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House Chamber, Lansing, Wednesday, February 15, 2023.

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	Dievendorf—present	Markkanen—present	Schriver—present
Alexander—present	Edwards—present	Martin—present	Schuette—present
Andrews—present	Farhat—present	Martus—present	Scott—present
Aragona—present	Filler—present	McFall—present	Shannon—present
Arbit—present	Fink—present	McKinney—present	Skaggs—present
Beeler—present	Fitzgerald—present	Meerman—present	Slagh—present
BeGole—present	Fox—present	Mentzer—present	Smit—present
Beson—present	Friske—present	Miller—present	Snyder—present
Bezotte—present	Glanville—present	Morgan—present	St. Germaine—present
Bierlein—present	Grant—present	Morse—present	Steckloff—present
Bollin—present	Green, P.—present	Mueller—present	Steele—present
Borton—present	Greene, J.—present	Neeley—present	Stone—present
Brabec—present	Haadsma—present	Neyer—present	Tate—present
Breen—present	Hall—present	O’Neal—present	Thompson—present
Brixie—present	Harris—present	Outman—present	Tisdell—present
Bruck—excused	Hill—present	Paiz—excused	Tsernoglou—present
Byrnes—present	Hoadley—present	Paquette—present	VanderWall—present
Carra—present	Hood—present	Pohutsky—present	VanWoerkom—excused
Carter, B.—present	Hope—present	Posthumus—present	Wegela—present
Carter, T.—present	Hoskins—present	Prestin—present	Weiss—present
Cavitt—present	Johnsen—present	Price—present	Wendzel—excused
Churches—present	Koleszar—present	Puri—present	Whitsett—excused
Coffia—present	Kuhn—present	Rheingans—present	Wilson—present
Coleman—present	Kunse—present	Rigas—present	Witwer—present
Conlin—present	Liberati—present	Rogers—present	Wozniak—present
DeBoer—present	Lightner—present	Roth—present	Young—present
DeBoyer—present	MacDonell—present	Schmaltz—present	Zorn—present
DeSana—present	Maddock—present		

e/d/s = entered during session

Rep. Erin Byrnes, from the 15th District, offered the following invocation:

“As we gather today in the people’s house, we do so under the weight of immense grief. We grieve for the students whose lives were lost on February 13th at Michigan State University, and we grieve for their loved ones who will never have the chance to see them grow old.

Our hearts are with our Spartans, on campus, in the Legislature, and around the world. We offer a humble and heartfelt thank you to our first responders, dispatch, and campus mental health professionals whose critical work has not gone unnoticed.

Today we recognize that the universe has brought all of us together, in this time and in this place, to demonstrate what it looks like to care for one another. As Bell Hooks once said, ‘Love is an action, never simply a feeling.’

May every single person in this room be moved to act, from a place of love. Love for our students, love for our neighbors, love for our children, and love for our state. May we be moved by the love of freedom; freedom from fear, freedom to live in peace, freedom to live, period.

We are here because we have answered one of the highest callings- to be of service to others. Let our love for our neighbors and our communities be forever at the core of who we are, what we do and how we do it.

May we all be motivated to act swiftly, from a place of love and without fear.”

Rep. Aiyash moved that Reps. Bruck, Paiz, VanWoerkom, Wendzel and Whitsett be excused from today’s session.

The motion prevailed.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 36.

A resolution of tribute to express our condolences for the tragic shooting at Michigan State University.

Whereas, In the evening hours of February 13, 2023, the students, staff, and community members within and surrounding Michigan State University, mere miles from this Chamber, suffered an unspeakable tragedy. A lone gunman entered campus buildings and opened fire on those inside, beginning an hours-long effort by first responders to protect those on campus and bring an end to the violence. Those in and around campus were ordered to shelter in place by police, forced to simply wait and hope that the ongoing nightmare unfolding within their community would eventually come to an end without more bloodshed. Throughout the country, the friends and family members of those in the community looked on in horror. The gunman was eventually found, but not before he had taken the lives of three students and injured even more. We in this Chamber, like all those with ties to Michigan State University across the nation, mourn this senseless, unnecessary loss of life and pray that those still hospitalized will recover; and

Whereas, Acts of mass violence like this tragedy reflect an utter rejection of the value and dignity that should be afforded to every single human being. What is left in the wake of a life taken in such a violent, chaotic manner is a sense of confusion, frustration, and anguish that is impossible to put into words. Tragedies like this leave communities forever scarred and hearts forever broken; and

Whereas, Now more than ever, it is important to recognize the heroism and resolve demonstrated by those who lead us through times of tragedy. To those on the police force who worked tirelessly to defend the community they are entrusted to protect and who bravely entered building after building, classroom after classroom – we see you, and we thank you. To the medical professionals who responded on scene and to those still caring for the individuals who have suffered injury – we see you, and we thank you. To the heroic staff and students of Michigan State University who risked their own lives to ensure the safety of those around them – we see you, and we thank you. It should not take a tragedy for us to recognize the best of us, but we would do a dishonor to their courage if we did not take this opportunity to commend their valiant efforts and express our gratitude on behalf of Michiganders everywhere; and

Whereas, We must never forget the individuals whose lives were taken on February 13. Arielle Anderson. Alexandria Verner. Brian Fraser. This Chamber mourns with your friends and family. We dedicate ourselves, in your honor, to work toward a better world – a world where Michiganders can feel safe in their

communities. A world where families can send their loved ones to receive an education without fearing the worst might befall them. A world where we embrace each other in joy, not in grief. This Chamber - your Chamber - will not forget you. Your state will not forget you. Your country will not forget you; now, therefore, be it

Resolved by the House of Representatives, That we express our condolences for the tragic shooting at Michigan State University.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker called the Speaker Pro Tempore to the Chair.

Reps. Fink, Beson, Martin, Tisdell, Schuette, Alexander, BeGole, Bezotte and Jaime Greene offered the following resolution:

House Resolution No. 37.

A resolution to declare February 14, 2023, as Frederick Douglass Day in the state of Michigan.

Whereas, Frederick Douglass was born into slavery in February 1818 in the state of Maryland. He never knew the exact date of his own birth but adopted Valentine's Day as his birthday after his mother Harriet Bailey called him her "Little Valentine"; and

Whereas, Mr. Douglass escaped from bondage at the age of 20, whereupon he began a life dedicated to the abolition of slavery in the United States and the recognition of Black Americans as free and equal citizens; and

Whereas, Frederick Douglass worked throughout his childhood to learn to read and write, even against the wishes of the family which claimed to own him, and shortly after his escape from slavery became a famed and persuasive orator, detailing to Northern audiences the horrors of life in the South for slaves and arguing for the fundamental equality of all Americans; and

Whereas, Mr. Douglass made several visits to Michigan, where he met with other proponents of abolition across the state, including in Detroit, Hillsdale, and Ypsilanti, and gave speeches on civil rights; and

Whereas, In freedom, Frederick Douglass married Anna Murray and raised five children, and following Anna's death married Helen Pitts; and

Whereas, During the Civil War, Frederick Douglass recruited the first Black military unit in United States history, the 54th Massachusetts Infantry, which included his sons Charles and Lewis; and

Whereas, Mr. Douglass knew and advised many prominent American statesmen and citizens of his day, including Ida B. Wells, Susan B. Anthony, Charles Remond, William Lloyd Garrison, and John Marshall Harlan, as well as Abraham Lincoln and every President of the United States who served after Lincoln until Douglass' death in 1888; and

Whereas, Mr. Douglass served the United States as U.S. Marshal for the District of Columbia, Recorder of Deeds for the District of Columbia, and as Minister to Haiti; and

Whereas, To this day, Frederick Douglass' autobiographies and speeches serve as powerful testimonies to the motto of Douglass' newspaper the North Star, which asserts "Right is of no sex—Truth is of no Color—God is the Father of us all, and we are all Brethren"; and

Whereas, February 14, 2023, will be recognized as the 205th anniversary of Frederick Douglass' birth; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 14, 2023, as Frederick Douglass Day in the state of Michigan.

The question being on the adoption of the resolution,

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

The motion prevailed.

Reps. Fox, Hill, Smit, Fink, Beeler, Borton, Zorn, DeBoer, Friske, Slagh, Wozniak, Paquette, Phil Green, DeSana, Rigas, Schmaltz, Maddock, Alexander, St. Germaine, BeGole, Bezotte, Breen, Haadsma, Rogers and Schutte offered the following resolution:

House Resolution No. 38.

A resolution to declare February 14, 2023, as National Donor Day in the state of Michigan.

Whereas, More than 2,500 Michigan residents are currently waiting for a lifesaving organ transplant and thousands more would benefit from tissue and corneal transplants; and

Whereas, Michigan has about 4.6 million people on the Organ Donor Registry, but more than 42 percent of adults have not yet registered to save and heal others; and

Whereas, The need for organ, tissue, and eye donations remains a critical need in both Michigan and the United States; and

Whereas, Nationwide, an average of 20 people die each day because a donated organ did not become available; and

Whereas, Organ, tissue, and eye donation can provide families that are tragically confronted by the death of a loved one the comfort of knowing that the gift of life provides another person with renewed hope for a healthy life; and

Whereas, A single organ, tissue, and eye donation can save eight lives and improve the lives of up to 75 people; and

Whereas, The act of giving the gift of life through organ, tissue, and eye donation to someone facing imminent death, or living with blindness or a disability, is the ultimate act of generosity and kindness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 14, 2023, as National Donor Day in the state of Michigan; and be it further

Resolved, That we encourage all residents to join the Michigan Organ Donor Registry, share their decision with their families, friends, and colleagues, and encourage them to do the same.

The question being on the adoption of the resolution,

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

The motion prevailed.

Reps. Markkanen, Alexander, BeGole, Bezotte, Breen, Haadsma, Rogers and Schuette offered the following resolution:

House Resolution No. 39.

A resolution to declare February 16, 2023, as Elks USA Appreciation Day in the state of Michigan.

Whereas, Elks USA was founded on February 16, 1868, and the Michigan Association of Elks was organized in November of 1904; and

Whereas, The “Benevolent and Protective Order of Elks of the United States of America and The Michigan Elks Association serve the people and communities through benevolent programs, demonstrating Elks Care and Elks Share.”; and

Whereas, The organization has grown from Detroit to the Upper Peninsula; and

Whereas, The people of Michigan benefit greatly philanthropically from the group’s charitable grants, scholarships, and youth activities, among other community involvements; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 16, 2023, as Elks USA Appreciation Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to David Sladek, President of the Michigan Chapter of Elks.

The question being on the adoption of the resolution,

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

The motion prevailed.

Reps. Conlin, Alexander and BeGole offered the following resolution:

House Resolution No. 40.

A resolution to declare February 15, 2023, as Less Cancer Day in the state of Michigan.

Whereas, Less Cancer is a national organization dedicated to cancer prevention and early detection; and

Whereas, Less Cancer conducts an annual cancer workshop and provides continuing educational opportunities to its members and those interested; and

Whereas, The organization promotes access to the institutions, services, and medical interventions needed to prevent and treat various cancers; and

Whereas, Early detection of colon, cervical, prostate, and breast cancers dramatically increases the likelihood of survival; and

Whereas, Roughly 42% of cancers can be prevented by changing lifestyle patterns; and

Whereas, Less Cancer is celebrating their 20th anniversary this year; now, therefore, be it Resolved by the House of Representatives, That the members of this legislative body declare February 15, 2023, as Less Cancer Day in the state of Michigan. We recognize the contributions of Less Cancer in our communities.

The question being on the adoption of the resolution,

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

The motion prevailed.

Reps. Markkanen, Alexander and Bezotte offered the following concurrent resolution:

House Concurrent Resolution No. 2.

A concurrent resolution to urge the Michigan Department of Natural Resources, in coordination with the U.S. Department of the Interior and the federal government, to re-establish a viable and self-sustaining wolf population in the Lower Peninsula.

Whereas, The wildlife populations of the state and their habitats are of paramount importance to the citizens of this state; and

Whereas, Wolves are native to Michigan and were once present in all 83 counties. However, persecution, habitat loss, and active predator control programs throughout the 20th century led to the near extinction of wolves from the state. By 1935, wolves were extirpated from the Lower Peninsula, and by 1960, they had nearly vanished from the Upper Peninsula (UP); and

Whereas, Gray wolves in Michigan have been protected under the federal Endangered Species Act since 1974. Since then, Michigan's gray wolves have made a remarkable comeback, which led to the delisting of the gray wolf from the federal Endangered Species list several times, most recently, effective January 4, 2021. On February 10, 2022, U.S. District Judge Jeffrey White, of California, reversed a 2020 U.S. Fish and Wildlife Service rule removing wolves from the list in 45 states, but not the Northern Rockies, effectively relisting gray wolves in Michigan and the Great Lakes States; and

Whereas, A viable and self-sustaining wolf population, currently estimated at approximately 700 animals, has been re-established in the UP since 2007, far surpassing the original goal of around 200 set by the U.S. Fish and Wildlife Service and the Michigan Department of Natural Resources (DNR)'s Michigan Wolf Recovery and Management Plan. However, a sustainable wolf population has yet to be re-established in the Lower Peninsula; and

Whereas, The Lower Peninsula contains thousands of acres of suitable wolf habitat, which is characterized by large areas of contiguous forest and stable populations of wolves' preferred prey, such as deer, rodents, and other small animals; and

Whereas, According to repeated statements from wolf advocates who are residents of the Lower Peninsula, wolves play a key role in improving the ecological systems in which they reside. Wolves target weak, sick, or otherwise vulnerable prey, which can lead to healthier populations of prey as well as increased availability of food for scavengers. Additionally, introducing wolves into the Lower Peninsula's predator base could possibly result in reducing the spread of fatal diseases that continue to be prevalent in Lower Peninsula deer populations, such as chronic wasting disease and bovine tuberculosis; and

Whereas, Public support for wolves has historically been high amongst Michigan's Lower Peninsula residents. Survey results from the mid-1990s show that when wolves first began to rebound in the UP, 57 percent of Lower Peninsula residents supported wolf recovery. A more recent DNR report on public meetings held in 2013 indicated that the vast majority of meeting participants cared a great deal about wolves. In 2014, over 70 percent of downstate voters voted twice to disallow the North American Model of Wildlife Conservation methods for management of wolves in the UP, which would have allowed the harvesting of a limited number of wolves as a game species to prevent negative impacts from a ballooning population; and

Whereas, Legislative committees and offices have been deluged with calls and communications from Lower Peninsula residents regarding the beauty and importance of an unmanaged wolf population. Many have emphasized that they are envious of residents of the UP, as they have the privilege to live side-by-side with wolves. Additionally, these communications frequently admonish UP residents by suggesting that human-wolf conflicts are exaggerated by ignorance and selfishness. Some have even promoted UP residents to move away from their homes to allow wolves to thrive; and

Whereas, Re-establishment of gray wolves in the Lower Peninsula could be achieved by translocating wolves from the recovered and established UP wolf population. Translocation has been used for decades as an effective method to re-establish rare and endangered species around the world. Further, witnesses have assured UP residents effective tools to mitigate potential conflicts with wolves, such as cameras, lights, and donkeys, are readily available for purchase by citizens in the Lower Peninsula; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Department of Natural Resources, in coordination with the U.S. Department of the Interior and the federal government, to re-establish a viable and self-sustaining wolf population in the Lower Peninsula; and be it further

Resolved, That this concurrent resolution does not take effect unless House Bill No. 4102 of the 102nd Legislature is enacted into law; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, Secretary of the Interior, Governor of the State of Michigan, Director of the Michigan Department of Natural Resources, and the members of the Michigan Natural Resources Commission and Michigan Wolf Management Advisory Council.

The concurrent resolution was referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

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

Rep. Aiyash moved that when the House adjourns today it stand adjourned until Wednesday, February 22, at 1:30 p.m.

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 Tuesday, February 14:

**House Bill Nos. 4077 4078 4079 4080 4081 4082 4083 4084 4085 4086 4087 4088 4089
4090 4091 4092 4093 4094 4095 4096 4097 4098 4099 4100**

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 15, 2023

Present: Reps. Miller, Stone, Young, Coffia, Dievendorf, Fitzgerald, Rheingans, Neyer, VanderWall, Roth, Bierlein and Smit

Absent: Rep. Paiz

Excused: Rep. Paiz

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 15, 2023

Present: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wozniak, Outman and Johnsen

Absent: Rep. Wendzel

Excused: Rep. Wendzel

Introduction of Bills

Rep. VanderWall introduced

House Bill No. 4101, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17609 (MCL 333.17609), as amended by 2010 PA 304.

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

Rep. Markkanen introduced

House Bill No. 4102, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40107f.

The bill was read a first time by its title and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

Reps. Fink, Rigas, Johnsen and Alexander introduced

House Bill No. 4103, entitled

A bill to define extraordinary medical measures for purposes of determining fetal viability under section 28 of article I of the state constitution of 1963.

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

Rep. Alexander introduced

House Bill No. 4104, entitled

A bill to require certain individuals to obtain the consent of a parent, guardian, or person acting in loco parentis of the individual before exercising a right described in section 28 of article I of the state constitution of 1963.

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

Reps. Rigas, Johnsen, DeBoer, Tisdell, Fink and Alexander introduced

House Bill No. 4105, entitled

A bill to describe certain policies and procedures for determining whether an abortion is medically indicated to protect the life or physical or mental health of a pregnant individual under section 28 of article I of the state constitution of 1963.

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

Reps. Outman and Alexander introduced

House Bill No. 4106, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2835 and 2837 (MCL 333.2835 and 333.2837), section 2835 as amended by 2012 PA 499 and section 2837 as added by 1999 PA 208.

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

Reps. Martin and Alexander introduced

House Bill No. 4107, entitled

A bill to prescribe certain circumstances in which an abortion is not medically indicated to protect the life or physical or mental health of a pregnant individual under section 28 of article I of the state constitution of 1963.

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

Reps. Johnsen, Fink, Rigas and Alexander introduced

House Bill No. 4108, entitled

A bill to prohibit an abortion after fetal viability and to define fetal viability for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Steele, St. Germaine and Alexander introduced

House Bill No. 4109, entitled

A bill to exclude dentists from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Tisdell, Rigas, Johnsen, DeBoer and Alexander introduced

House Bill No. 4110, entitled

A bill to exclude dermatologists from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Fink, Johnsen, Rigas and Alexander introduced

House Bill No. 4111, entitled

A bill to exclude podiatric physicians from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. St. Germaine, Steele and Alexander introduced

House Bill No. 4112, entitled

A bill to exclude chiropractors from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Rigas, Johnsen, DeBoer, Tisdell, Fink and Alexander introduced

House Bill No. 4113, entitled

A bill to exclude ophthalmologists from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Martin and Alexander introduced

House Bill No. 4114, entitled

A bill to exclude midwives from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. DeBoer, Tisdell, Rigas, Johnsen, Fink and Alexander introduced

House Bill No. 4115, entitled

A bill to exclude doulas from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Outman and Alexander introduced

House Bill No. 4116, entitled

A bill to exclude massage therapists from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Reps. Johnsen, Rigas, Fink and Alexander introduced

House Bill No. 4117, entitled

A bill to exclude athletic trainers from attending health care professionals for purposes of section 28 of article I of the state constitution of 1963.

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

Rep. VanderWall moved that the House adjourn.
The motion prevailed, the time being 3:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 22, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

