



HOUSE OF REPRESENTATIVES

COMMITTEE ON REGULATORY REFORM

REP. MICHAEL WEBBER

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, February 4, 2020

10:30 AM

Room 521, House Office Building

The House Standing Committee on Regulatory Reform was called to order by the Chair Webber.

The Chair requested attendance be called:

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

Absent/Excused: None.

Representative Berman moved to adopt the meeting minutes from January 28, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5341, HB 5342, HB 5343, HB 5344, HB 5345, HB 5346, HB 5347, HB 5348, HB 5349, HB 5350, HB 5351, HB 5352, HB 5353, HB 5354 and HB 5355 before the committee:

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|---------|--|
| HB 5341 | (Rep. Wendzel) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 407 (MCL 436.1407). |
| HB 5342 | (Rep. Wendzel) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2016 PA 520. |
| HB 5343 | (Rep. Wendzel) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 203a. |

- HB 5344 (Rep. Wendzel) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 609c (MCL 436.1609c), as added by 2017 PA 130.
- HB 5345 (Rep. Wentworth) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 409 (MCL 436.1409), as amended by 2014 PA 48.
- HB 5346 (Rep. Wentworth) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 301 (MCL 436.1301), as amended by 2014 PA 49.
- HB 5347 (Rep. Garza) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 526 (MCL 436.1526), as added by 2008 PA 258.
- HB 5348 (Rep. Garza) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 502 (MCL 436.1502), as added by 2017 PA 129.
- HB 5349 (Rep. Hall) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 401 (MCL 436.1401).
- HB 5350 (Rep. Hall) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 307 (MCL 436.1307), as amended by 2018 PA 406.
- HB 5351 (Rep. Filler) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 111 (MCL 436.1111), as amended by 2018 PA 415.
- HB 5352 (Rep. Filler) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 602.
- HB 5353 (Rep. Cambensy) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2018 PA 560.
- HB 5354 (Rep. Cambensy) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 405 (MCL 436.1405), as amended by 2014 PA 353.

HB 5355

(Rep. Cambensy) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 609a (MCL 436.1609a), as added by 2016 PA 81.

Representative Wendzel moved to adopt substitute (H-1) to HB 5341. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Wendzel moved to refer House Bill No. 5341 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Wendzel moved to adopt substitute (H-1) to HB 5342. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Hoytenga moved to refer House Bill No. 5342 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Hoytenga moved to adopt substitute (H-1) to HB 5343. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Hoyenga moved to refer House Bill No. 5343 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoyenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Wendzel moved to adopt substitute (H-1) to HB 5344. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoyenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Wendzel moved to refer House Bill No. 5344 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoyenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Filler moved to adopt substitute (H-1) to HB 5345. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoyenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Filler moved to refer House Bill No. 5345 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoyenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Crawford moved to adopt substitute (H-1) to HB 5346. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Chirkun moved to refer House Bill No. 5346 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Garza moved to adopt substitute (H-1) to HB 5347. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Garza moved to refer House Bill No. 5347 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Garza moved to adopt substitute (H-1) to HB 5348. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Garza moved to refer House Bill No. 5348 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Hall moved to adopt substitute (H-1) to HB 5349. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Hall moved to refer House Bill No. 5349 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 14-1-0:

FAVORABLE ROLL CALL

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

Nays: Rep. Farrington.

Pass: None.

Representative Hall moved to adopt substitute (H-1) to HB 5350. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Hall moved to refer House Bill No. 5350 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 14-1-0:

FAVORABLE ROLL CALL

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

Nays: Rep. Farrington.

Pass: None.

Representative Filler moved to adopt substitute (H-1) to HB 5351. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Filler moved to refer House Bill No. 5351 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 14-1-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.
Nays: Rep. Farrington.
Pass: None.

Representative Crawford moved to adopt substitute (H-2) to HB 5352. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.
Nays: None.
Pass: None.

Representative Crawford moved to refer House Bill No. 5352 to the committee on Ways and Means, with recommendation as substitute (H-2). The motion prevailed 13-1-1:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Crawford, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.
Nays: Rep. Farrington.
Pass: Rep. Berman.

Representative Hoytenga moved to adopt substitute (H-2) to HB 5353. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.
Nays: None.
Pass: None.

Representative Hoytenga moved to refer House Bill No. 5353 to the committee on Ways and Means, with recommendation as substitute (H-2). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.
Nays: None.
Pass: None.

Representative Cambensy moved to adopt substitute (H-1) to HB 5354. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Webber, Berman, Crawford, Farrington, Frederick, Hoytenga, Filler, Hall, Wendzel, Chirkun, Liberati, Cambensy, Jones, Garza, Robinson.

Nays: None.

Pass: None.

Representative Cambensy moved to refer House Bill No. 5354 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Cambensy moved to adopt substitute (H-1) to HB 5355. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Cambensy moved to refer House Bill No. 5355 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The following person submitted a card with a neutral position on HB 5341-5355:

Kerry Krone, representing the Michigan Liquor Control Commission.

The Chair laid HB 5400 and HB 5134 before the committee:

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| HB 5400 | (Rep. Garza) A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 109 (MCL 436.1109), as amended by 2018 PA 409. |
| HB 5134 | (Rep. VanWoerkom) A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending section 10 (MCL 408.660), as amended by 2014 PA 163. |

Substitute (H-1) was previously adopted on January 28, 2020.

Representative Garza moved to refer House Bill No. 5400 to the committee on Ways and Means.
The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The following person submitted a card with a neutral position on HB 5400:

Kerry Krone, representing the Michigan Liquor Control Commission.

Representative Filler moved to refer House Bill No. 5134 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 14-1-0:

FAVORABLE ROLL CALL

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

Nays: Rep. Robinson.

Pass: None.

The Chair laid HB 5422, HB 5423, HB 5424 and HB 5425 before the committee:

HB 5422 (Rep. Lilly) A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," (MCL 445.571 to 445.576) by adding section 4c.

HB 5423 (Rep. Iden) A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 3c (MCL 445.573c), as amended by 1996 PA 384.

HB 5424

(Rep. Chirkun) A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4 (MCL 445.574), as amended by 1998 PA 473.

HB 5425

(Rep. Sneller) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2019 PA 49.

Representative Lilly, Representative Iden, Representative Chirkun and Representative Sneller testified in support of HB 5424 and HB 5425. Questions and discussion followed.

Sean Hammond, representing the Michigan Environmental Council, testified in opposition to HB 5424 and HB 5425. Questions and discussion followed.

Nicholas Occhipinti, representing the Michigan League of Conservation Voters, testified in opposition to HB 5424 and HB 5425. Questions and discussion followed.

Amy Trotter, representing the Michigan United Conservation Clubs, testified in support of HB 5424 and HB 5425. Questions and discussion followed.

Rachel Richards, representing the Michigan Department of Treasury, testified with a neutral position on HB 5424 and HB 5425. Questions and discussion followed.

James Clift and Sylvia Renteria, representing the Michigan Department of Environment, Great Lakes and Energy, testified with a neutral position on HB 5424 and HB 5425.

Juan Escareno, representing the Midwest Independent Retailers Association, testified in support of HB 5424 and HB 5425. Questions and discussion followed.

Derek Bajema, representing the Michigan Soft Drink Association, testified in support of HB 5424 and HB 5425. Questions and discussion followed.

Spencer Nevins, representing the Michigan Beer and Wine Wholesalers Association, testified in support of HB 5424 and HB 5425.

Bill Black, representing Teamsters Joint Council 43, testified in support of HB 5424 and HB 5425.

The following people submitted a card with a neutral position on HB 5422, HB 5423, HB 5424 and HB 5425, but did not wish to speak:

Kerry Krone, representing the Michigan Liquor Control Commission.

Lisa Reiff, representing the Michigan Association of Fairs and Exhibitions.

Kerrin O'Brien, representing the Michigan Recycling Coalition.

The following people submitted a card in support of HB 5422, HB 5423, HB 5424 and HB 5425, but did not wish to speak:

Brett Visor, representing the Michigan Beer and Wine Wholesalers Association.

Amy Trotter, representing the Michigan United Conservation Clubs.

Scott Ellis, representing the Michigan Licensed Beverage Association.

Dave Greco, representing the Michigan Manufacturers Association.

Dan Papineau, representing the Michigan Chamber of Commerce.

Blaine Koops, representing the Michigan Sheriff Association.

Ken Grabowski, representing the Police Officers Association of Michigan.

Tom Emmerich, representing the Schupan and Sons.

Nick Kronsbein, representing the UBCR LLC.

Amy Drumm, representing the Michigan Retailers Association.

The following people submitted a card in opposition to HB 5422, HB 5423, HB 5424 and HB 5425, but did not wish to speak:

Andrew Doerr, representing the Molson Coors.

Tim Mindtas, representing the Sierra Club.

Sean McBrearty, representing the Clean Water Action.

There being no further business before the committee, Rep. Michael Webber adjourned the meeting at 12:00 PM.

Representative Michael Webber, Chair

Sondra Gordon

Committee Clerk

sgordon@house.mi.gov