



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. GRAHAM FILLER
CHAIR

COMMITTEE MEETING MINUTES

Tuesday, September 1, 2020 8:30 AM Room 519, House Office Building

The House Committee on Judiciary was called to order by Chair Filler.

The Chair requested attendance be called:

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Absent: None.

Excused: None.

Representative Howell moved to adopt the meeting minutes from July 22, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5038, HB 5039, HB 5040, HB 5041 and HB 5042 before the committee:

HB 5038 (Rep. O'Malley) 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.

HB 5039 (Rep. Rendon) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12j of chapter XVII (MCL 777.12j), as added by 2002 PA 34.

HB 5040 (Rep. Jones) 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.

HB 5041 (Rep. Tyrone Carter) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 2012 PA 263.

HB 5042 (Rep. VanWoerkom) A bill to amend 1990 PA 187, entitled "The pupil

transportation act," (MCL 257.1801 to 257.1877)
by adding section 20.

Representative O'Malley and Katrina Morris, representing the Michigan Association of Pupil Transportation, testified in support of HB 5038, HB 5040, HB 5041 and HB 5042. Questions and discussion followed.

Tim Greimel, representing the AFSCME Council 25, testified in support of HB 5038, HB 5040, HB 5041 and HB 5042.

Fred Doelker, representing Dean Transportation, testified in support of HB 5038, HB 5040, HB 5041 and HB 5042.

The following people submitted a card with a neutral position on HB 5038, HB 5040, HB 5041 and HB 5042, but did not wish to speak:

Sgt. Nicole McGhee, representing the Michigan State Police.

The following people submitted a card in support of HB 5038, HB 5040, HB 5041 and HB 5042, but did not wish to speak:

Howard "Mac" Dashney, representing the Michigan Association for Pupil Transportation.

The following people submitted a card in support of HB 5038, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

The following people submitted a card in support of HB 5038, HB 5039, HB 5040, HB 5041 and HB 5042, but did not wish to speak:

Jeff Cobb, representing the Michigan Association of School Boards..

The Chair laid HB 6132 before the committee:

HB 6132 (Rep. Mueller)

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 904c, and 904f (MCL 257.219, 257.904c, and 257.904f), section 219 as amended by 2018 PA 74, section 904c as amended by 1999 PA 73, and section 904f as added by 1998 PA 358.

Representative Mueller testified in support of HB 6132.

Adam Reames, representing the Michigan Department of State, testified with no position on HB 6132.

The following people submitted a card in support of HB 6132, but did not wish to speak:

Sgt. Chris Gerard, representing the Michigan State Police.

Undersheriff Dan Pfannes, representing the Michigan Sheriffs Association.

The Chair laid HB 5699 before the committee:

HB 5699 (Rep. Yancey)

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 311 and 907 (MCL 257.311 and 257.907), section 311 as

amended by 1983 PA 63 and section 907 as amended by 2015 PA 126.

The following people submitted a card in support of HB 5699, but did not wish to speak:

Paul Stankewitz, representing the Michigan Catholic Conference.

Brandon Lanyon, representing the Michigan Prosecuting Attorneys Association.

Sgt. Chris Gerard, representing the Michigan State Police.

David Guenther, representing the Mackinac Center for Public Policy.

Adam Reames, representing the Michigan Department of State.

Representative Yancey offered the following amendments to HB 5699:

1. Amend page 2, line 5, after "**(2)**" by striking out "A" and inserting "**Except as provided in subsection (4), a**".

2. Amend page 2, line 5, after "**is**" by striking out the balance of the section and inserting "**guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$300.00, or both.**"

(3) If a licensee is not in immediate possession of his or her operator's or chauffeur's license, or receipt described in section 311a, a police officer shall request from the licensee alternative means to verify the licensee's identity, including, but not limited to, any of the following:

(a) A photograph of the operator's license that the police officer may use to verify the licensee's identity using the law enforcement information network.

(b) A receipt or photograph of a valid registration for the motor vehicle that the police officer may use to verify the licensee's identity using the law enforcement information network.

(c) Information sufficient for the police officer to verify the licensee's identity through the law enforcement information network, including, but not limited to, the licensee's name and date of birth.

(4) If a licensee who violates subsection (1) provides sufficient alternate means to verify his or her identity under subsection (3), the licensee is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$150.00."

3. Amend page 2, line 22, after "**311**" by inserting "**that is a civil infraction**".

4. Amend page 2, line 23, after "**licensee**" by striking out "**must**" and inserting "**may**".

5. Amend page 2, line 23, after "**of**" by inserting "**not more than**".

Representative Yancey moved to adopt the amendments to HB 5699. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Representative Yancey moved to report House Bill No. 5699 as amended, as substitute (H-2). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

The Chair laid HB 6030, HB 6031, HB 6032 and HB 6101 before the committee:

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| HB 6030 (Rep. Albert) | A bill to provide minimum requirements for claims alleging exposure to COVID-19; establishing liability standards for claims alleging exposure to COVID-19; precluding liability if conduct complies with regulations, orders, or public health guidance; and limiting liability with respect to certain products made, sold, or donated in response to COVID-19. |
| HB 6031 (Rep. Brann) | A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 85. |
| HB 6032 (Rep. Filler) | A bill to prohibit an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19; to prohibit an employee from reporting to work under certain circumstances related to COVID-19; to prohibit discrimination and retaliation for engaging in certain activities; to provide remedies; and to repeal acts and parts of acts. |
| HB 6101 (Rep. Byrd) | A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding sections 85 and 85a. |

Representative Albert and Representative Brann testified in support of HB 6030, HB 6031, HB 6032 and HB 6101. Questions and discussion followed.

Wendy Block, representing the Michigan Chamber, and Cary Silverman, representing Shook, Hardy and Bacon, testified in support of HB 6030, HB 6031, HB 6032 and HB 6101. Questions and discussion followed.

The following people submitted a card in support of HB 6030, HB 6031, HB 6032 and HB 6101, but due to the time constraints were unable to speak:

Michael Tierney, representing the Michigan Community Bankers.

Brad Williams, representing the Detroit Chamber.

Dave Greco, representing the Michigan Manufacturers Association.

Milan Ghandi, representing Med Share, Inc.

Jim Hunsager, representing the MSU Federal Credit Union.

Bill Gilbert, representing the REDICO (Real Estate Development and Investment Company).

Charles Owens, representing the National Federation of Independent Business (NFIB).

Jim Lee, representing the Clemons Food Group.

Dan Hurley, representing the Michigan Universities.

Steve Lottis, representing the Harbor Restaurants.

The following people submitted a card in opposition to HB 6030 and HB 6031, but due to the time constraints were unable to speak:

Deb Freid, representing the Michigan Association for Justice.

Robert Riley, representing the Negligence Section of the State Bar of Michigan.

The following people submitted a card in opposition to HB 6030, HB 6031 and HB 6101, but due to the time constraints were unable to speak:

Tim Greimel, representing the AFSCME Council 25.

The following people submitted a card in opposition to HB 6030, HB 6031 and HB 6101, but due to the time constraints were unable to speak:

Marla Linderman, representing the Michigan Association for Justice.

The following people submitted a card in support of HB 6030, HB 6031 and HB 6032, but did not wish to speak:

Kirstie Sieloff, representing the Northern Michigan Chamber Alliance.

Robert Anderson, representing the Michigan Farm Bureau.

John McNamara, representing the Michigan Restaurant and Lodging Association.

Adam Carlson, representing the Michigan Health and Hospital Association.

Gavin Goetz, representing AT&T.

Gabby Bruno, representing Ford.

Lance Bimoniemi, representing the Michigan Infrastructure and Transportation Association.

Tim Sowton, representing the Business Leaders for Michigan.

The following people submitted a card in opposition to HB 6030, HB 6031 and HB 6032, but did not wish to speak:

Alex Rossman, representing the Michigan League for Public Policy.

The following people submitted a card in support of HB 6030, HB 6031, HB 6032 and HB 6101, but did not wish to speak:

Amy Drumm, representing the Michigan Retailers Association.

Alex Houseman, representing the Michigan Realtors.

Nicole Nystrom, representing the Quicken Loans.

Jennifer Greenburg, representing the Telecommunications Association of Michigan.

Rich Farran, representing the Health Care Association of Michigan.

Kurt Berryman, representing the Auto Dealers of Michigan.

Andy Johnston, representing the Grand Rapids Chamber.

Jaida Paisley, representing the Michigan Golf Association.

Jimmy Greene, representing ABC of Michigan.

Micah Babcock, representing the Small Business Association of Michigan.

Jon Cool, representing the Michigan Railroad Association.
Erin Schor, representing the Michigan Community College Association.
Lee Schwartz, representing the Homebuilders Association of Michigan.
Mike O'Brien, representing the Indiana Michigan Power Company.
Veronica Horn, representing the Saginaw Chamber.
Steve Japinga, representing the Lansing Chamber.

The following people submitted a card in opposition to HB 6030, HB 6031 and HB 6101, but did not wish to speak:

Dawn Kettinger, representing the Michigan Nurses Association.
Peter Ruark, representing the Michigan League for Public Policy.

The following people submitted a card in support of HB 6030, but did not wish to speak:

Bridget Melinn, representing the American Heart Association.
Jeff Stoutenburg, representing Dow.

The following people submitted a card in support of HB 6031 and HB 6032, but did not wish to speak:

Alex Morris, representing the Michigan Bankers Association.

The following people submitted a card in support of HB 6030 and HB 6031, but did not wish to speak:

Sarah Waun, representing the Michigan State Medical Society.

There being no further business before the committee, Chair Filler adjourned the meeting at 10:00 AM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov