

No. 80
STATE OF MICHIGAN
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OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Tuesday, October 6, 2020.

1:30 p.m.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor Thursday, October 1, for her approval of the following bills:

Enrolled House Bill No. 4927 at 1:02 p.m.
Enrolled House Bill No. 4926 at 1:04 p.m.
Enrolled House Bill No. 5490 at 1:06 p.m.
Enrolled House Bill No. 4929 at 1:08 p.m.
Enrolled House Bill No. 4930 at 1:10 p.m.
Enrolled House Bill No. 5289 at 1:12 p.m.
Enrolled House Bill No. 5339 at 1:14 p.m.
Enrolled House Bill No. 5340 at 1:16 p.m.
Enrolled House Bill No. 5482 at 1:18 p.m.
Enrolled House Bill No. 6119 at 1:20 p.m.
Enrolled House Bill No. 4851 at 1:22 p.m.
Enrolled House Bill No. 5491 at 1:24 p.m.
Enrolled House Bill No. 5336 at 1:26 p.m.
Enrolled House Bill No. 4928 at 1:28 p.m.

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Thursday, October 1:

Senate Bill Nos. 1160 1161 1162 1163 1164 1165 1166 1167 1168 1169 1170 1171 1172
1173 1174 1175 1176 1177 1178 1179 1180
Senate Joint Resolution Q

The Clerk announced the enrollment printing and presentation to the Governor Monday, October 5, for her approval of the following bills:

Enrolled House Bill No. 5602 at 3:24 p.m.
Enrolled House Bill No. 4332 at 3:26 p.m.

Enrolled House Bill No. 4288 at 3:28 p.m.
Enrolled House Bill No. 5334 at 3:30 p.m.
Enrolled House Bill No. 4686 at 3:32 p.m.
Enrolled House Bill No. 5267 at 3:34 p.m.
Enrolled House Bill No. 5194 at 3:36 p.m.
Enrolled House Bill No. 5881 at 3:38 p.m.

Notices

Pursuant to Rule 41, the Speaker has made the following referral:
Senate Bill No. 77 referred to the Committee on Families, Children, and Seniors.

Messages from the Governor

Date: October 1, 2020
Time: 11:01 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6116 (Public Act No. 168, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 78n (MCL 211.78n), as amended by 2006 PA 626.

(Filed with the Secretary of State on October 1, 2020, at 12:00 p.m.)

Date: October 1, 2020
Time: 11:03 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6117 (Public Act No. 169, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and

to repeal certain parts of this act on specific dates,” by amending sections 16315 and 20161 (MCL 333.16315 and 333.20161), section 16315 as amended by 2013 PA 268 and section 20161 as amended by 2020 PA 35. (Filed with the Secretary of State on October 1, 2020, at 12:02 p.m.)

Date: October 1, 2020
Time: 11:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6120 (Public Act No. 170, I.E.), being

An act to amend 2016 PA 281, entitled “An act to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to allow certain licensees to process, test, or sell industrial hemp; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to provide for interaction with the statewide monitoring system for commercial marihuana transactions; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in certain activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules” by amending section 604 (MCL 333.27604).

(Filed with the Secretary of State on October 1, 2020, at 12:04 p.m.)

Date: October 1, 2020
Time: 11:07 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6121 (Public Act No. 171, I.E.), being

An act to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending section 7 (MCL 12.257), as amended by 2018 PA 577.

(Filed with the Secretary of State on October 1, 2020, at 12:06 p.m.)

Date: October 1, 2020
Time: 11:09 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6122 (Public Act No. 172, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 151d (MCL 600.151d), as amended by 2011 PA 234.

(Filed with the Secretary of State on October 1, 2020, at 12:08 p.m.)

Date: October 1, 2020
Time: 11:11 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4831 (Public Act No. 173, I.E.), being

An act to amend 1984 PA 431, entitled “An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the

leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 261 (MCL 18.1261), as amended by 2017 PA 21.

(Filed with the Secretary of State on October 1, 2020, at 12:10 p.m.)

Date: October 1, 2020

Time: 11:13 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5053 (Public Act No. 174, I.E.), being

An act to amend 1984 PA 431, entitled "An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 261 (MCL 18.1261), as amended by 2017 PA 21.

(Filed with the Secretary of State on October 1, 2020, at 12:12 p.m.)

The following message from the Governor was received October 2, 2020 and read:

EXECUTIVE ORDER

No. 2020-192

Moving Region 8 to Phase 4 of the MI Safe Start Plan

This order moves Region 8 of Michigan, comprising the Upper Peninsula, to Phase 4 of the MI Safe Start Plan. For March, April, and the first part of June, Region 8 had some of Michigan's lowest COVID-19 case rates, percent positivity, and mortality rates. Beginning in mid-June, case rates began to slowly climb and remain at an elevated level through the middle of September, when they began to sharply rise. For the past few weeks, the case rates in many counties in Region 8 have been among the highest in the state. Positivity has also been rising despite increased testing numbers, which indicates significant spread of infection. For example, looking back 7 days to take into account data lag, Houghton County is reporting 612.9 absolute cases per million; Menominee County is reporting 455.0 absolute cases per million; Delta County is reporting 675.0 absolute cases per million; and Mackinac County is reporting 79.2 absolute cases per million. The statewide case rate is 75.9 absolute cases per million.

To address this climb, we must heighten our vigilance and strengthen our efforts to mitigate the virus's spread in this region. Accordingly, I find that it is reasonable and necessary to move Region 8 into Phase 4, where a majority of the state currently stands. This move will take effect on October 9, 2020, to give businesses, schools, and individuals in that region ample time to prepare and adjust, but I urge everyone to make this transition as swiftly as possible. Region 6, which has not displayed a comparable climb at this time, remains in Phase 5.

Acting under the Michigan Constitution of 1963 and Michigan law, I find it reasonable and necessary, for the reasons outlined above, to order the following amendments to Executive Order 2020-183 (Safe Start) and Executive Order 2020-184 (Safeguards to protect Michigan’s workers from COVID-19). While Executive Order 2020-142 (Provision of preK–12 education for the 2020–2021 school year, as amended by Executive Order 2020-185) does not require amendment, the move of Region 8 to Phase 4 impacts the policies and procedures that schools in that region must follow under the terms of that order.

1. **Amendments to Executive Order 2020-183.** Executive Order 2020-183 is amended as follows:
 - (a) Section 1 is amended to provide: “**Remote work.** Except in Region 6, any work capable of being performed remotely (i.e., without the worker leaving his or her home or place of residence) must be performed remotely. Although not required, in Region 6, any work capable of being performed remotely should be performed remotely.”
 - (b) Section 6(b)(1) is amended to provide: “In cases where the gathering or event occurs in a venue with fixed seating, limit attendance to 20% of seating capacity (or 25% of seating capacity in Region 6);”
 - (c) Section 6(b)(2) is amended to provide: “Otherwise, limit attendance to 20 people per 1,000 square feet of venue space, including no more than 20 people per 1,000 square feet in each room (or 25 people per 1,000 square feet in Region 6);”
2. **Amendment to Executive Order 2020-184.** Section 6(c) of Executive Order 2020- 184 is amended to provide: “Except in Region 6, adhere to the following restrictions:”
3. This order is effective October 9, 2020 at 12:01 am.

Given under my hand and the Great Seal of the State of Michigan.

Date: October 2, 2020

Time: 2:55 pm

[SEAL]

GRETCHEN WHITMER
 GOVERNOR
 By the Governor:
 JOCELYN BENSON
 SECRETARY OF STATE

The message was referred to the clerk.

The Clerk declared the House adjourned until Wednesday, October 7, at 1:30 p.m.

GARY L. RANDALL
 Clerk of the House of Representatives

