

No. 2
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
101st Legislature
REGULAR SESSION OF 2022

House Chamber, Lansing, Tuesday, January 18, 2022.

1:30 p.m.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Motions and Resolutions

Rep. Carra offered the following resolution:

House Resolution No. 205.

A resolution urging the U.S. Congress, federal agencies, and state departments to address the ongoing fertilizer price increases and shortages that are impacting Michigan farmers.

Whereas, Michigan's agricultural industry is vitally important to the state economy. As our nation's second most diverse agricultural system, it contributes more than \$104.7 billion in economic activity annually to the state. More than 800,000 people work in Michigan's agricultural industry, and care for nearly 10 million acres of land; and

Whereas, Fertilizer is a critical agricultural input that is utilized by farmers to provide nutrients to their land and maximize the productivity of their farms. It is essential that Michigan's farmers have access to fertilizers so they can nourish their land and maintain production levels; and

Whereas, Fertilizer prices in the United States have dramatically increased over the past decade. While the increase in prices can be attributed to several factors, such as strong demand for fertilizer and rising costs of raw materials, the recent decision by the United States Department of Commerce to impose tariffs on imports of phosphate-based fertilizers from Morocco and Russia has significantly increased fertilizer prices. These tariffs were implemented in early 2021 after the U.S. International Trade Commission (ITC) determined that the import of foreign phosphatic fertilizers injured U.S. manufacturers; and

Whereas, These tariffs place a substantial burden on farmers who are unable to compete with rising costs of production. Additionally, due to the highly consolidated structure of the U.S. fertilizer manufacturer industry, many farmers have little bargaining power with suppliers. For example, one company controls an estimated 90 percent of the U.S. phosphate fertilizer production while another controls nearly half of U.S. urea fertilizer production. This highly concentrated structure has resulted in local input dealers having very little bargaining power with the manufacturers, and cost increases are inevitably passed on to farmers; and

Whereas, Michigan farmers are facing the greatest increase in fertilizer prices in 13 years. Without access to fertilizer, Michigan's agricultural production will fall, and the state's economy will suffer. Not only will farmers be directly impacted, but the broader supply chain will also suffer; now, therefore, be it

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. Steven Johnson, Outman, Hoytenga, Reilly, Yaroch, O'Malley, Brixie, LaGrand and Young
Nays: None

The Committee on Oversight, by Rep. Steven Johnson, Chair, reported

House Bill No. 5551, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2017 PA 231.

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. Steven Johnson, Outman, Hoytenga, Reilly, Yaroch, O'Malley, Brixie, LaGrand and Young
Nays: None

The Committee on Oversight, by Rep. Steven Johnson, Chair, reported

House Bill No. 5552, entitled

A bill to create the office of the unemployment citizens' advocate to provide a process for investigating certain complaints; to provide for the powers and duties of certain state governmental officers and entities; and to provide for penalties and remedies.

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. Steven Johnson, Outman, Hoytenga, Reilly, Yaroch, O'Malley, Brixie, LaGrand and Young
Nays: None

The Committee on Oversight, by Rep. Steven Johnson, Chair, reported

House Bill No. 5553, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32 (MCL 421.32), as amended by 2020 PA 258, and by adding section 32g.

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. Steven Johnson, Outman, Hoytenga, Reilly, Yaroch and O'Malley
Nays: Reps. Brixie and Young

The Committee on Oversight, by Rep. Steven Johnson, Chair, reported

House Bill No. 5554, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 32e.

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. Steven Johnson, Outman, Hoytenga, Reilly, Yaroch and O'Malley

Nays: Rep. Brixie

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Steven Johnson, Chair, of the Committee on Oversight, was received and read:

Meeting held on: Thursday, January 13, 2022

Present: Reps. Steven Johnson, Outman, Hoytenga, Reilly, Yaroch, O'Malley, Brixie, LaGrand and Young

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 12, 2022

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

Absent: Rep. Kahle

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, January 18, 2022

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

Absent: Rep. LaFave

Messages from the Senate

House Bill No. 4035, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2150 (MCL 324.2150), as amended by 2012 PA 603.

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. 4363, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2104, 2132, and 2165 (MCL 324.2104, 324.2132, and 324.2165), sections 2104 and 2132 as amended by 2018 PA 238 and section 2165 as added by 2018 PA 240.

The Senate has passed the bill 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. 4031, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” by amending section 35 (MCL 408.1035), as amended by 1991 PA 105.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

Communications from State Officers

The following communication from the Department of Natural Resources was received and read:

January 13, 2022

In accordance with Section 1906(2) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached is the Michigan Natural Resources Trust Fund (MNRTF) 2021 Annual Report on the operations of the Board.

If you need further information, please contact Mr. Erik Eklund, Chief, Finance and Operations Division, at 517-284-5958, or you may contact me.

Sincerely,
Daniel Eichinger
Director
517-284-6367

The communication was referred to the Clerk.

The following communication from the Department of Technology, Management, and Budget’s Jail Reform Advisory Council was received and read:

January 14, 2022

Pursuant to the annual reporting requirement contained in Executive Order 2021-5, please find the attached year-end report from the Jail Reform Advisory Council on the implementation of jail reform legislation and measurable outcomes.

Thank you.
Ryan P. Gamby, Field Services Director,
JD, MPA
Michigan Supreme Court | State Court
Administrative Office | Field Services
Hall of Justice | P.O. Box 30048 |
Lansing, MI 48909 | 517-373-2514 phone

The communication was referred to the Clerk.

Introduction of Bills

Rep. Calley introduced

House Bill No. 5666, entitled

A bill to amend 2005 PA 92, entitled “School bond qualification, approval, and loan act,” by amending section 9 (MCL 388.1929), as amended by 2012 PA 437.

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

Reps. Clements and Steenland introduced

House Bill No. 5667, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3107c (MCL 500.3107c), as added by 2019 PA 22.

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

Reps. Clements and Steenland introduced

House Bill No. 5668, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3107d (MCL 500.3107d), as added by 2019 PA 22.

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

Reps. Steenland and Clements introduced

House Bill No. 5669, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3109a (MCL 500.3109a), as amended by 2019 PA 22.

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

Reps. Steenland and Clements introduced

House Bill No. 5670, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3009 (MCL 500.3009), as amended by 2019 PA 22.

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

Reps. Alexander and Brann introduced

House Bill No. 5671, entitled

A bill to amend 2000 PA 92, entitled “Food law,” by amending section 4102 (MCL 289.4102), as amended by 2012 PA 178.

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

Reps. Cynthia Johnson, Rabhi, Brenda Carter, Thanedar, Tyrone Carter, Brabec, Hood, Whitsett, Jones and Yancey introduced

House Bill No. 5672, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 15.

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

Reps. Cynthia Johnson, Rabhi, Brenda Carter, Thanedar, Brabec, Tyrone Carter, Hood, Whitsett, Jones and Yancey introduced

House Bill No. 5673, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Reps. Cynthia Johnson, Rabhi, Scott, Brenda Carter, Thanedar, Brabec, Tyrone Carter, Hood, Whitsett, Jones and Yancey introduced

House Bill No. 5674, entitled

A bill to establish the racial equity and reparations fund in the department of treasury; to provide for the expenditure of money from the fund; and to provide for the powers and duties of certain state officers and entities.

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

Reps. Peterson, Sneller, Coleman, Brenda Carter, Rogers, Brixie, Steenland, Garza, Liberati, Puri, Ellison, Cynthia Johnson, Markkanen, Sowerby, Brabec, Yaroach, Whitsett, Cavanagh, Hood and Jones introduced

House Bill No. 5675, entitled

A bill to amend 1846 RS 83, entitled “Of marriage and the solemnization thereof,” by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as amended by 2014 PA 278 and section 16 as amended by 2006 PA 419.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. LaFave, Bezotte and Steven Johnson introduced

House Bill No. 5676, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8409 (MCL 600.8409), as amended by 1991 PA 192.

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

Reps. Stone, O’Neal, Kuppa, Hope, Rogers, Young, Weiss, Brabec, Neeley, Howell, Hood, Scott and Aiyash introduced

House Bill No. 5677, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 15 (MCL 28.435), as added by 2000 PA 265.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Slagh, Carra, Markkanen, Bezotte, Sabo and Yaroch introduced

House Bill No. 5678, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 217d, 803e, 803f, 803i, 803j, 803k, 803l, 803n, 803o, and 804 (MCL 257.217d, 257.803e, 257.803f, 257.803i, 257.803j, 257.803k, 257.803l, 257.803n, 257.803o, and 257.804), section 217d as amended by 2006 PA 562, section 803e as amended by 2020 PA 51, section 803f as amended by 2018 PA 681, section 803i as amended by 2011 PA 74, sections 803j, 803k, 803n, and 803o as amended by 1999 PA 183, section 803l as amended by 2000 PA 77, and section 804 as amended by 2019 PA 88.

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

Rep. Filler introduced

House Bill No. 5679, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 61 and 61a (MCL 780.811 and 780.811a), section 61 as amended by 2018 PA 370 and section 61a as amended by 2005 PA 184.

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

Reps. Borton and Filler introduced

House Bill No. 5680, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 8, 38, and 68 (MCL 780.758, 780.788, and 780.818), as amended by 2012 PA 457.

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

Reps. VanWoerkom and Filler introduced

House Bill No. 5681, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 15, 43, and 75 (MCL 780.765, 780.793, and 780.825), as amended by 2018 PA 153.

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

Announcements by the Clerk

January 12, 2022

Received from the Auditor General a copy of the:

- Performance audit report on the Administration of Act 51-Related Funds, Michigan Department of Transportation (591-0410-21), January 2022.

Gary L. Randall
Clerk of the House

The Clerk declared the House adjourned until Wednesday, January 19, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives