



HOUSE OF REPRESENTATIVES

COMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

REP. MICHELE HOITENGA

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, March 9, 2021

12:00 PM

Room 307, House Office Building

The House Committee on Communications and Technology was called to order by Chair Hoitenga.

The Chair requested attendance be called:

Present: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte, Coleman, Haadsma, Aiyash, Scott.

Absent: None.

Excused: None.

Representative Griffin moved to adopt the minutes from the February 24th, 2021 meeting. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 46 and HB 4210 before the committee:

SB 46 (Sen. Nesbitt)

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9p.

HB 4210 (Rep. Griffin)

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the

provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 5c.

Representative Griffin, testified in support of SB 46 (H-1) and HB 4210 (H-1).

Representative Damoose moved to adopt substitute (H-1) to SB 46. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte, Coleman, Haadsma, Aiyash, Scott.

Nays: None.

Pass: None.

Representative Aiyash offered the following amendments to SB 46 (H-1):

1. Amend page 2, line 2, after "**least**" by striking out "**25**" and inserting "**50**".

2. Amend page 2, line 2, after "**and**" by striking out "**3**" and inserting "**5**".

3. Amend page 2, line 3, after "**upstream**" by inserting a comma and "**or any higher speed threshold adopted by the Federal Communications Commission after the effective date of the amendatory act that added this section**".

Representative Aiyash moved to adopt the amendments to SB 46(H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

Representative Haadsma offered the following amendment to SB 46(H-1):

1. Amend page 2, following line 13, by inserting:

"(3) The cost of eligible broadband equipment exempt under this section must not be included in any existing or proposed fee charged to customers for the recovery of any tax liability owed to this state by the qualified business claiming the exemption." and renumbering the remaining subsection.

Representative Haadsma moved to adopt the amendment to SB 46(H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

Representative Haadsma offered the following amendment to SB 46(H-1):

1. Amend page 2, following line 13, by inserting:

"(3) All records relating to the grant of any exemption under this section are subject to disclosure to the full extent provided for under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246." and renumbering the remaining subsection.

Representative Haadsma moved to adopt the amendment to SB 46 (H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

Representative Scott offered the following amendment to SB 46(H-1):

1. Amend page 2, following line 13, by inserting:

"(3) The department of treasury shall annually collect and publish all of the following information concerning exemptions in effect under this section:

(a) The total number of exemptions in effect and the current and projected fiscal impact of those exemptions by revenue source.

(b) A breakdown of all exemptions in effect by type of broadband service offered and type of equipment exempt under this section.

(c) Mapping data provided in a time and manner prescribed by the department from each qualified business receiving an exemption under this section that identifies specific coverage areas for which exempt equipment is intended to resolve lack of broadband service.

(d) Certification from each qualified business receiving an exemption under this section that the exempt equipment has been installed and is being used, or will be used, exclusively to provide the service in specific coverage areas described in subdivision (c). A certification must indicate the type of broadband service offered, including descriptions of service plans and customer adoption rates.

(e) Recommendations to improve the processing and issuance of exemptions under this section and the effectiveness of exemption criteria to materially improve access to reasonably priced broadband." and renumbering the remaining subsection.

Representative Scott moved to adopt the amendment to SB 46(H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

Representative Coleman offered the following amendment to SB 46(H-1):

1. Amend page 2, following line 13, by inserting:

"(3) Both of the following apply to any exemption granted under this section:

(a) The qualified business that obtained the exemption shall annually file with the department of treasury, in a time and manner prescribed by the department of treasury,

a certification of the percentage of prospective customers in that year that adopted the service in the coverage area for which the exemption was claimed.

(b) If the certified percentage of customer adoption for a coverage area, as described in subdivision (a), is less than 50% for two consecutive years, the department shall cause the exemption to be rescinded as to the property in that coverage area." and renumbering the remaining subsection.

Representative Coleman moved to adopt the amendment to SB 46(H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

At 12:18 PM, the Chair laid the committee at ease.

At 12:20 PM, the Chair called the committee back to order.

Representative Griffin made a motion to reconsider the vote on the Aiyash amendment to SB 46(H-1). The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte, Coleman, Haadsma, Aiyash, Scott.

Nays: None.

Pass: None.

Representative Damoose moved to adopt the amendment by Representative Aiyash to SB 46(H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

Representative Hauck moved to report out SB 46 with recommendation, as substitute (H-1). The motion prevailed 7-4-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hoitenga, Damoose, Griffin, Hauck, Wozniak, Bezotte, Haadsma.

Nays: Reps. Reilly, Coleman, Aiyash, Scott.

Pass: None.

Representative Damoose moved to adopt substitute (H-1) to HB 4210. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte, Coleman, Haadsma, Aiyash, Scott.

Nays: None.

Pass: None.

Representative Aiyash offered the following amendment to HB 4210(H-1):

1. Amend page 2, following line 21, by inserting:

"Enacting section 1. Section 13b of 1905 PA 282, MCL 207.13b, is repealed." and renumbering the remaining enacting sections.

Representative Aiyash moved to adopt the amendment to HB 4210(H-1). The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Coleman, Haadsma, Aiyash, Scott.

Nays: Reps. Hoitenga, Damoose, Griffin, Hauck, Reilly, Wozniak, Bezotte.

Pass: None.

Representative Hauck moved to report out HB 4210 with recommendation, as substitute (H-1). The motion prevailed 7-4-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hoitenga, Damoose, Griffin, Hauck, Wozniak, Bezotte, Haadsma.

Nays: Reps. Reilly, Coleman, Aiyash, Scott.

Pass: None.

The following people submitted a card in support of SB 46 and HB 4210, but did not wish to speak:

John Lindley, representing the Switch.

Matt Patton, representing the Detroit Regional Chamber.

The following person submitted a card in opposition to SB 46, but did not wish to speak:

Judy Allen, representing the Michigan Townships Association.

There being no further business before the committee, Chair Hoitenga adjourned the meeting at 12:29 PM.

Representative Michele Hoitenga, Chair

Amy Rostkowycz

Committee Clerk

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