



HOUSE OF REPRESENTATIVES

COMMITTEE ON GOVERNMENT OPERATIONS

REP. JASON M SHEPPARD

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, February 20,
2019

09:00 AM

Room 308, House Office
Building

The House Standing Committee on Government Operations was called to order by Chairman Sheppard.

The Chair requested attendance be called:

Present: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Absent/Excused: None.

Representative Lilly moved to adopt the meeting minutes from February 6, 2019. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HR 0026 before the committee:

HR 0026	(Rep. Griffin)	A resolution to urge the Governor to submit an executive order to reorganize the executive branch towards improving environmental protections, access to safe and clean drinking water, and the health and safety of Michigan's citizens, in a manner consistent with the intent of the Legislature.
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Representative Griffin testified in support of her resolution. Questions and discussion followed.

Representative Rabhi offered the following amendments to HR 0026:

1. Amend the title, line 3, after "citizens" by striking out ", in a manner consistent with the intent of the Legislature".

2. Amend the 1st Resolving clause, line 4, after "citizens" by striking out "in a manner consistent with the intent of the Legislature" and inserting "to work together with the Legislature to examine how best to alter the environmental permitting and rulemaking process to better protect the environment, ensure clean drinking water, and to increase public participation and input".

Representative Rabhi moved to adopt the amendments to HR 0026. The motion did not prevail 2-3-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Greig, Rabhi.

Nays: Reps. Sheppard, Cole, Lilly.

Pass: None.

Representative Rabhi offered the following amendments to HR 0026:

1. Amend the 1st Resolving clause, line 4, after "citizens" by striking out "in a manner consistent with the intent of the Legislature" and inserting "and to create the Clean Water Public Advocate".

Representative Rabhi moved to adopt the amendments to HR 0026. The motion did not prevail 2-3-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Greig, Rabhi.

Nays: Reps. Sheppard, Cole, Lilly.

Pass: None.

Sarah Howes, representing the Michigan Department of Environmental Quality, submitted a card in support of the resolution, but did not wish to speak.

Representative Lilly moved to report out House Resolution No. 26 with the recommendation that the resolution be adopted. The motion prevailed 3-0-2:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly.

Nays: None.

Pass: Reps. Greig, Rabhi.

At 09:17 AM, the Chair laid the committee at ease.

At 09:30 AM, the Chair called the committee back to order.

The Chair laid HR 0025 before the committee:

HR 0025	(Rep. Cole)	A resolution to request an opinion of the Supreme Court of the state of Michigan pursuant to Article III, Section 8 of the Constitution of the State of Michigan of 1963.
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Representative Cole testified in support of his resolution. Questions and discussion followed.

Hassan Beydoun, the Republican Legal Counsel, answered further questions.

Representative Rabhi offered the following amendments to HR 0025:

1. Amend the resolution, following the 8th Whereas clause by inserting:
"Whereas, Attorney General Frank Kelley opined in 1964 that "the legislature enacting an initiative petition proposal cannot amend the law so enacted at the same legislative session without violation of the spirit and letter of Article II, Sec. 9 of the Michigan Constitution of 1963." OAG, 1964, No. 4,303, p 311 (March 6, 1964); and"

Question and discussion was held between the committee.

Representative Rabhi moved to adopt the amendments to HR 0025. The motion did not prevail 2-3-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Greig, Rabhi.

Nays: Reps. Sheppard, Cole, Lilly.

Pass: None.

Representative Rabhi offered the following amendments to HR 0025:

1. Amend the resolution, following the 8th Whereas clause by inserting:
"Whereas, The enactment of Public Act 368 of 2018 and Public Act 369 of 2018 was the first and only time since the adoption of the *Constitution of the State of Michigan of 1963* that the Legislature amended laws initiated by the people in the same legislative session in which they were enacted; and".

Question and discussion was held between the committee.

Representative Rabhi moved to adopt the amendments to HR 0025. The motion did not prevail 2-3-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Greig, Rabhi.

Nays: Reps. Sheppard, Cole, Lilly.

Pass: None.

The following people submitted a card in support of the resolution, but did not wish to speak:

Dan Papineau, representing the Michigan Chamber of Commerce.

Micah Babcock, representing the Small Business Association of Michigan.

Amy Drumm, representing the Michigan Retailers Association.

Wendy Block, representing the Michigan Chamber of Commerce.

Charles Owens, representing the National Federation of Independent Business of Michigan.

Connor Spalding, representing the Michigan Restaurants and Lodging Association.

Delaney McKinley, representing the Michigan Manufactures Association.

Representative Lilly moved to report out House Resolution No. 25 with the recommendation that the resolution be adopted. The motion prevailed 3-0-2:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly.

Nays: None.

Pass: Reps. Greig, Rabhi.

There being no further business before the committee, the Chair adjourned the meeting at 09:43 AM.

Representative Jason Sheppard, Chair

Angela Lake
Committee Clerk
alake@house.mi.gov