## No. 82 STATE OF MICHIGAN

# Journal of the Senate

# 100th Legislature REGULAR SESSION OF 2020

Senate Chamber, Lansing, Wednesday, October 21, 2020.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Aric Nesbitt.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present	Horn—present	Outman—present
Ananich—present	Irwin—present	Polehanki—present
Barrett—present	Johnson—present	Runestad—present
Bayer—present	LaSata—present	Santana—present
Bizon—present	Lauwers—present	Schmidt—present
Brinks—present	Lucido—present	Shirkey—excused
Bullock—present	MacDonald—present	Stamas—present
Bumstead—present	MacGregor—present	Theis—present
Chang—present	McBroom—present	VanderWall—present
Daley—present	McCann—present	Victory—present
Geiss—present	McMorrow—present	Wojno—present
Hertel—present	Moss—present	Zorn—present
Hollier—present	Nesbitt—present	

Senator Paul Wojno of the 9th District offered the following invocation:

Dear Father, we seek Your help with our legislative affairs this morning. We ask for Your hand of blessing on this session day as we work through this global pandemic. Bless our Governor, Lieutenant Governor, and all those who serve as elected officials—continue to keep them safe. Bless our healthcare providers, first responders, educators, and everyone who continues to serve others before themselves. May You provide comfort to those who are sick, who have lost a loved one, or faced persecution during this time because of their race, ethnicity, or orientation. We ask that You would guide and direct this Senate in productivity, respect for one another, and agreement in providing safety and security for the citizens of our state. Amen.

The President pro tempore, Senator Nesbitt, led the members of the Senate in recital of the *Pledge of Allegiance*.

#### **Motions and Communications**

Senator Lauwers moved that Senator Shirkey be excused from today's session. The motion prevailed.

Senator Chang moved that Senators Bullock and Geiss be temporarily excused from today's session. The motion prevailed.

Senator Lauwers moved that rule 3.901 be suspended to allow filming and photographs to be taken from the Senate Gallery.

The motion prevailed, a majority of the members serving voting therefor.

Senator Lauwers moved that the Committee on Finance be discharged from further consideration of the following bill:

#### Senate Bill No. 54, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 266a and 675.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Lauwers moved that the bill be referred to the Committee on Economic and Small Business Development.

The motion prevailed.

Senator Lauwers moved that rule 1.110 be suspended to allow for same-day introduction and referral of bills.

The motion prevailed, a majority of the members serving voting therefor.

Senator Geiss entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

#### Introduction and Referral of Bills

Senator Nesbitt introduced

## Senate Bill No. 1199, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 5 (MCL 30.405), as amended by 2006 PA 545.

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

Senator Barrett introduced

#### Senate Bill No. 1200, entitled

A bill to amend 2013 PA 183, entitled "Student safety act," by amending sections 2, 3, 4, 5, 6, 7, and 8 (MCL 752.912, 752.913, 752.914, 752.915, 752.916, 752.917, and 752.918), section 3 as amended by 2018 PA 670.

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

Senators Hertel, Brinks, McMorrow, Bullock and McCann introduced

## Senate Bill No. 1201, 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 and second time by title and referred to the Committee on Health Policy and Human Services.

Senator McBroom introduced

#### Senate Bill No. 1202, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 163 (MCL 388.1763), as amended by 2020 PA 165.

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

Senator Runestad introduced

#### Senate Bill No. 1203, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 14a.

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

Senator Hollier introduced

#### Senate Bill No. 1204, entitled

A bill to create the space force task force in the department of military and veterans affairs and to prescribe its powers and duties; and to prescribe the powers and duties of certain state governmental officers and entities.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors, and Veterans.

#### House Bill No. 4035, entitled

A bill to prohibit a local unit of government from enacting or enforcing an ordinance, policy, resolution, or rule that regulates a dog based upon the breed or perceived breed of the dog; and to provide for the powers and duties of certain local governmental entities.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

## House Bill No. 5756, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2020 PA 128.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

## House Bill No. 5757, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending sections 4 and 6 (MCL 28.304 and 28.306), as amended by 2020 PA 129.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

## House Bill No. 5981, entitled

A bill to create the office of the state employee ombudsman; to provide a process for investigating and evaluating reports of suspected violations of law, conduct or decisions that may endanger public health or safety, and gross mismanagement of public funds; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and certain other state agencies and officials; and to prescribe penalties and provide remedies.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

#### House Bill No. 6100, entitled

A bill to amend 2016 PA 235, entitled "Public threat alert system act," by amending sections 2 and 3 (MCL 28.672 and 28.673).

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

#### House Bill No. 6137, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5145a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

#### House Bill No. 6294, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2502, 3206, 5501, and 5506 (MCL 700.2502, 700.3206, 700.5501, and 700.5506), section 3206 as amended by 2016 PA 57, section 5501 as amended by 2012 PA 141, and section 5506 as amended by 2008 PA 41, and by adding sections 1202 and 5108a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

#### House Bill No. 6295, entitled

A bill to amend 2000 PA 305, entitled "Uniform electronic transactions act," by amending sections 3 and 18 (MCL 450.833 and 450.848), and by adding section 18a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

#### House Bill No. 6296, entitled

A bill to amend 2010 PA 123, entitled "Uniform real property electronic recording act," by amending sections 3 and 4 (MCL 565.843 and 565.844), section 4 as amended by 2018 PA 364, and by adding section 5a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

#### House Bill No. 6297, entitled

A bill to amend 2003 PA 238, entitled "Michigan law on notarial acts," by amending sections 3, 9, 26, and 26b (MCL 55.263, 55.269, 55.286, and 55.286b), sections 3 and 26b as amended by 2018 PA 360, section 26 as added by 2018 PA 360, and by adding sections 26c and 26d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Lauwers moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate returned to the order of

#### Messages from the Governor

The following messages from the Governor were received:

Date: October 15, 2020 Time: 9:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1066 (Public Act No. 199), being

An act to amend 1984 PA 270, entitled "An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts," by amending section 29d (MCL 125.2029d), as amended by 2011 PA 291.

(Filed with the Secretary of State on October 15, 2020, at 12:10 p.m.)

Date: October 15, 2020 Time: 9:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 1067 (Public Act No. 200), being

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 303a (MCL 436.1303a), as added by 2018 PA 155.

(Filed with the Secretary of State on October 15, 2020, at 12:12 p.m.)

Date: October 15, 2020 Time: 9:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 1068 (Public Act No. 201), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 11550 and 16908 (MCL 324.11550 and 324.16908), section 11550 as amended by 2018 PA 640 and section 16908 as amended by 2014 PA 543

(Filed with the Secretary of State on October 15, 2020, at 12:14 p.m.)

Date: October 15, 2020 Time: 9:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 1069 (Public Act No. 202), being

An act to amend 1994 PA 295, entitled "An act to require persons convicted of certain offenses to register; to prohibit certain individuals from engaging in certain activities within a student safety zone; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions," by amending section 5b (MCL 28.725b), as amended by 2011 PA 17.

(Filed with the Secretary of State on October 15, 2020, at 12:16 p.m.)

Date: October 15, 2020 Time: 9:48 a.m.

To the President of the Senate:

Sir-I have this day approved and signed

#### Enrolled Senate Bill No. 1070 (Public Act No. 203), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments: to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 819 (MCL 257.819), as amended by 2016 PA 280.

(Filed with the Secretary of State on October 15, 2020, at 12:18 p.m.)

Date: October 15, 2020 Time: 9:50 a.m.

To the President of the Senate:

Sir-I have this day approved and signed

#### Enrolled Senate Bill No. 1071 (Public Act No. 204), being

An act to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic

development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2018 PA 473.

(Filed with the Secretary of State on October 15, 2020, at 12:20 p.m.)

Date: October 15, 2020 Time: 10:08 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 132 (Public Act No. 213), being

An act to amend 2001 PA 142, entitled "An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions," by amending sections 12 and 48 (MCL 250.1012 and 250.1048), and by adding section 1085.

(Filed with the Secretary of State on October 15, 2020, at 12:38 p.m.)

Date: October 15, 2020 Time: 10:10 a.m.

To the President of the Senate:

Sir-I have this day approved and signed

#### Enrolled Senate Bill No. 435 (Public Act No. 214), being

An act to amend 2001 PA 142, entitled "An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions," (MCL 250.1001 to 250.2081) by adding section 1075a.

(Filed with the Secretary of State on October 15, 2020, at 12:40 p.m.)

Date: October 15, 2020 Time: 10:12 a.m.

To the President of the Senate:

Sir-I have this day approved and signed

## Enrolled Senate Bill No. 321 (Public Act No. 215), being

An act to amend 2004 PA 177, entitled "An act to create the Michigan law enforcement officers memorial monument fund; to establish a commission to govern the monument fund; to prescribe the purpose of the monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission and monument fund," by amending section 5 (MCL 28.785), as amended by 2013 PA 242.

(Filed with the Secretary of State on October 15, 2020, at 12:42 p.m.)

Date: October 15, 2020 Time: 10:14 a.m.

To the President of the Senate:

Sir-I have this day approved and signed

## Enrolled Senate Bill No. 432 (Public Act No. 216), being

An act to amend 1984 PA 270, entitled "An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts," by amending section 74 (MCL 125.2074), as amended by 2006 PA 616.

(Filed with the Secretary of State on October 15, 2020, at 12:44 p.m.)

Date: October 15, 2020 Time: 10:16 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 493 (Public Act No. 217), being

An act to amend 2005 PA 210, entitled "An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties," by amending section 16 (MCL 207.856), as amended by 2015 PA 218.

(Filed with the Secretary of State on October 15, 2020, at 12:46 p.m.)

Date: October 15, 2020 Time: 10:18 a.m.

To the President of the Senate:

Sir-I have this day approved and signed

## Enrolled Senate Bill No. 494 (Public Act No. 218), being

An act to amend 1978 PA 255, entitled "An act to provide for the establishment of commercial redevelopment districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide remedies and penalties," by amending section 18 (MCL 207.668), as amended by 2008 PA 227.

(Filed with the Secretary of State on October 15, 2020, at 12:48 p.m.)

Date: October 16, 2020 Time: 8:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 665 (Public Act No. 219), being

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state inquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 411 (MCL 436.1411), as amended by 2018 PA 403.

(Filed with the Secretary of State on October 16, 2020, at 5:14 p.m.)

Date: October 16, 2020 Time: 8:02 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

#### Enrolled Senate Bill No. 852 (Public Act No. 220), being

An act to create an industrial hemp program; to authorize certain activities involving industrial hemp to require the registration of persons engaged in certain activities; to provide for the sampling and testing of industrial hemp; to provide for the collection of fees; to create certain funds; to provide for the powers and duties of certain state departments and officers and state agencies and officials; to prohibit certain acts; to prescribe civil sanctions; and to repeal acts and parts of acts.

(Filed with the Secretary of State on October 16, 2020, at 5:16 p.m.)

Date: October 16, 2020 Time: 8:04 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 1080 (Public Act No. 221), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 30705 (MCL 324.30705), as amended by 2002 PA 215.

(Filed with the Secretary of State on October 16, 2020, at 5:18 p.m.)

Date: October 16, 2020 Time: 8:06 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 1103 (Public Act No. 222), being

An act to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2018 PA 471.

(Filed with the Secretary of State on October 16, 2020, at 5:20 p.m.)

Date: October 16, 2020 Time: 2:46 p.m.

To the President of the Senate:

Sir-I have this day approved and signed

## Enrolled Senate Bill No. 1108 (Public Act No. 228), being

An act to amend 1976 PA 267, entitled "An act to require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts," by amending section 3 (MCL 15.263), as amended by 2018 PA 485, and by adding section 3a.

(Filed with the Secretary of State on October 16, 2020, at 5:32 p.m.)

Date: October 20, 2020 Time: 4:48 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 886 (Public Act No. 229), being

An act to amend 1936 (Ex Sess) PA 1, entitled "An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 17, 27, 28, 28c, 28d, 29, 32, 48, and 64 (MCL 421.17, 421.27, 421.28, 421.28c, 421.28d, 421.29, 421.32, 421.48, and 421.64), sections 17, 48, and 64 as amended by 2011 PA 269, sections 27 and 32 as amended by 2016 PA 522, section 28 as amended by 2020 PA 83, section 28c as amended by 2012 PA 579, section 28d as added by 2012 PA 216, and section 29 as amended by 2013 PA 146, and by adding sections 32c and 32d.

(Filed with the Secretary of State on October 20, 2020, at 5:10 p.m.)

Date: October 20, 2020 Time: 4:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

## Enrolled Senate Bill No. 911 (Public Act No. 230), being

An act to amend 1943 PA 240, entitled "An act to provide for a state employees' retirement system; to create a state employees' retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; to prescribe and make appropriations for the retirement system; and to prescribe penalties and provide remedies," by amending section 68c (MCL 38.68c), as amended by 2020 PA 18

(Filed with the Secretary of State on October 20, 2020, at 5:12 p.m.)

Respectfully, Gretchen Whitmer Governor

The following messages from the Governor were received and read:

October 16, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 407 of 2016, MCL 339.5303, 339.5305, and 339.5905:

#### **Board of Boiler Rules**

Mr. Michael D. Horton of 6356 Grand Blanc Road, Swartz Creek, Michigan 48473, county of Genesee, reappointed to represent antique steam boiler owners and operators, for a term commencing October 16, 2020 and expiring July 30, 2024.

Mr. James D. Isom of 10815 Westlake Street, Taylor, Michigan 48180, county of Wayne, succeeding Jim Arini whose term has expired, appointed to represent organized labor in the state and engaged in the design, erection, fabrication, installation, operation, repair, or inspection of boilers, for a term commencing October 16, 2020 and expiring July 30, 2024.

Mr. Garrett B. Jackson of 8656 Suntree Drive, Zeeland, Michigan 49464, county of Ottawa, reappointed to represent owners and users of power boilers that operate at 1,000 p.s.i.g. or more, for a term commencing October 16, 2020 and expiring July 30, 2024.

October 16, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 207 of 1941, MCL 29.3b:

#### **State Fire Safety Board**

Mr. David A. Williams of 1422 Lindy Drive, Lansing, Michigan 48917, county of Eaton, succeeding Michael W. Powers whose term has expired, appointed to represent a licensed electrical contractor or master electrician, for a term commencing October 16, 2020 and expiring July 15, 2024.

October 16, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 350 of 1980, MCL 550.1652:

#### Michigan Health Endowment Fund Board

Ms. Kathryn C. Boles of P.O. Box 197, Grand Blanc, Michigan 48480, county of Genesee, succeeding Lynn Alexander whose term has expired, appointed to represent the interests of senior citizens, for a term commencing October 16, 2020 and expiring October 1, 2024.

Mr. Henry A. Veenstra of 16 Princeton Court, Zeeland, Michigan 49464, county of Ottawa, reappointed to represent a member from a list of 3 or more individuals recommended by the Senate Majority Leader, for a term commencing October 16, 2020 and expiring October 1, 2024.

Mr. Michael E. Williams of 8194 St. Johns Drive, Westland, Michigan 48185, county of Wayne, reappointed to represent the interests of minor children, for a term commencing October 16, 2020 and expiring October 1, 2024.

October 16, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 345 of 1990, MCL 54.263

## **State Survey and Remonumentation Commission**

Ms. Victoria A. Brown of P.O. Box 701, Leland, Michigan 49654, county of Leelanau, succeeding Marvin Myers whose term expires October 20, 2020, appointed to represent surveyors from the Northern Lower Peninsula, for a term commencing October 21, 2020 and expiring October 20, 2024.

Ms. Amy L. Miller-Vandawaker of 5243 General Squier Road, Dryden, Michigan 48428, county of Lapeer, succeeding John Quine whose term expires October 20, 2020, appointed to represent surveyors from the Lower Peninsula, for a term commencing October 21, 2020 and expiring October 20, 2024.

October 16, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 106 of 1945, MCL 2.102:

#### **Michigan Travel Commission**

Mr. Patrick Brys of 15437 Dunn Drive, Traverse City, Michigan 49686, county of Grand Traverse, succeeding Jennifer Zieger whose term has expired, appointed for a term commencing October 16, 2020 and expiring August 20, 2024.

Ms. Susan L. Estler of 342 W. Bluff Street, Marquette, Michigan 49855, county of Marquette, succeeding Julie Sprenger whose term has expired, appointed for a term commencing October 16, 2020 and expiring August 20, 2024.

Mrs. Julie Rogers of 1203 Belmar Place, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Jerome Toney whose term has expired, appointed for a term commencing October 16, 2020 and expiring August 20, 2024.

October 19, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Article V § 3 of the Michigan Constitution of 1963:

## Director of the Department of Technology, Management and Budget

Mr. Thomas A. Stibitz of 4114 Wharf Drive, Okemos, Michigan 48864, county of Ingham, succeeding Tricia L. Foster, appointed for a term commencing October 19, 2020 and expiring at the pleasure of the Governor.

Respectfully, Gretchen Whitmer Governor

The appointments were referred to the Committee on Advice and Consent.

The following message from the Governor was received and read:

#### OCCUPATIONS; VECHICLES, DEALERS AND REPAIR FACILITIES; TRADE

October 16, 2020

Today I am returning Enrolled Senate Bill 659 to you without my approval.

This bill would supplement the Department of State's no-cost used automobile dealership prelicensure training program with a regulated system of third-party trainings. As written, the bill would put additional administrative burdens on the department while prohibiting it from collecting any fees to pay for the new mandates. Furthermore, the bill provides excessively brief deadlines for application review, undermining the department's ability to monitor the quality and efficacy of the proposed program.

For the foregoing reasons, I am vetoing this bill. However, I would be willing to work with the Legislature to design a workable structure that allows third-parties to conduct used automobile dealership prelicensure trainings.

Respectfully, Gretchen Whitmer Governor

The bill was returned from the Governor on October 16, 2020, at  $5:50\ p.m.$ 

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

Senator Lauwers moved that consideration of the bill be postponed for today.

The motion prevailed.

The following message from the Governor was received and read:

#### ELECTIONS; OFFENSES; ELECTIONS: ABSENT VOTERS

October 16, 2020

Today I am returning to you Enrolled Senate Bill 977 and Enrolled House Bill 5881 without my approval. The integrity of our elections is critical to the democratic process. While we strive to make it easy and accessible for every eligible voter to cast a ballot, we have no tolerance for fraudulent conduct that undermines public confidence. And our laws reflect that: voter fraud of all types is criminal in Michigan.

Under Michigan law, it is a felony to impersonate another person at an election or to attempt to vote under the name of another person. MCL 168.932a(a). It is also a felony to attempt to vote more than once. MCL 168.932a(e). Moreover, a voter cannot obtain a second absentee ballot without spoiling the first. MCL 168.765b. The law is crystal clear.

These bills, however, would muddy the waters, and would likely confuse voters about what conduct is actually criminal. Under SB 977, it would be a felony to submit absent voter applications with the intent to obtain multiple ballots. As discussed above, it is impossible to obtain a second absentee ballot under the same name, and it is already a felony to attempt to vote more than once in the same election. Still, voters may submit multiple applications for any number of reasons, including harmless error and fault of memory. Any suggestion that the filing of a second absentee ballot application is criminal behavior creates needless confusion and fearmongering around the absentee voting process. It is bad for voters and bad for our elections.

Our election systems are safe and secure, and all voters have the right to vote without fear of intimidation or violence. In this election, just like every election in the history of this country, the people will decide the outcome. Attorney General Dana Nessel will not let anyone interfere with the right to vote or the integrity of our election, and will use every tool available to ensure a free and fair election. As we come closer to the November election, remember that anyone who encourages voter intimidation is playing politics with something that should be above partisanship: free and fair elections. I am hopeful that each member of the Michigan Legislature shares these values and will discourage all forms of voter intimidation.

I appreciate the cooperative spirit with which the Legislature has worked to make recent improvements in Michigan election law. As the November 2020 election rapidly approaches, it is critical that voters know the rules. Attempting to vote multiple absentee ballots is unlawful, but submitting multiple applications for an absentee ballot is not. Because these bills would create confusion on the eve of an election, I am vetoing them.

I would also like to take this opportunity to call on the Michigan Senate to send SB 117 to my desk. This bill would allow service members and their spouses to return their ballots to their local clerks electronically if they are unable to do so in person, and passed the Legislature with broad bipartisan support more than three weeks ago. Yet I was disappointed to learn that the enrollment for the bill was vacated on October 13. Elections are not the time to play partisan games. Our brave service members and their families put their lives on the line for us, and they deserve leaders who will help them vote. Let's all work together to make SB 117 law.

Respectfully, Gretchen Whitmer Governor

The bill was returned from the Governor on October 16, 2020, at 5:50 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

Senator Lauwers moved that consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

#### **General Orders**

Senator Lauwers moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Nesbitt, designated Senator Bayer as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

## House Bill No. 6293, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16113; and to repeal acts and parts of acts.

## House Bill No. 5756, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2020 PA 128.

## House Bill No. 5757, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending sections 4 and 6 (MCL 28.304 and 28.306), as amended by 2020 PA 129.

#### House Bill No. 6294, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2502, 3206, 5501, and 5506 (MCL 700.2502, 700.3206, 700.5501, and 700.5506), section 3206 as amended by 2016 PA 57, section 5501 as amended by 2012 PA 141, and section 5506 as amended by 2008 PA 41, and by adding sections 1202 and 5108a.

#### House Bill No. 6295, entitled

A bill to amend 2000 PA 305, entitled "Uniform electronic transactions act," by amending sections 3 and 18 (MCL 450.833 and 450.848), and by adding section 18a.

#### House Bill No. 6296, entitled

A bill to amend 2010 PA 123, entitled "Uniform real property electronic recording act," by amending sections 3 and 4 (MCL 565.843 and 565.844), section 4 as amended by 2018 PA 364, and by adding section 5a.

#### House Bill No. 6297, entitled

A bill to amend 2003 PA 238, entitled "Michigan law on notarial acts," by amending sections 3, 9, 26, and 26b (MCL 55.263, 55.269, 55.286, and 55.286b), sections 3 and 26b as amended by 2018 PA 360, section 26 as added by 2018 PA 360, and by adding sections 26c and 26d.

#### House Bill No. 6137, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5145a.

The bills were placed on the order of Third Reading of Bills.

Senator Bullock entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Lauwers moved that the rules be suspended and that the following bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 6293 House Bill No. 5756 House Bill No. 5757 House Bill No. 6294 House Bill No. 6296 House Bill No. 6296 House Bill No. 6297 House Bill No. 6137

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

## Third Reading of Bills

Senator Lauwers moved that the Senate proceed to consideration of the following bill:

## House Bill No. 6293

The motion prevailed.

The following bill was read a third time:

## House Bill No. 6293, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16113; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

## Roll Call No. 410 Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Navs-0

Excused—1

Shirkey

Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"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,".

The Senate agreed to the full title.

The following bill was read a third time:

#### House Bill No. 5756, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2020 PA 128.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

## Roll Call No. 411

## Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

#### Navs—0

#### Excused—1

Shirkey

## Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The following bill was read a third time:

## House Bill No. 5757, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending sections 4 and 6 (MCL 28.304 and 28.306), as amended by 2020 PA 129.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

## Roll Call No. 412 Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays—0

Excused—1

Shirkey

Not Voting—0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

<sup>&</sup>quot;An act to authorize the secretary of state to issue enhanced driver licenses and state personal identification cards to United States citizens who reside in Michigan to facilitate travel between the United States and Canada; to establish certain funds and prescribe duties for certain officials; and to prohibit certain conduct and prescribe penalties,".

The Senate agreed to the full title.

The following bill was read a third time:

#### House Bill No. 6294, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2502, 3206, 5501, and 5506 (MCL 700.2502, 700.3206, 700.5501, and 700.5506), section 3206 as amended by 2016 PA 57, section 5501 as amended by 2012 PA 141, and section 5506 as amended by 2008 PA 41, and by adding sections 1202 and 5108a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No.	413	Yeas—	-37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays—0

Excused—1

Shirkey

Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts."

The Senate agreed to the full title.

The following bill was read a third time:

## House Bill No. 6295, entitled

A bill to amend 2000 PA 305, entitled "Uniform electronic transactions act," by amending sections 3 and 18 (MCL 450.833 and 450.848), and by adding section 18a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

#### Roll Call No. 414 Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt

Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays-0

Excused—1

Shirkey

Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

The Senate agreed to the full title.

The following bill was read a third time:

## House Bill No. 6296, entitled

A bill to amend 2010 PA 123, entitled "Uniform real property electronic recording act," by amending sections 3 and 4 (MCL 565.843 and 565.844), section 4 as amended by 2018 PA 364, and by adding section 5a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

#### Roll Call No. 415 Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays-0

Excused—1

Shirkey

<sup>&</sup>quot;An act to authorize and provide the terms and conditions under which information and signatures can be transmitted, received, and stored by electronic means,".

## Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create the uniform real property electronic recording act; and to create an electronic recording commission and provide for its powers and duties,".

The Senate agreed to the full title.

The following bill was read a third time:

## House Bill No. 6297, entitled

A bill to amend 2003 PA 238, entitled "Michigan law on notarial acts," by amending sections 3, 9, 26, and 26b (MCL 55.263, 55.269, 55.286, and 55.286b), sections 3 and 26b as amended by 2018 PA 360, section 26 as added by 2018 PA 360, and by adding sections 26c and 26d.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call	No. 416	Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays-0

Excused—1

Shirkey

Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create funds; to provide for liability for certain persons; to provide for the admissibility of evidence; to establish

the recognition to be given in this state to acknowledgments and other notarial acts performed outside of this state; to prescribe powers and duties of state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

#### House Bill No. 6137, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5145a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 417	Yeas-	-37

Alexander Ananich	Geiss Hertel	MacDonald	Runestad
		MacGregor	Santana
Barrett	Hollier	McBroom	Schmidt
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays—0

Excused—1

Shirkey

Not Voting-0

In The Chair: President

Senator Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"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,".

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

## Messages from the House

#### Senate Bill No. 748, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3) and ordered that it be given immediate effect.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

#### Resolutions

#### House Concurrent Resolution No. 31.

A concurrent resolution to grant the Joint Select Committee on the COVID-19 Pandemic the power to subpoena witnesses and administer oaths.

Whereas, Section 1 of 1931 PA 118, MCL 4.101, provides:

Committees and commissions of or appointed by the legislature may by resolution of the legislature be authorized to administer oaths, subpoena witnesses and/or to examine the books and records of any persons, partnerships or corporations involved in a matter properly before any of such committees or commissions. Any witness who neglects or refuses to obey a subpoena of any of such committees or commissions, or who refuses to be sworn or testify, or who fails on demand to produce any papers, books or documents touching any matter under investigation, or any witness or attorney who is guilty of any contempt while in attendance at any hearing before any of such committees or commissions, may be punished as for contempt of the legislature.

; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to MCL 4.101, we hereby grant the Joint Select Committee on the COVID-19 Pandemic created by House Concurrent Resolution No. 20 of 2020 the power to issue subpoenas and administer oaths to elected officers, appointees, and employees of state departments, boards, institutions, agencies, or other bodies in the executive branch of state government.

The House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

## Statements

Senator Daley asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Daley's statement is as follows:

Colleagues, I know the times we disagree get more headlines than the times we work together, but those of us in this chamber know that we work together far more often than we butt heads. Last month we worked together on a seemingly simple bill that I happened to sponsor. With a record number of absentee ballots expected to be cast this year, an overwhelming majority of this chamber—Republicans and Democrats—voted to strengthen penalties for absentee ballot fraud. This was a relatively simple measure to deter anyone even thinking of meddling with our free and fair elections, and yet Governor Whitmer struck this down.

This has become an unfortunate pattern from our Governor. Bipartisan nursing home legislation—vetoed. Bipartisan whistleblower legislation—vetoed. And now a bipartisan bill to deter election fraud just before one of the most contentious elections of our lifetimes—vetoed. Ask yourself what kind of message does this send to the potential bad actors.

Mr. President, I've gotten the idea our Governor might not put much stock in what this side of the aisle has to say, but time after time after time, she has struck down bills that Senators from her own party also believe should be law. It's past time they spoke up and spoke out against her for the nursing home residents gone too soon, for the whistleblowers risking their careers, and for our elections process.

## **Announcements of Printing and Enrollment**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, October 16 for her approval the following bills:

Enrolled Senate Bill No. 1108 at 1:28 p.m. Enrolled Senate Bill No. 1094 at 1:30 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, October 20 for her approval the following bills:

Enrolled Senate Bill No. 886 at 4:11 p.m. Enrolled Senate Bill No. 911 at 4:13 p.m.

#### **Committee Reports**

#### COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on the COVID-19 Pandemic (HCR 20) submitted the following: Meeting held on Monday, October 19, 2020, at 10:00 a.m., Room 352, House Office Building Present: Senators Nesbitt, LaSata, Hertel and Hollier

Excused: Senator Schmidt

#### COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Joint meeting held on Tuesday, October 20, 2020, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), McBroom, Lucido, VanderWall and Wojno

#### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Joint meeting held on Tuesday, October 20, 2020, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:48 a.m.

In pursuance of the order previously made, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, November 4, 2020, at 10:00 a.m.

MARGARET O'BRIEN Secretary of the Senate