committee on Regulatory Reform, by Rep. Hauck, Chair, reported

**House Bill No. 4382, entitled**

A bill to require certain standards for smoke alarm and certain other devices; and to prohibit certain conduct.

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. Hauck, Bellino, Mueller, Wendzel, Clements, Damoose, Outman, Hertel, Jones, Yancey, Garza, Witwer and Steenland

Nays: Rep. Hall

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hauck, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, March 23, 2021

Present: Reps. Hauck, Hoitenga, Bellino, Hall, Mueller, Wendzel, Clements, Damoose, Outman, Hertel, Jones, Yancey, Garza, Witwer and Steenland

## 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, March 23, 2021

Present: Reps. O'Malley, Eisen, Howell, Griffin, LaFave, Berman, Carra, Roth, Sneller, Clemente, Shannon, Liberati and Puri

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bollin, Chair, of the Committee on Elections and Ethics, was received and read:

Meeting held on: Tuesday, March 23, 2021

Present: Reps. Bollin, Wendzel, Calley, Steven Johnson, Filler, Koleszar and Whitsett

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 23, 2021

Present: Reps. Bellino, Markkanen, Hoitenga, Reilly, Berman, Paquette, Martin, Outman, Roth, Manoogian, Sneller, Cherry, Haadsma, Morse, Puri and Scott

Absent: Rep. Schroeder

Excused: Rep. Schroeder

**Announcements by the Clerk**

March 18, 2021

Received from the Auditor General a copy of the:

- Financial audit including the report on internal control, compliance, and other matters of the Michigan Education Trust Plan D, a discretely presented component unit of the State of Michigan, for the fiscal year ended September 30, 2020 (271-0283-21).
- Financial audit including the report on internal control, compliance, and other matters of the Michigan Education Trust Plans B and C, a discretely presented component unit of the State of Michigan, for the fiscal year ended September 30, 2020 (271-0284-21).

March 19, 2021

Received from the Auditor General a copy of the:

- Single audit for the Michigan State Housing Development Authority for the fiscal year ended June 30, 2020 (000-0800-21).

Gary L. Randall  
Clerk of the House

By unanimous consent the House returned to the order of

**Messages from the Senate****Senate Bill No. 25, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

The Senate has passed the bill.

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

**Senate Bill No. 257, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453), section 2253 as amended by 2006 PA 157.

The Senate has passed the bill.

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

**Introduction of Bills**

Reps. Garza, Whitsett, O'Neal, Sneller, Neeley, Cavanagh, Brenda Carter, Young, Aiyash, Sowerby, Kuppa, Coleman, Peterson, Anthony, Manoogian, Breen, Brixie, Haadsma, Cambensy and Hood introduced

**House Bill No. 4548, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1897l) by adding section 31o.

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

Rep. Hoitenga introduced

**House Bill No. 4549, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2501, 2503, and 2505 (MCL 339.2501, 339.2503, and 339.2505), as amended by 2016 PA 502.

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

Reps. Posthumus, Bezotte, Outman, Green, Griffin, Mueller, Hoitenga and Allor introduced

**House Bill No. 4550, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1335 (MCL 600.1335), as amended by 2014 PA 10.

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

Reps. Rogers, Sneller, Pohutsky, Brixie, Hope, O'Neal, Haadsma, Neeley, Puri, Brenda Carter, Hood, Steckloff, Garza, Liberati, Steenland, Weiss, Brabec, Bolden, Morse, Cavanagh, Young, Cherry, Hammoud, Aiyash, Sabo, Breen, Whitsett, Rabhi, Lasinski, LaGrand, Ellison, Tate, Hertel, Stone, Thanedar, Coleman, Clemente, Shannon, Jones, Brann, Kuppa, Camilleri, Tyrone Carter, Wozniak, Cambensy, Manoogian, Scott, Yancey and Anthony introduced

**House Bill No. 4551, entitled**

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

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

Reps. Wozniak, Brixie and Howell introduced

**House Bill No. 4552, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2543 (MCL 600.2543), as amended by 2004 PA 328.

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

Reps. Cavanagh, Aiyash, Rabhi, Hood, Scott, Neeley, Garza, Brixie, Thanedar, Tyrone Carter, Stone, Bolden, Weiss, Pohutsky, Kuppa, Brabec, Young, Haadsma, Hammoud, Brenda Carter and Anthony introduced

**House Bill No. 4553, entitled**

A bill to amend 1972 PA 348, entitled "An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties," (MCL 554.601 to 554.616) by amending the title and by adding section 1c.

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



Reps. Rabhi, Cavanagh, Aiyash, Hood, Scott, Garza, Neeley, Brixie, Tyrone Carter, Thanedar, Stone, Bolden, Weiss, Pohutsky, Kuppa, Brabec, Young, Haadsma, Hammoud, Brenda Carter and Anthony introduced

**House Bill No. 4554, entitled**

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending the title and section 502 (MCL 37.2502), the title as amended by 1992 PA 258 and section 502 as amended by 1992 PA 124.

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

Reps. Wozniak, Yaroch and Howell introduced

**House Bill No. 4555, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3109 (MCL 500.3109), as amended by 2012 PA 454.

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

Reps. Sneller, Rogers, Haadsma, Puri, Anthony, Brixie, Cherry, Clemente, Ellison, Pohutsky, Steckloff, Brabec, Stone, Tyrone Carter, Hammoud, Scott, Neeley and O’Neal introduced

**House Bill No. 4556, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

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

Reps. Wendzel, Fink, Glenn, Roth, Griffin, Wozniak, Marino, Berman and Meerman introduced

**House Bill No. 4557, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 525 (MCL 436.1525), as amended by 2016 PA 434.

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

Reps. Glenn, Fink, Roth, Griffin, Wozniak, Marino, Wendzel, Meerman and Berman introduced

**House Bill No. 4558, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16307a.

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

Reps. Fink, Glenn, Roth, Griffin, Wozniak, Marino, Wendzel, Berman and Meerman introduced

**House Bill No. 4559, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” (MCL 338.2201 to 338.2277) by adding section 4a.

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

Reps. Griffin, Glenn, Fink, Roth, Marino, Wozniak, Wendzel, Meerman and Berman introduced

**House Bill No. 4560, entitled**

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” (MCL 339.5101 to 339.6133) by adding section 417a.

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

Reps. Roth, Glenn, Fink, Wozniak, Marino, Wendzel, Berman and Meerman introduced

**House Bill No. 4561, entitled**

A bill to amend 2000 PA 92, entitled “Food law,” by amending sections 2125, 3119, 4111, 4113, 4115, and 6137 (MCL 289.2125, 289.3119, 289.4111, 289.4113, 289.4115, and 289.6137), sections 2125 and 4113 as amended by 2015 PA 61, section 3119 as amended by 2018 PA 92, section 4111 as amended by 2016 PA 188, and section 6137 as amended by 2007 PA 114, and by adding section 4118.

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

Reps. Lightner and Witwer introduced

**House Bill No. 4562, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33e (MCL 791.233e), as amended by 2018 PA 339.

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

Reps. Witwer and Lightner introduced

**House Bill No. 4563, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 46 (MCL 791.246), as added by 1982 PA 314.

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

Reps. Sowerby, Anthony, Hood, Brixie, Pohutsky, Bolden, Koleszar, Stone, Shannon, Garza, Camilleri, Clemente, Hammoud, Hertel, Cherry, Sneller, Steenland, Thanedar, Brenda Carter, Weiss, Ellison and Jones introduced

**House Bill No. 4564, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1147 and 1561 (MCL 380.1147 and 380.1561), section 1147 as amended by 2016 PA 192 and section 1561 as amended by 2016 PA 532.

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

Reps. Allor, Bellino, Borton, Huizenga, Beson, Brann, Fink, Beeler, Berman, LaGrand, Hertel and Sabo introduced

**House Bill No. 4565, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 13 (MCL 421.13), as amended by 2012 PA 493.

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

Reps. LaFave and Steven Johnson introduced

**House Bill No. 4566, entitled**

A bill to prohibit this state from entering into certain confidentiality or nondisclosure agreements.

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

Rep. Schroeder introduced

**House Bill No. 4567, entitled**

A bill to amend 1911 PA 209, entitled "An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use; to prohibit the use of the same for advertising purposes; to prescribe standards for the manufacture, sale, and display of certain flags of the United States and the state flag; and to prescribe the powers and duties of certain state agencies and officials," by amending the title and section 3 (MCL 2.23), the title as amended by 2012 PA 167, and by adding section 3a.

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

Rep. Hall introduced

**House Bill No. 4568, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 301a and 681a.

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

Reps. Beeler and Hall introduced

**House Bill No. 4569, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding sections 40 and 80 to chapter 2.

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

Reps. Weiss, Young, Neeley, Cavanagh, Rogers, Aiyash, Puri, Thanedar, Scott, Morse, Brabec, Breen, Steenland, Liberati, Steckloff, Hood and Tate introduced

**House Bill No. 4570, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 11r (MCL 388.1611r), as added by 2021 PA 3.

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

Reps. Yancey and Hall introduced

**House Bill No. 4571, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 301a.

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

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The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Haadsma, Garza, Hope, Morse and Weiss offered the following resolution:

**House Resolution No. 62.**

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

Whereas, The House of Representatives has passed legislation to create a Legislative Open Records Act in each of the last four legislative sessions; and

Whereas, The Michigan Senate has obstructed the passage of the Legislative Open Records Act at every opportunity, leaving the people of Michigan without a means of accessing public records in the possession of the Legislature that are essential to the public’s full participation in the democratic process; and

Whereas, Article IV, Section 16 of the *Constitution of the State of Michigan of 1963* provides that: “Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings...”; and

Whereas, No legal authority prohibits the House from independently adopting a rule that would have the practical effect of applying the provisions of the proposed Legislative Open Records Act to the House without further indefensible delay; now, therefore, be it

Resolved by the House of Representatives, That the Standing Rules of the House of Representatives are hereby amended by adding the following rule:

**“Open Records.**

**Rule 72A. (1) As used in this rule:**

(a) **“Person” means an individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity. Person does not include an individual serving a sentence of imprisonment in a state or county correctional facility in this state or any other state or in a federal correctional facility.**

(b) **“Public record” means a writing prepared, owned, used, in the possession of, or retained by the House in the performance of an official function that has been in the possession of the House for 15 days or more. Public record does not include computer software. Public records are separated into the following 2 classes:**

(i) **Those that are exempt from disclosure under this rule.**

(ii) **Those that are not exempt from disclosure and thus are subject to disclosure under this rule.**

(c) **“Session day” means a day in which the House of Representatives convenes in session and a quorum of the House is recorded.**

(d) **“Software” means a set of statements or instructions that, when incorporated in a machine-usable medium, is capable of causing a machine or device having information-processing capabilities to indicate, perform, or achieve a particular function, task, or result. Software does not include computer-stored information or data or a field name if disclosure of that field name would not violate a software license.**

(e) “Unusual circumstances” means any 1 or a combination of the following, but only to the extent necessary for the proper processing of a records request:

(i) The need to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct public records pursuant to a single request.

(ii) The need to collect the requested public records from numerous offices, facilities, or other establishments that are located apart from the particular office receiving or processing the request.

(f) “Writing” means handwriting, typewriting, printing, photostating, photographing, photocopying, and every other means of recording, and includes letters, words, pictures, sounds, or symbols, or combinations thereof, and papers, maps, magnetic or paper tapes, photographic films or prints, microfilm, microfiche, magnetic or punched cards, discs, drums, hard drives, solid state storage components, or other means of recording or retaining meaningful content.

(g) “Written request” means a writing that asks for information and includes a writing transmitted by facsimile, electronic mail, or other electronic means.

(2) Upon providing the House Business Office with a written request that describes a public record sufficiently to enable the House to find the public record, a person has a right to inspect, copy, or receive copies of the requested public record of the House. A request from a person, other than an individual who qualifies as indigent, must include the requesting person’s complete name, address, and contact information, and, if the request is made by a person other than an individual, the complete name, address, and contact information of the person’s agent who is an individual. An address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address. An employee of the House who receives a request for a public record shall forward that request to the House Business Office within 3 business days.

(3) The House Business Office shall keep a copy of all written requests for public records on file for not less than 1 year.

(4) The House shall furnish a requesting person a reasonable opportunity for inspection and examination of its public records and shall furnish reasonable facilities for making memoranda or abstracts from its public records during the usual business hours. The House Business Office may establish reasonable rules necessary to protect the public records of the House and to prevent excessive and unreasonable interference with the discharge of House functions. The House shall protect public records from loss, unauthorized alteration, mutilation, or destruction.

(5) This rule does not require the House to make a compilation, summary, or report of information.

(6) This rule does not require the House to create a new public record, except to the extent required by this rule for the furnishing of copies, or edited copies of an existing public record under this rule.

(7) The House Business Office shall, upon written request, furnish a requesting person a certified copy of a public record.

(8) Except for a record exempt from disclosure under this rule, the House shall not destroy or alter a public record, or a record that will become a public record once it has been in possession of the House for 15 days, before the record has been in its possession for 730 days.

(9) The House may charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record after the House Business Office has established, makes publicly available, and follows procedures and guidelines to implement this rule. Subject to the provisions of this rule, the fee must be limited to actual mailing costs and to the actual incremental cost of duplication or publication, including labor, the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information. Except as otherwise provided in this rule, if the House estimates or charges a fee in accordance with this rule, the total fee must not exceed the sum of the following:

(a) That portion of labor costs directly associated with the necessary searching for, locating, and examining of public records in conjunction with receiving and fulfilling a granted written request. The House shall not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in the particular instance regardless of whether that person is available or who actually performs the labor. Labor costs under this subdivision shall be estimated and charged in increments of 15 minutes or more, with all partial time increments rounded down.

(b) That portion of labor costs, including necessary review, if any, directly associated with the separating and deleting of exempt information from nonexempt information. For services performed by an employee of the House, the House shall not charge more than the hourly wage of its lowest-paid employee capable of separating and deleting exempt information from nonexempt information in the particular instance, regardless of whether that person is available or who actually performs the labor.

Labor costs under this subdivision shall be estimated and charged in increments of 15 minutes or more, with all partial time increments rounded down. The House shall not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the House's possession.

(c) For public records provided to the requestor on nonpaper physical media, the actual and most reasonably economical cost of the computer discs, computer tapes, or other digital or similar media. The requestor may stipulate that the public records be provided on nonpaper physical media, emailed, or otherwise electronically provided to him or her in lieu of paper copies. This provision does not apply if the House lacks the technological capability necessary to provide records on the particular nonpaper physical media stipulated in the particular instance.

(d) For paper copies of public records provided to the requestor, the actual total incremental cost of necessary duplication or publication, not including labor. The cost of paper copies shall be calculated as a total cost per sheet of paper and shall be itemized and noted in a manner that expresses both the cost per sheet and the number of sheets provided. The fee must not exceed 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. The House shall utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

(e) The cost of labor directly associated with duplication or publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on nonpaper physical media or through the internet or other electronic means as stipulated by the requestor. The House shall not charge more than the hourly wage of its lowest-paid employee capable of necessary duplication or publication in the particular instance, regardless of whether that person is available or who actually performs the labor. Labor costs under this subdivision may be estimated and charged in time increments of the House's choosing. However, all partial time increments shall be rounded down.

(f) The actual cost of mailing, if any, for sending the public records in a reasonably economical and justifiable manner. The House shall not charge more for expedited shipping or insurance unless specifically stipulated by the requestor, but may otherwise charge for the least expensive form of postal delivery confirmation when mailing public records.

(10) When calculating labor costs under this rule, fee components shall be itemized in a manner that expresses both the hourly wage and the number of hours charged. The House may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits in the detailed itemization. Subject to the 50% limitation, the House shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits. Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed itemization. A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the House determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request by either of the following:

(a) An individual who is entitled to information under this rule and who submits an affidavit stating that the individual is indigent and receiving specific public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigency. If the requestor is eligible for a requested discount, the House shall fully note the discount on the detailed itemization. If a requestor is ineligible for the discount, the House shall inform the requestor specifically of the reason for ineligibility in House's written response. An individual is ineligible for this fee reduction if any of the following apply:

(i) The individual has previously received discounted copies of public records under this rule from the House twice during that calendar year.

(ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. The House may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

(b) A nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights act of 2000, Public Law 106-402, and the Protection and Advocacy for Mentally Ill Individuals Act, Public Law 99-319, or their successors, if the request meets all of the following requirements:

(i) Is made directly on behalf of the organization or its clients.

(ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.

(iii) Is accompanied by documentation of its designation by this state, if requested by the House.

(11) A fee as described in this rule shall not be charged for the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the House because of the nature of the request in the particular instance and the House specifically identifies the nature of these unreasonably high costs.

(12) The House Business Office shall establish procedures and guidelines to implement this rule and shall create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the House and explaining how to understand the House's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary shall be written in a manner so as to be easily understood by the general public. The House shall post and maintain the procedures and guidelines and its written public summary on its website. The House shall make the procedures and guidelines publicly available by providing free copies of the procedures and guidelines and its written public summary both in the House's response to a written request and upon request by visitors to the House Office Building and the State Capitol Building. The House may include the website link to the documents in lieu of providing paper copies in its response to a written request. The House's procedures and guidelines must include the use of a standard form for detailed itemization of any fee amount in its responses to written requests under this rule. The detailed itemization must clearly list and explain the allowable charges for each of the permissible fee components that compose the total fee used for estimating or charging purposes under this rule.

(13) Any public records available to the general public on any House internet site at the time the request is made are exempt from charge under this rule. If the House Business Office knows or has reason to know that all or a portion of the requested information is available on a House website, the House Business Office shall notify the requestor in its written response that all or a portion of the requested information is available on the website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed itemization, the House Business Office shall separate the requested public records that are available on a House website from those that are not available on a website and shall inform the requestor of the additional charge to receive copies of the public records that are available on a website. If the House has included the website address for a record in its written response to the requestor and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, the House shall provide the public records in the specified format but may use a fringe benefit multiplier greater than the 50% limitation provided for in this rule, not to exceed the actual costs of providing the information in the specified format.

(14) The House may provide requested information available in public records without receipt of a written request.

(15) If a verbal request for information is for information that the House Business Office believes is available on the House's website, the House Business Office shall, if practicable, inform the requestor about the House's pertinent website address.

(16) The House may require a good-faith deposit from the person requesting information before providing the public records to the requestor if the entire fee estimate or charge authorized under this rule exceeds \$50.00, based on a good-faith calculation of the total fee. The deposit must not exceed 1/2 of the total estimated fee, and the House's request for a deposit must include a detailed itemization. The House must also provide the requestor with a best efforts estimate regarding the time frame it will take the House to comply with this rule in providing the public records to the requestor. The time frame estimate is nonbinding upon the House, but the House shall provide the estimate in good faith and strive to be reasonably accurate.

(17) If the House does not respond to a written request in a timely manner as required by this rule, it shall do the following:

(a) Reduce the charges for labor costs otherwise permitted under this rule by 5% for each day the House exceeds the time permitted for a response to the request under this rule, with a maximum 50% reduction, if either of the following applies:

(i) The late response was willful and intentional.

(ii) The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, email, or email attachment.

(b) If a charge reduction is required under this rule, fully note the charge reduction on the detailed itemization.

(18) After the House has granted and fulfilled a written request from an individual under this rule, if the House has not been paid in full the total amount permitted for the copies of public records that the House made available to the individual as a result of that written request, the House may require a deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual if all of the following apply:

- (a) The final fee for the prior written request was not more than 105% of the estimated fee.
- (b) The public records made available contained the information being sought in the prior written request and are still in the House's possession.
- (c) The public records were made available to the individual, subject to payment, within the time frame estimate described under this rule.
- (d) 90 days have passed since the House notified the individual in writing that the public records were available for pickup or mailing.
- (e) The individual is unable to show proof of prior payment to the House.
- (f) The House calculates a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

(19) The House shall not continue to require an increased estimated fee deposit from an individual as described under this rule if any of the following apply:

- (a) The individual shows to the House proof of prior payment in full for the applicable prior request.
- (b) The House receives payment in full for the applicable prior written request.
- (c) 365 days have passed since the individual made the written request for which full payment was not remitted to the House.

(20) If a deposit that is required under this rule is not received by the House within 45 days from receipt by the requesting person of the notice that a deposit is required, the request shall be considered abandoned by the requesting person and the House is no longer required to fulfill the request. Notice of a deposit requirement under this rule is considered received 3 days after it is sent, regardless of the means of transmission. Notice of a deposit requirement under this rule must include notice of the date by which the deposit must be received, which date is 48 days after the date the notice is sent.

(21) To inspect or receive a copy of a public record under this rule, a person shall submit a written request for the public record to the House Business Office. A written request made by facsimile, email, or other electronic transmission under this rule is not considered to be received by the House Business Office until 1 business day after the electronic transmission is made. However, if a written request is sent by email and delivered to the House Business Office's spam or junk mail folder, the request is not received until 1 day after the House Business Office first becomes aware of the written request. The House Business Office shall note in its records both the time a written request is delivered to its spam or junk mail folder and the time the House Business Office first becomes aware of that request.

(22) Unless otherwise agreed to in writing by the person making the request, the House shall respond to a request for a public record within 5 business days after the House receives the request by doing 1 of the following:

- (a) Granting the request.
- (b) Issuing a written notice to the requesting person denying the request.
- (c) Granting the request in part and issuing a written notice to the requesting person denying the request in part.
- (d) Issuing a notice extending for not more than 10 business days the time by which the House must respond to the request. The House shall not issue more than 1 notice of extension for each request.

(23) A written notice denying a request for a public record in whole or in part must contain all of the following:

- (a) An explanation of the basis under this rule or otherwise for the determination that the public record, or portion of that public record, is exempt from disclosure, if that is the reason for denying all or a portion of the request.
- (b) A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the House, if that is the reason for denying the request or a portion of the request.
- (c) A description of a public record or information on a public record that is separated or deleted, if a separation or deletion is made under the provisions of this rule.
- (d) A full explanation of the requesting person's right to submit a written request for reconsideration to the House Business Office that specifically states the word "reconsideration", "appeal", "redetermination", or "reverse" and identifies the reason or reasons for reversal of the disclosure denial.

(24) If the House issues a notice extending the period for a response to the request, the notice must specify the reasons for the extension and the date by which the House will do 1 of the following:

- (a) Grant the request.
- (b) Issue a written notice to the requesting person denying the request.
- (c) Grant the request in part and issue a written notice to the requesting person denying the request in part.

(25) If the House makes a determination to deny in whole or in part a request to inspect or receive a copy of a public record or portion of a public record, the requesting person may seek reconsideration.

(26) Within 10 business days after receiving a written request for reconsideration, the House Business Office shall do 1 of the following:

- (a) Reverse the disclosure denial.
- (b) Issue a written notice to the requesting person upholding the disclosure denial.
- (c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.
- (d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the House Business Office shall respond to the written request for reconsideration. The House Business Office shall not issue more than 1 notice of extension for a particular written request for reconsideration.

(27) The House Business Office is not considered to have received a written request for reconsideration until the first scheduled session day following submission of the written request.

(28) If the House requires a fee that exceeds the amount permitted under its publicly available procedures and guidelines or this rule, the requesting person may submit to the House Business Office a written request for a fee reduction that specifically states the word “reconsideration”, “appeal”, “redetermination”, or “reverse”, and identifies how the required fee exceeds the amount permitted under the House’s available procedures and guidelines or this rule.

(29) Within 10 business days after receiving a written request for a fee reduction, the House Business Office shall do 1 of the following:

- (a) Waive the fee.
- (b) Reduce the fee and issue a written determination to the requesting person indicating the specific basis under this rule that supports the remaining fee. The determination must include a certification from the House Business Office that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and this rule.
- (c) Uphold the fee and issue a written determination to the requesting person indicating the specific basis under this rule that supports the required fee. The determination must include a certification from the House Business Office that the statements in the determination are accurate and that the fee amount complies with the House’s publicly available procedures and guidelines and this rule.
- (d) Issue a notice extending for not more than 10 business days the period during which the House Business Office must respond to the written request for a fee reduction. The House Business Office shall not issue more than 1 notice of extension for a particular written request for a fee reduction.

(30) The House Business Office is not considered to have received a written request for reconsideration of a fee until the first scheduled session day following submission of the written request.

(31) Nothing in this rule shall be construed to limit, modify, waive, or otherwise affect the privileges and immunities guaranteed under Article IV, Section 11 of the *Constitution of the State of Michigan of 1963*.

(32) This rule does not create or imply a private cause of action for a violation of this rule.

(33) The House may exempt from disclosure as a public record under this rule any of the following:

- (a) Records or information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual’s privacy. That information includes, but is not limited to, the following:
  - (i) An individual’s Social Security number, financial institution record, electronic fund number, deferred compensation, savings bonds, W-2 and W-4 forms, and any court-enforced judgments.
  - (ii) An employee’s health care benefit selection.
  - (iii) Unemployment compensation and worker’s disability compensation records.
  - (iv) Internet-use records unless the records indicate an unlawful use of public resources.
- (b) Medical, counseling, or psychological facts or evaluations concerning an individual if the individual’s identity would be revealed by a disclosure of those facts or evaluation, including protected health information, as defined in 45 CFR 160.103.



(c) Communications, including any related records or information, between a Member or a Member's office and a constituent, other than a person required to be registered as a lobbyist under 1978 PA 472, MCL 4.411 to 4.431. For purposes of this subdivision, "constituent" means any of the following:

(i) An individual who is registered to vote in the district the Member is elected to represent.  
 (ii) An individual who is a resident of the district the Member is elected to represent and who is not registered to vote outside of that district.

(iii) An individual other than an individual described in subdivisions (c)(i) or (c)(ii) if the individual intended that the communication be with the Member elected to represent the district where he or she is registered to vote or, if not registered to vote, resides.

(d) Communications and notes within the House of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final determination of policy or action. This exemption does not apply if in the particular instance the public interest in disclosure clearly outweighs the public interest in encouraging frank communications.

(e) Records or information pertaining to an ongoing internal or legislative investigation.

(f) Trade secrets or commercial or financial records or information voluntarily provided in confidence for use in developing governmental policy.

(g) Records or information subject to the attorney-client privilege or any other privilege recognized by the Constitution, statute, or court rule.

(h) Records or information relating to a civil action in which the House is a party until such litigation or claim has been finally adjudicated or otherwise settled.

(i) Records or information specifically described and exempted from disclosure by statute and including the records and information subject to confidentiality requirements in sections 109, 501, and 601 of the Legislative Council Act, 1986 PA 268, MCL 4.1109, 4.1501, and 4.1601, in section 9 of 2016 PA 198, MCL 4.779, and in section 9 of 1975 PA 46, MCL 4.359.

(j) A public record or information described in this rule, that is furnished by the House originally compiling, preparing, or receiving the record or information to a public officer or public body in connection with the performance of the duties of that public officer or public body, if the considerations originally giving rise to the exempt nature of the public record remain applicable.

(k) Records of the office of Sergeant at Arms.

(l) Records of the House's security measures, including security plans, capabilities, procedures, measures, passwords, passes, keys, and codes and combinations.

(m) A bid, quote, or proposal submitted by a person to enter into a contract or agreement and records created in the preparation for and evaluation of the bid, quote, or proposal until the time of final notification of award of the contract or agreement.

(n) Records containing a trade secret as defined under section 2 of the Uniform Trade Secrets Act, 1998 PA 448, MCL 445.1902, or financial or proprietary information submitted in connection with a bid, quote, or proposal to enter into a contract or agreement.

(o) Records that would do any of the following if disclosed:

(i) Interfere with law enforcement proceedings.

(ii) Deprive a person of the right to a fair trial or impartial administrative adjudication.

(iii) Disclose the identity of a confidential source or information furnished by a confidential source in the course of a legislative investigation.

(iv) Endanger the life or physical safety of any individual.

(v) Prejudice the House's ability to maintain the security or integrity of its properties or information technology systems.

(p) Records created, prepared, owned, used, in the possession of, or retained by the House prior to April 1, 2021.

(q) Records created, prepared, owned, used, in the possession of, or retained by the majority or minority caucuses of the House.

(r) The cell phone number of a Member or employee.

(s) Records containing location information for future meetings of a Member or employee.

(34) This rule does not authorize the exemption from disclosure of any salary record of an employee of the House.

(35) This rule does not authorize the exemption from disclosure of a record otherwise required by law to be made available to the public.

(36) If a public record contains material that is not exempt under this rule, as well as material that is exempt from disclosure, the House shall separate the exempt and nonexempt material and make the nonexempt material available for examination and copying.

**(37) When designing a public record, the House shall, to the extent practicable, facilitate a separation of exempt from nonexempt information. If the separation is readily apparent to a person requesting to inspect or receive copies of the form, the House shall generally describe the material exempted unless that description would reveal the contents of the exempt information and thus defeat the purpose of the exemption.”**

The resolution was referred to the Committee on Government Operations.

### Second Reading of Bills

#### **House Bill No. 4346, entitled**

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

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

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

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

The motion prevailed.

#### **House Bill No. 4356, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5553, 5555, 5557, and 5561 (MCL 333.5553, 333.5555, 333.5557, and 333.5561), as added by 2014 PA 269.

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

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

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

The motion prevailed.

#### **House Bill No. 4359, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17210 and 17708 (MCL 333.17210 and 333.17708), section 17210 as amended by 2017 PA 22 and section 17708 as amended by 2020 PA 4.

The bill was read a second time.

Rep. Haadsma moved to amend the bill as follows:

1. Amend page 4, line 5, after “services,” by inserting “If a health care facility allows a registered professional nurse who holds a specialty certification as a nurse anesthetist to perform anesthesia or analgesia services as described in subsection (3)(a), the health care facility is liable for any negligence or malpractice committed by the registered professional nurse who holds a specialty certification as a nurse anesthetist.”

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

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

The motion prevailed.

#### **House Bill No. 4351, entitled**

A bill to amend 1984 PA 218, entitled “Third party administrator act,” by amending the title and section 2 (MCL 550.902) and by adding sections 26 and 27.

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

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

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

The motion prevailed.

#### **House Bill No. 4352, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17757 (MCL 333.17757), as amended by 2016 PA 383, and by adding section 17757b.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4347, entitled**

A bill to require drug manufacturers to report certain information to the department of insurance and financial services; to provide for the powers and duties of certain state officers and entities; to allow for the promulgation of rules; and to prescribe civil sanctions.

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

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

Rep. Witwer moved to amend the bill as follows:

1. Amend page 2, line 17, after “drug” by inserting “or a biological drug product or biosimilar drug product”.

2. Amend page 4, following line 18, by inserting:

“(3) The department shall post the annual report described in subsection (2) on the department’s website in a location that is accessible to the public and in a manner that is easy to navigate.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 4353, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4345, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4350, entitled**

A bill to amend 1984 PA 323, entitled “The health care false claim act,” by amending sections 2 and 4a (MCL 752.1002 and 752.1004a), section 4a as amended by 2016 PA 80.

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

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Young moved to substitute (H-5) the bill.

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

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

The motion prevailed.

**House Bill No. 4348, entitled**

A bill to license and regulate pharmacy benefit managers; to require reporting of certain data; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies; to require the promulgation of rules; and to require and to provide sanctions for violation of this act.

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

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

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

The motion prevailed.

**House Bill No. 4357, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 17748g and 17748h.

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

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

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

The motion prevailed.

**House Bill No. 4358, entitled**

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

The bill was read a second time.

Rep. Hammoud moved to substitute (H-2) the bill.

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

Rep. Hammoud moved to amend the bill as follows:

1. Amend page 2, line 14, by striking out all of subparagraph (iv) and renumbering the remaining subparagraphs.

2. Amend page 4, line 5, by striking out all of subparagraph (v) and renumbering the remaining subparagraphs.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 4354, entitled**

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

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

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

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

The motion prevailed.

**House Bill No. 4349, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21517.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4355, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16101 and 16171 (MCL 333.16101 and 333.16171), section 16171 as amended by 2016 PA 60.

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

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

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

The motion prevailed.

**House Bill No. 4014, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2016 PA 447.

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

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

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

The motion prevailed.

**House Bill No. 4211, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479b (MCL 750.479b), as added by 1994 PA 33.

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

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

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

The motion prevailed.

**House Bill No. 4212, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

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

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

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

The motion prevailed.

**House Bill No. 4429, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2091) by adding section 8b.

The bill was read a second time.

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

The motion prevailed.

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

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Rep. Sabo moved that the House adjourn.

The motion prevailed, the time being 5:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 24, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

