



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**ELECTIONS AND ETHICS**

Wednesday, December 12, 2018      8:15 a.m.      Room 308 House Office Building

The House Standing Committee on Elections and Ethics was called to order by Chairman Miller.

Members present: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.  
Members absent/excused: None.

Representative Moss moved to adopt the minutes of September 6, 2018. There being no objection the motion prevailed by unanimous consent.

Chairman Miller laid the following bill before the committee:

HB 6595 (Lower)      Elections; petitions; petition circulator for constitutional amendments, initiatives, and referendums to indicate if he or she is paid or a volunteer; require, and provide limitations on certain petition signatures.

Representative Lower testified in support of the bill. Questions and discussion followed.

Mike Batterbee and Lori Bourbonois, both representing the Michigan Department of Secretary of State, testified together with no position on the bill. Questions and discussion followed.

Chairman Miller laid the committee at ease, the time being 8:49 a.m.

Chairman Miller called the committee back to order, the time being 8:59 a.m.

Chairman Miller laid the following bill before the committee:

HB 4328 (Johnson)      Elections; polling places; an elector taking a photograph of himself or herself in a polling place or taking a photograph of his or her election ballot in a polling booth or election compartment; allow, and allow an absent voter to take a photograph of his or her election ballot.

Representative Johnson and Joel Crookston, representing himself, testified together in support of the bill. Questions and discussion followed.

Merissa Kovach, representing the American Civil Liberties Union of Michigan, submitted a card

in support of the bill, but did not wish to speak.

The following people submitted a card in opposition to the bill, but did not wish to speak:

Bill Zaagman, representing the Michigan Association of Municipal Clerks.  
Justin Roebuck, County Clerk, representing the Ottawa County Clerk's Office.  
Mike Batterbee, representing the Michigan Department of Secretary of State.

Representative Zemke moved to report out HB 4328 with recommendation.

Chairman Miller laid the committee at ease, the time being 9:06 a.m.  
Chairman Miller called the committee back to order, the time being 9:10 a.m.

Chairman Miller returned to Representative Zemke's motion to report out HB 4328 with recommendation. The motion prevailed, the vote being 8-0-1.

#### FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Lilly, Guerra, Zemke, Moss.

Nays: None.

Pass: Rep. Webber.

Chairman Miller returned to HB 6595.

John Bursch, representing the Business Leaders of West Michigan and the West Michigan Policy Forum, testified in support of the bill. Questions and discussion followed.

Erica Peresman, representing herself, testified in opposition to the bill.

Nick Ciaramitara, representing AFSCME, testified in opposition to the bill.

Sharon Dolente, representing the American Civil Liberties Union of Michigan, testified in opposition to the bill.

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

Jennifer Schlicht, representing herself, testified in opposition to the bill.

David R. Hopkinson, representing himself, testified in opposition to the bill.

Scott Tillman, representing Citizens in Charge Foundation, testified in opposition to the bill. Questions and discussion followed.

Chairman Miller laid the committee at ease, the time being 9:47 a.m.  
Chairman Miller called the committee back to order, the time being 9:48 a.m.

Vincent R. Eliemo, representing himself, testified in opposition to the bill.

Patrick Levine Rose, representing himself, testified in opposition to the bill.

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

Amy Drumm, representing the Michigan Retailers Association.

Micah Babcock, representing the Small Business Association of Michigan.

Wendy Block, representing the Michigan Chamber.

Delaney McKinley, representing the Michigan Manufacturers Association.

Andy Johnston, representing the West Michigan Policy Forum and the Grand Rapids Chamber.

Justin Winslow, representing the Michigan Restaurant and Lodging Association.

Tom Hickson, representing Michigan Catholic Conference, supports in concept, will support with changes.

The following people submitted a card in opposition to the bill, but did not wish to speak:

Stephanie Glidden, representing the Michigan AFL-CIO.

Molly Tamulevich, representing the Humane Society of the United States.

Judy Karandjeff, representing the League of Women Voters.

Danielle Atkinson, representing Michigan Time to Care.

Mike Berkowitz and Amanda Robert, representing the Sierra Club.

Julie Baker, representing The Songbird Protection Coalition.

Representative Moss offered the following amendment to HB 6595:

1. Amend page 2, line 8, by striking out all of lines 8 to 17 and inserting “**AT LEAST 3% OF THE PETITION SIGNATURES REQUIRED FOR A PETITION DESCRIBED IN THIS SECTION MUST COME FROM EACH CONGRESSIONAL DISTRICT ALLOCATED TO THIS STATE.**”.

Representative Moss moved to adopt the amendment to the bill. The motion did not prevail, the vote being 3-5-1.

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Guerra, Zemke, Moss.

Nays: Reps. Miller, Kesto, Garcia, Webber, Lilly.

Pass: Rep. Calley.

Representative Kesto moved to report out HB 6595 with recommendation. The motion prevailed, the vote being 6-3-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly.

Nays: Reps. Guerra, Zemke, Moss.

Pass: None.

Chairman Miller laid the committee at ease, the time being 9:58 a.m.

Chairman Miller called the committee back to order, the time being 12:19 p.m.

Chairman Miller laid the following bills before the committee:

- |                  |                                                                                                                                                                                                                                         |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 4635 (Moss)   | Elections; offenses; circulator misrepresenting the contents of a ballot question or recall petition and a circulator misrepresenting whether he or she is a paid signature gatherer or a volunteer; prohibit, and establish penalties. |
| HB 5208 (Moss)   | Elections; petitions; procedure for removal of name and signature from a ballot question or recall petition; create.                                                                                                                    |
| HB 5209 (Moss)   | Elections; campaign practices; organizations employing an individual as a petition signature gatherer if that individual has been convicted of an election crime; prohibit.                                                             |
| HB 5210 (Hertel) | Elections; campaign practices; individual circulating a petition; prohibit from being paid for each petition signature collected, and require petition circulators to be paid an hourly wage.                                           |
| HB 5211 (Love)   | Elections; offenses; organization employing a circulator who misrepresents the contents of a ballot question or recall petition; provide penalties.                                                                                     |
| HB 5212 (Love)   | Elections; campaign practices; petition circulators; require to wear identification badges.                                                                                                                                             |
| HB 5213 (Neeley) | Elections; petitions; organizations employing paid signature gatherers to register with the secretary of state; require, and provide for penalties.                                                                                     |
| HB 5214 (Greig)  | Elections; petitions; process for counting duplicate petition signatures; provide for, and eliminate penalties.                                                                                                                         |

Representative Moss and Representative Love testified in support of the bill package.

Mike Batterbee, representing the Michigan Department of Secretary of State, testified in opposition to HB 5208 and HB 5214 and with a neutral position on HB 5209, HB 5210, HB 5211, HB 5212, and HB 5213.

Merissa Kovach submitted a card in opposition to the bills, but did not wish to speak.

Patrick Levine Rose, representing himself, submitted a card in opposition to HB 4635, HB 5210

and HB 5213, but did not wish to speak.

Scott Tillman, representing the Citizens in Charge Foundation, submitted a card in opposition to HB 4635, HB 5209, HB 5210, HB 5211, HB 5212 and HB 5213, but did not wish to speak.

John Bursch, representing the Business Leaders of West Michigan and the West Michigan Policy Forum, submitted a card in support of HB 5213, but did not wish to speak.

Chairman Miller laid the following bills before the committee:

HB 6568 (Faris)	Elections; registration; certain information in voter registration records; exempt from public inspection.
HB 6582 (Lilly)	Civil rights; public records; freedom of information requests; require certain identifying information from requestor.

Representative Lilly testified in support of HB 6582.

Chris Hackbarth, representing the Michigan Municipal League, testified in support of the bills.

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

Mike Batterbee, representing the Michigan Department of Secretary of State, supports with changes.

Lisa McGraw, representing the Michigan Press Association.

Tom Frazier, representing the Michigan Townships Association.

Meghann Keit, representing the Michigan Association of Counties, submitted a card in support of HB 6582.

Chairman Miller laid the committee at ease, the time being 12:51 p.m.

Chairman Miller called the committee back to order, the time being 12:56 p.m.

Representative Lilly offered the following amendment to HB 6582:

1. Amend page 22, line 16, by striking out all of subdivision **(BB)**.

Representative Lilly moved to adopt the amendment to the bill. The motion prevailed, the vote being 9-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.

Nays: None.

Pass: None.

Representative Lilly moved to report out HB 6582 with recommendation, as amended, as substitute (H-1). The motion prevailed, the vote being 6-0-3.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly.

Nays: None.

Pass: Reps. Guerra, Zemke, Moss.

Chairman Miller returned to HB 4635, HB 5208, HB 5209, HB 5210, HB 5212, and HB 5213.

Representative Moss moved to report out HB 4635 with recommendation. The motion prevailed, the vote being 8-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Webber, Lilly, Guerra, Zemke, Moss.

Nays: None.

Pass: Rep. Garcia.

Representative Moss moved to report out HB 5208 with recommendation. The motion prevailed, the vote being 7-0-2.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Lilly, Guerra, Zemke, Moss.

Nays: None.

Pass: Reps. Garcia, Webber.

Representative Moss moved to report out HB 5209 with recommendation. The motion prevailed, the vote being 8-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Webber, Lilly, Guerra, Zemke, Moss.

Nays: None.

Pass: Rep. Garcia.

Representative Moss moved to report out HB 5210 with recommendation. The motion prevailed, the vote being 8-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Webber, Lilly, Guerra, Zemke, Moss.

Nays: None.

Pass: Rep. Garcia.

Representative Guerra moved to report out HB 5212 with recommendation. The motion prevailed, the vote being 7-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Webber, Lilly, Guerra, Zemke, Moss.  
Nays: Rep. Kesto.  
Pass: Rep. Garcia.

Representative Zemke moved to report out HB 5213 with recommendation. The motion prevailed, the vote being 7-0-2.

**FAVORABLE ROLL CALL**

Yeas: Reps. Miller, Calley, Kesto, Lilly, Guerra, Zemke, Moss.  
Nays: None.  
Pass: Reps. Garcia, Webber.

There being no further business before the committee, Chairman Miller adjourned the meeting, the time being 1:01 p.m.

**Representative Aaron Miller, Chair**\_\_\_\_\_

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