

No. 89
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OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Tuesday, November 10, 2020.

1:30 p.m.

The House was called to order by the Assistant Clerk.

The roll was called by the Assistant 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 that the following bills had been reproduced and made available electronically on Thursday, November 5:

House Bill Nos. 6316 6317 6318 6319 6320

Senate Bill Nos. 1205 1206 1207 1208 1209 1210 1211 1212 1213 1214

The Clerk announced that the following Senate bills had been received on Thursday, November 5:

Senate Bill Nos. 910 1185

Reports of Standing Committees

The Committee on Oversight, by Rep. Hall, Chair, issued

SUBPOENA

Order to Produce Documents

IN THE NAME OF THE SENATE OVERSIGHT COMMITTEE
AND HOUSE OVERSIGHT COMMITTEE

Pursuant to the authority provided to the Legislature, the Senate Oversight Committee, and the House Oversight Committee by Michigan law, including but not limited to Sections 16 and 17 of Article IV of the

1963 Constitution of the State of Michigan, MCL 4.541, Senate Resolution 117 of 2020, and the rules of the Michigan Senate and Michigan House of Representatives:

To:

Michigan Bureau of Elections
c/o Jonathan Brater, Director of Elections
Richard H. Austin Building
430 W. Allegan St., 1st Floor
Lansing, MI 48933

You are ordered to produce, for the Committee's examination, the documents and communications listed in Appendix A to this Subpoena, under "Document Requests."

Provide the requested documents and communications either in person, by certified mail, or by electronic mail submission no later than **5 p.m. on Monday, November 16, 2020** to:

Chairman Senator Ed McBroom
201 Townsend Street Suite #7200
Lansing, MI 48933

EMcBroom@senate.michigan.gov

Failure to obey the commands of this Subpoena may be punished as contempt of the Legislature, in addition to any other remedy available by law.

Sen. Ed McBroom, Chairman
Senate Oversight Committee

Rep. Matt Hall, Chairman
House Oversight Committee

APPENDIX A

DEFINITIONS AND INSTRUCTIONS

1. The term "communication" shall be interpreted in its broadest sense and means the transmittal of information by any means including oral, written, or electronic.

2. The term "documents" means and includes, without limitation, all written or graphic matter of every kind and description, however produced or reproduced, whether draft or final, original or reproduction, internal or otherwise, whether stored in tangible, electric, mechanical, or electronic form or representation of any kind.

3. "Relating to" or "related to" mean referring to, reflecting, concerning, or pertaining to in any manner, logically, factually, indirectly, or directly to the matter discussed.

4. Documents and communications must be produced in a form that is reasonably usable, such as fully unitized and text-searchable PDFs or native files, and in native format for Excel / spreadsheets and database files

DOCUMENT REQUESTS

A. All documents and communications relating to the mass mailing beginning on or about May 19, 2020, by or at the direction of the Michigan Secretary of State, of absent voter ballot applications.

B. All documents and communications relating to the mailing beginning on or about August 20, 2020 and continuing through September 2020, by or at the direction of the Michigan Secretary of State, of approximately 4.4 million postcards "informing voters of their right to vote from home in the November presidential election and encouraging them to do so by applying online or at their local election clerk's office[.]"

C. All documents and communications relating to the mailing beginning on or about September 9, 2020, by or at the direction of the Michigan Secretary of State, of approximately 700,000 letters to individuals who purportedly had a Michigan driver's license or state ID and were eligible but not registered to vote in Michigan.

Favorable Roll Call

To Adopt:

Yeas: Reps. Hall, Reilly, Webber, Steven Johnson, LaFave and Schroeder

Nays: Cynthia Johnson, Camilleri and LaGrand

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hall, Chair, of the Committee on Oversight, was received and read:

Meeting held on: Saturday, November 7, 2020

Present: Reps. Hall, Reilly, Webber, Steven Johnson, LaFave, Schroeder, Cynthia Johnson, Camilleri and LaGrand

The Committee on Health Policy, by Rep. Vaupel, Chair, referred

House Bill No. 5297, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1176.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak and Garrett

Nays: Reps. Liberati, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Health Policy, by Rep. Vaupel, Chair, referred

House Bill No. 6188, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 165 (MCL 330.1165), as added by 2020 PA 12.

to the Committee on Ways and Means with the recommendation that the substitute (H-1) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Health Policy, by Rep. Vaupel, Chair, referred

House Bill No. 6189, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 151 (MCL 330.1151), as added by 2018 PA 658.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

Nays: None

The bill was referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaupel, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, November 10, 2020

Present: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone and Witwer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Afendoulis, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Tuesday, November 10, 2020

Present: Reps. Afendoulis, Lower, Vaupel, Webber, Farrington, Steven Johnson, Hall, O'Malley, Schroeder, Yancey, Ellison, Lasinski and Whitsett

Absent: Reps. Wittenberg and Cynthia Neeley

Excused: Reps. Wittenberg and Cynthia Neeley

Messages from the Senate

Senate Bill No. 910, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending sections 5 and 6 (MCL 409.105 and 409.106).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Education.

Senate Bill No. 1185, entitled

A bill to provide immunity for health care providers and health care facilities in the event of a pandemic; and to clarify the time frame for the immunity.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Introduction of Bills

Reps. Cherry, Love and Howell introduced

House Bill No. 6321, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2018 PA 68.

The bill was read a first time by its title and referred to the Committee on Natural Resources and Outdoor Recreation.

Rep. Maddock introduced

House Bill No. 6322, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2020 PA 29.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Peterson, Cambensy, Chirkun, Garrett, Cherry, Sneller, Elder, Brixie, Kuppa, Hood, Stone, Sowerby, Anthony, Rabhi, Coleman and Jones introduced

House Bill No. 6323, entitled

A bill to designate the official native grain of this state.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Greig, Koleszar, Warren, Sowerby, Hoadley, Pagan, Rabhi and Bolden introduced

House Bill No. 6324, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10251.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Cole introduced

House Bill No. 6325, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 22203 (MCL 333.22203), as amended by 2002 PA 619.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Albert introduced

House Bill No. 6326, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” (MCL 791.201 to 791.285) by adding section 8b.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Steven Johnson and Hall introduced

House Bill No. 6327, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82103 (MCL 324.82103), as added by 1995 PA 58.

The bill was read a first time by its title and referred to the Committee on Natural Resources and Outdoor Recreation.

Rep. Steven Johnson introduced

House Bill No. 6328, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82118 (MCL 324.82118), as amended by 2010 PA 371.

The bill was read a first time by its title and referred to the Committee on Natural Resources and Outdoor Recreation.

Announcements by the Clerk

November 6, 2020

Received from the Auditor General a copy of the:

- Performance audit report on the Flint Water Service Line Replacement Expenditures, Department of Environment, Great Lakes, and Energy (EGLE) (761-3017-20), November 2020.

Gary L. Randall
Clerk of the House

The Assistant Clerk declared the House adjourned until Thursday, November 12, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives

