



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

MINUTES OF THE COMMITTEE  
ON  
ELECTIONS AND ETHICS

Wednesday, December 19, 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.

Chairman Miller laid the committee at ease, the time being 8:15 a.m.

Chairman Miller called the committee back to order, the time being 8:24 a.m.

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

Representative Kesto moved to adopt the minutes of December 12, 2018. There being no objection the motion prevailed by unanimous consent.

Chairman Miller laid the following bills before the committee:

- SB 1238 (Kowall) Elections; other; general amendments to the Michigan election law; provide for.
- SB 1239 (Kowall) Traffic control; driver license; declaration of United States citizenship on operator's or chauffeur's license application; require for automatic voter registration, and provide for automatic voter registration opt-out.
- SB 1240 (Kowall) State identification cards; declaration of United States citizenship on personal identification card application; require for automatic voter registration, and provide for automatic voter registration opt-out.
- SB 1241 (Kowall) Traffic control; driver license; opt-out of voter registration provision on applications for enhanced driver licenses and enhanced official state personal identification cards; require.
- SB 1242 (Kowall) Campaign finance; other; updated citation reference in the Michigan campaign finance act; provide for.

Senator Kowall and Lyndsay Vogelsberg, from the Senate Majority Policy Office, testified in support of the bill package. Questions and discussion followed.

Representative Garcia moved to adopt the substitute (H-1) to SB 1238. 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 offered the following amendment to SB 1238 (H-1):

1. Amend page 8, following line 8, by inserting:

**"(5) AN INDIVIDUAL WHO IS NOT ELIGIBLE TO VOTE AND WHO, WITHOUT INTENDING TO REGISTER TO VOTE, BECOMES REGISTERED TO VOTE THROUGH HUMAN OR MECHANICAL ERROR IS NOT CONSIDERED TO HAVE KNOWINGLY INTENDED TO REGISTER TO VOTE IN VIOLATION OF SECTION 519."**

Representative Garcia 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 adopt the substitute (H-1) to SB 1239. 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.

Mike Batterbee, representing the Michigan Department of Secretary of State, testified with a neutral position on the bills. Questions and discussion followed.

Justin Roebuck, Ottawa County Clerk, representing the Council of Elections / Michigan Association of County Clerks, testified with a neutral position on SB 1238. Questions and discussion followed.

Erica Peresman, representing Promote the Vote / Prop. 3, testified in opposition to SB 1238. Questions and discussion followed.

William T. White, representing the Michigan Election Reform Alliance, testified in opposition to the SB 1238. Questions and discussion followed.

Mark McWilliams, representing the Michigan Protection and Advocacy Service, submitted a card in opposition to SB 1238, but did not wish to speak.

Merissa Kovach, representing the American Civil Liberties Union of Michigan, submitted a card with a neutral position on SB 1238, SB 1239, SB 1240 and SB 1241, but did not wish to speak.

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

Mike Berkowitz and Amanda Robert, both representing the Sierra Club.  
Judy Karandjeff, representing the League of Women Voters of Michigan.  
Lizbeth Estess, representing Voters Not Politicians.  
Holly Nickerson, representing herself as a constituent.  
Janet Prange, representing herself.  
Constance Lippert, representing Oakland County.  
Betsy Coffia, representing the public who overwhelmingly voted for Prop. 3.

Representative Kesto moved to report out SB 1238 with recommendation, as amended, as substitute (H-2). 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.

Representative Lilly moved to report out SB 1239 with recommendation as substitute (H-1). 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 following bill before the committee:

SB 1249 (Robertson) Criminal procedure; statute of limitations; 5-year limit for violation of the campaign finance act; provide for.

Lyndsay Vogelsberg, from the Senate Majority Policy Office, testified in support of the bill. Questions and discussion followed.

Mike Batterbee, representing the Michigan Department of Secretary of State, submitted a card with a neutral position on 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:

Mike Berkowitz and Amanda Robert, both representing the Sierra Club.  
Janet Prange, representing herself.  
Constance Lippert, representing Oakland County.  
Nick Occhipinti, representing the League of Conservation Voters.

Representative Lilly moved to report out SB 1249 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 following bill before the committee:

SB 1022 (Robertson) Campaign finance; committees; procedures for disbursement of terminating candidate committee expenditures; modify, and provide penalties for noncompliance.

Chairman Miller explained the substitute (H-1) to the committee. Questions and discussion followed.

Eric Doster, representing himself, testified in support of the bill. Questions and discussion followed.

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

Mike Berkowitz and Amanda Robert, both representing the Sierra Club.  
Constance Lippert, representing Oakland County.

Chairman Miller laid the committee at ease, the time being 9:59 a.m.  
Chairman Miller called the committee back to order, the time being 12:21 p.m.

Chairman Miller returned to SB 1022. Questions and discussion followed.

Mike Batterbee, representing the Michigan Department of Secretary of State, came forward to answer questions. Discussion followed.

Chairman Miller laid the following bills before the committee:

SB 1095 (Schmidt) Elections; local; filing of nominating petitions for city elections; clarify.

SB 1127 (Schmidt) Higher education; community colleges; nominating petition filing deadline for certain board of trustee candidates; modify.

Mike Batterbee, representing the Michigan Department of Secretary of State, testified in support of the bills. Questions and discussion followed.

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

Constance Lippert, representing Oakland County.  
Janet Prange, representing herself.

Representative Lilly moved to report out SB 1095 with recommendation. 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 SB 1127 with recommendation. 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.

There being no further business before the committee, Chairman Miller adjourned the meeting, the time being 12:33 p.m.

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

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