



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. KELLY A BREEN
CHAIR

COMMITTEE MEETING MINUTES

Wednesday, April 19, 2023 10:30 AM Room 521, House Office Building

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

The Chair requested attendance be called:

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

Absent: None.

Excused: None.

The Chair laid HB 4125 before the committee:

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| HB 4125 (Rep. Rheingans) | A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310e. |
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Representative Rheingans testified in support of HB 4125. Questions and discussion followed.

The following person submitted a card with a neutral position on HB 4125, but did not wish to speak:

Peter Spadafore, representing the Michigan Alliance for Student Opportunity.

The following person submitted a card in support of HB 4125, but did not wish to speak:

Sheryl Kennedy, representing the Michigan Department of Education.

The Chair laid SB 147 before the committee:

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| SB 147 (Sen. Geiss) | A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 201 and 202 (MCL 37.2201 and 37.2202), section 201 as amended by 1980 PA 202 and section 202 as amended by 2009 PA 190. |
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Senator Geiss testified in support of SB 147. Questions and discussion followed.

Genevieve Marnon, representing Right to Life of Michigan, testified in opposition to SB 147. Questions and discussion followed.

Merissa Kovach, representing the ACLU of Michigan, testified in support of SB 147. Questions and discussion followed.

Nicole Wells Stallworth, representing Planned Parenthood, testified in support of SB 147. Questions and discussion followed.

Rebecca Mastee, representing the Michigan Catholic Conference, testified in opposition to SB 147. Questions and discussion followed.

The following person submitted a card in support of SB 147, but did not wish to speak:
Judy Karandjeff, representing the League of Women Voters of America.

The following people submitted a card in opposition to SB 147, but did not wish to speak:
Stephanie Kreuz, representing Heritage Action for America.
William Wagner, representing the Great Lakes Justice Center.
Katherine Bussard, representing Salt and Light Global.

Representative Arbit moved to adopt substitute (H-1) to SB 147. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Johnsen offered the following amendment to SB 147:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 102a. This act does not apply to any claim of discrimination subject to the ministerial exception described in *Our Lady of Guadalupe Sch. v Morrissey-Berru*, 140 S Ct 2049 (2020), and *Hosanna-Tabor Evangelical Lutheran Church & Sch v EEOC*, 565 U.S. 171 (2012)."

Representative Johnsen moved to adopt the amendment to SB 147. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Hope moved to report out SB 147 with recommendation, as substitute (H-1). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.
Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.
Pass: None.

The Chair laid SB 18 before the committee:

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| SB 18 | (Sen. Chang) | A bill to amend 2003 PA 225, entitled "An act to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan; to designate July 14 of each year as President Gerald R. Ford day in the state of Michigan; and to designate July 30 of each year as Henry Ford day in the state of Michigan," (MCL 435.301 to 435.303) by amending the title and by adding section 4. |
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Senator Chang testified in support of SB 18. Questions and discussion followed.

Dr. Karen Korematsu, representing herself as the daughter of Fred Korematsu, testified in support of SB 18.

Naoko Wake, Professor of History and Director, Asian Pacific American Studies Program at Michigan State University, testified in support of SB 18.

Roland Hwang, Professor of APIA Studies, Department of American Culture at the University of Michigan, testified in support of SB 18.

Representative Hoskins moved to adopt substitute (H-1) to SB 18. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.
Nays: None.
Pass: None.

Representative Edwards moved to report out SB 18 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.
Nays: None.
Pass: None.

The Chair laid HB 4120, HB 4121, HB 4122, HB 4123, HB 4124 before the committee and returned to HB 4125:

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| HB 4120 | (Rep. Rogers) | A bill to amend 1975 PA 238, entitled "Child |
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protection law," (MCL 722.621 to 722.638) by adding section 3b.

HB 4121 (Rep. Breen)

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2020 PA 232.

HB 4122 (Rep. Hope)

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2020 PA 233.

HB 4123 (Rep. Filler)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

HB 4124 (Rep. Glanville)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 478b.

HB 4125 (Rep. Rheingans)

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310e.

The following person submitted a card in support of HB 4120, HB 4121, HB 4122, HB 4123, HB 4124 and HB 4125, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

Representative Edwards moved to report out HB 4120 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Tyrone Carter moved to report out HB 4121 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Tsernoglou moved to report out HB 4122 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Hope moved to report out HB 4123 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Arbit moved to report out HB 4124 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Dievendorf moved to adopt substitute (H-1) to HB 4125. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Edwards moved to report out HB 4125 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair laid HB 4176 and SB 32 before the committee:

HB 4176 (Rep. Tyrone Carter)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding

wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 8 (MCL 408.478).

SB 32 (Sen. Santana)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 8 (MCL 408.478).

Representative Tyrone Carter and Senator Santana testified in support of HB 4176 and SB 32. Questions and discussion followed.

Hassan Beydoun, Counsel to Mayor Duggan, City of Detroit, testified in support of HB 4176 and SB 32.

David LeValley, Assistant Chief of the Detroit Police Department, testified in support of HB 4176 and SB 32. Questions and discussion followed.

Representative Hoskins moved to adopt the meeting minutes from April 12, 2023. There being no objection, the motion prevailed by unanimous consent.

There being no further business before the committee, Chair Breen adjourned the meeting at 11:44 AM.

Representative Kelly Breen, Chair

Melissa Sweet
Committee Clerk
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