

No. 69
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Tuesday, September 15, 2020.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

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

Alexander—present
Ananich—present
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—present
Bumstead—present
Chang—present
Daley—present
Geiss—excused
Hertel—present
Hollier—present

Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
Lucido—present
MacDonald—present
MacGregor—present
McBroom—present
McCann—present
McMorrow—present
Moss—present
Nesbitt—present

Outman—present
Polehanki—present
Runestad—present
Santana—excused
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Senator Rick Outman of the 33rd District offered the following invocation:

Father, thank You for this day—for the privilege of gathering here as one body to help craft meaningful legislation to make Michigan a better place to live and raise our families. Father, it wasn't too many years ago that we as a nation watched in horror as two planes crashed into the Twin Towers, a third plane crashed into the Pentagon, and a fourth plane crashed into a field in Pennsylvania. We as a nation were united in our horror and perhaps also in our collective fear. But on the morning of September 12, we were also united in our resolve to come together as a nation and deal with this evil that was perpetrated on our shores. We were no longer divided along racial lines, nor socioeconomic lines, nor religious lines, nor any other lines. We were united as one people.

Since that time, we have fallen away from that sense of unity. There are those who would perpetrate another type of evil upon this nation—that of division. Abraham Lincoln quoted the words of Your son, Jesus Christ, when he said, "A house divided against itself cannot stand." We seem to be headed towards that end. Father, we would beseech you to bring our remembrance of that day—September 12—and the unity we had lest we certainly fall.

I pray this in Your son's name. Amen.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator MacGregor moved that Senator Nesbitt be temporarily excused from today's session. The motion prevailed.

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

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

Senators Nesbitt and Hertel entered the Senate Chamber.

Senator MacGregor 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 MacGregor moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1080

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

Senator MacGregor moved that the Committee on Appropriations be discharged from further consideration of the following bill:

House Bill No. 5396, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator MacGregor moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

House Bill No. 5396

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

The following communication was received:
Office of Senator Curtis Hertel Jr.

August 27, 2020

I am writing to request my addition in co-sponsorship of Senate Bill 964, sponsored by Senator Wojno. Please feel free to contact me if you need any further information.

Sincerely,
Curtis Hertel Jr.
State Senator
District 23

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Betty Jean Alexander

September 14, 2020

Please add my name, State Senator Betty Jean Alexander, as a cosponsor for: SB 826

Respectfully Requested,
Betty Jean Alexander
Michigan State Senator
5th Senate District- Redford, Inkster,
Garden City, Dearborn Heights, and Detroit

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Dale W. Zorn

September 15, 2020

I write to you today to respectfully request that you add my name as a co-sponsor to Senate Bill 1080, sponsored by Sen. Rick Outman.

Please let me know if you have any questions. Thank you for your assistance in this important matter.

Respectfully,
Dale W. Zorn
State Senator – District 17

The communication was referred to the Secretary for record.

Messages from the Governor

The following message from the Governor was received on September 14, 2020, and read:

EXECUTIVE ORDER
No. 2020-181

Amendment to the Safe Start order

In order to limit the spread of COVID-19 in indoor spaces, this order clarifies that indoor social gatherings and organized events among persons not part of the same household remain limited to 10 people or fewer statewide.

Acting under the Michigan Constitution of 1963 and Michigan law, I find it reasonable and necessary, for the reasons outlined above, to order:

1. Subsection (d) is added to Section 8 of the Safe Start order (Executive Order 2020-176), providing: “In Regions 6 and 8, an indoor social gathering or indoor organized event among persons not part of the same

household is permitted provided that the gathering or event does not exceed 10 people and complies with the social distancing requirement of subsection 6(a)(1) of this order.”

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

Date: September 11, 2020

Time: 5:45 p.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

11:09 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

During the recess, Senator Hollier entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator MacGregor 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, Lieutenant Governor Gilchrist, designated Senator Runestad as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5396, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator MacGregor moved that the rules be suspended and that the following bill, now on Third Reading of Bills, be placed on its immediate passage:

House Bill No. 5396

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 MacGregor moved that the Senate proceed to consideration of the following bills:

House Bill No. 5148

House Bill No. 5149

House Bill No. 5248

House Bill No. 5249

House Bill No. 5396

Senate Bill No. 757

The motion prevailed.

The following bill was read a third time:

House Bill No. 5148, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 55 of chapter X (MCL 710.55), as amended by 2016 PA 481.

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. 292

Yeas—36

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

Nays—0

Excused—2

Geiss	Santana
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Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 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 revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5149, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 136c (MCL 750.136c), as amended by 2016 PA 482.

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. 293

Yeas—36

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

Nays—0

Excused—2

Geiss	Santana
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Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 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 revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5248, entitled

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending section 9 (MCL 722.929), as amended by 2013 PA 38.

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. 294

Yeas—36

Alexander	Daley	MacDonald	Runestad
Ananich	Hertel	MacGregor	Schmidt

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

Nays—0

Excused—2

Geiss	Santana
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Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 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 establish the children’s ombudsman office; and to prescribe the powers and duties of the children’s ombudsman, certain state departments and officers, and certain county and private agencies serving children; and to provide remedies from certain administrative acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5249, entitled

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending sections 2 and 6 (MCL 722.922 and 722.926), as amended by 2014 PA 455.

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. 295

Yeas—36

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

Nays—0

Excused—2

Geiss	Santana
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Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 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 establish the children’s ombudsman office; and to prescribe the powers and duties of the children’s ombudsman, certain state departments and officers, and certain county and private agencies serving children; and to provide remedies from certain administrative acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5396, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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. 296**Yeas—22**

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

Nays—14

Alexander	Bullock	Irwin	Moss
Ananich	Chang	McCann	Polehanki
Bayer	Hertel	McMorrow	Wojno
Brinks	Hollier		

Excused—2

Geiss	Santana
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 757, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 765, 765a, and 765b (MCL 168.765, 168.765a, and 168.765b), section 765 as amended by 2018 PA 603, section 765a as added by 2018 PA 123, and section 765b as added by 2018 PA 127, and by adding sections 14b and 24k.

The question being on the passage of the bill,

Senator Wojno offered the following substitute:

Substitute (S-5).

The question being on the adoption of the substitute,

Senator Wojno withdrew the substitute.

Senator Johnson offered the following substitute:

Substitute (S-6).

The substitute was adopted, a majority of the members serving voting therefor.

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. 297

Yeas—34

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

Nays—2

Barrett	Theis
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Excused—2

Geiss	Santana
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Moss moved that he be named co-sponsor of the bill.

The motion prevailed.

By unanimous consent the Senate returned to the order of

General Orders

Senator MacGregor 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, Lieutenant Governor Gilchrist, designated Senator Runestad as Chairperson.

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

House Bill No. 6116, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78n (MCL 211.78n), as amended by 2006 PA 626.

House Bill No. 6117, entitled

A bill to amend 1978 PA 368, entitled "Public health code," 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.

House Bill No. 6118, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 624g (MCL 168.624g), as amended by 1990 PA 7.

House Bill No. 6120, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 604 (MCL 333.27604).

House Bill No. 6121, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2018 PA 577.

House Bill No. 6122, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151d (MCL 600.151d), as amended by 2011 PA 234.

House Bill No. 5444, entitled

A bill to create the kinship caregiver navigator program; to provide for resources and services for kinship caregivers; to make appropriations for the kinship caregiver navigator program; and to prescribe the powers and duties for certain state departments and agencies.

House Bill No. 4831, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2017 PA 21.

House Bill No. 5492, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 385.

House Bill No. 5495, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261f.

Senate Bill No. 1080, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30705 (MCL 324.30705), as amended by 2002 PA 215.

Senate Bill No. 1103, entitled

A bill 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.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5443, entitled

A bill to create the kinship caregiver advisory council; to prescribe the membership of the council; to prescribe the powers and duties of the kinship caregiver advisory council; to prescribe the powers and duties of certain state departments and agencies; to allow for appropriations to carry out the provisions of this act; and to promulgate rules to carry out the purposes of this act.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 855, entitled

A bill to ensure access to quality complex rehabilitation technology in the Medicaid program for people with complex medical needs; and to prescribe the powers and duties of certain state departments.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5053, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2017 PA 21.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5493, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 490.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5494, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261e.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator MacGregor introduced

Senate Bill No. 1107, entitled

A bill to create the foster care task force; to provide for the powers and duties of the foster care task force; and to provide for the powers and duties of certain state departments and agencies.

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

Senators Theis, Hollier, LaSata, MacDonald, Lucido, Victory, Daley, Zorn, Wojno, McMorrow, Moss and Schmidt introduced

Senate Bill No. 1108, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 2018 PA 485, and by adding section 3a.

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

Senators Brinks, Barrett, Chang, Moss, Wojno and Hollier introduced

Senate Bill No. 1109, entitled

A bill to amend 2016 PA 560, entitled "Michigan veterans' facility authority act," (MCL 36.101 to 36.112) by adding section 6b.

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

Senators Barrett, Brinks, Chang, Moss, Wojno and Hollier introduced

Senate Bill No. 1110, entitled

A bill to amend 2016 PA 560, entitled "Michigan veterans' facility authority act," by amending the title and sections 2, 3, 5, and 6 (MCL 36.102, 36.103, 36.105, and 36.106), sections 3, 5, and 6 as amended by 2018 PA 630, and by adding sections 6a and 6c; and to repeal acts and parts of acts.

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

Senators Johnson, Santana, Runestad, Nesbitt, Barrett, Wojno, LaSata, Alexander, VanderWall and Hollier introduced

Senate Bill No. 1111, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307, 314, and 811 (MCL 257.307, 257.314, and 257.811), section 307 as amended by 2018 PA 604, section 314 as amended by 2020 PA 127, and section 811 as amended by 2006 PA 589.

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

Senators Alexander, Santana, Nesbitt, Barrett, Wojno, LaSata, VanderWall and Hollier introduced

Senate Bill No. 1112, 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 bill was read a first and second time by title and referred to the Committee on Transportation and Infrastructure.

Senator Polehanki introduced

Senate Bill No. 1113, entitled

A bill to require long-term care facilities to follow certain testing and procedural requirements in response to COVID-19; to require the reporting of certain data; to prescribe civil sanctions; to provide for the powers and duties of certain state officers and entities; to require the promulgation of rules; and to repeal acts and parts of acts.

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

Senators Alexander, Santana, Brinks, Wojno, Chang, Geiss, McCann, Bullock, McMorrow, Polehanki, Bayer, Moss, Irwin, Ananich, Johnson and Hollier introduced

Senate Bill No. 1114, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11d of chapter XVII (MCL 777.11d), as amended by 2018 PA 661.

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

Senators Alexander, Hollier, Geiss, Wojno, McMorrow, Bullock, McCann, Ananich, Moss, Polehanki, Brinks, Bayer, Irwin, Santana, Chang and Johnson introduced

Senate Bill No. 1115, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 932g.

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

Senator Geiss introduced

Senate Bill No. 1116, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406v.

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

Senator Geiss introduced

Senate Bill No. 1117, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406w.

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

House Bill No. 4483, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1164c.

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 Education and Career Readiness.

House Bill No. 4488, entitled

A bill to amend 1974 PA 381, entitled “An act to encourage and contribute to the rehabilitation of former offenders and to assist them in the assumption of the responsibilities of citizenship; to prescribe the use of the term “good moral character” or similar term as a requirement for an occupational or professional license or when used as a requirement to establish or operate an organization or facility regulated by this state; and to provide administrative and judicial procedures to contest licensing board or agency rulings thereon;” by amending the title and sections 1, 2, 3, 4, 5, 6, and 7 (MCL 338.41, 338.42, 338.43, 338.44, 338.45, 338.46, and 338.47), section 2 as amended by 2014 PA 361.

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. 4489, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 934 (MCL 600.934), as amended by 2004 PA 558.

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. 4490, entitled

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending section 105 (MCL 339.5105).

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. 4491, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16104 and 21755 (MCL 333.16104 and 333.21755), section 16104 as amended by 2011 PA 210.

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. 4492, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 104 (MCL 339.104), as amended by 2016 PA 412.

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. 4493, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 411 (MCL 339.411), as amended by 2014 PA 265.

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. 5085, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 18817.

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 Agriculture.

House Bill No. 5611, entitled

A bill to amend 1945 PA 200, entitled “An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to

provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof,” by amending section 3 (MCL 565.103), as amended by 2018 PA 572.

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 Finance.

House Bill No. 5699, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 311 and 907 (MCL 257.311 and 257.907), section 311 as amended by 1983 PA 63 and section 907 as amended by 2015 PA 126.

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 Transportation and Infrastructure.

Statements

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

The motion prevailed.

Senator Barrett’s statement is as follows:

I just wanted to briefly touch on Senate Bill No. 757 that we passed today. I voted “no” on this bill and I think we have a number of competing interests at play. I think we have a number of competing interests taking place at the same time. Certainly we want the timely reporting of our elections to take place and to know the certainty of that outcome, but I think more importantly than that we have to stand and ensure that the accuracy of the vote is taking place and the security of the ballot is also taking place.

The concern I have with Senate Bill No. 757—they’ve added a number of security measures that I think are a great step in the right direction, but where I think it falls short is currently under Michigan law, when ballots are tabulated through the machine on Election Day and stored within that machine, they are then locked into a sealed container on Election Night, and if there’s an event that causes a recount, those ballot boxes are then re-opened and examined and used for the purposes of that recount. If a seal is broken or the box is damaged, then those paper ballots are not able to be used for the purpose of the recount because they have been tampered with. That could have been through negligence, it could be through the storage purposes or the techniques, rough handling, whatever it is, or it could have been tampered with, but it still says if that seal is broken, then those paper ballots are not used for a recount and the machine total stands as the final figure for that election result.

With this particular bill, we are going to partially process these ballots, store them in a sealed container, affix the seal to it, and then come back at a later time and feed them through the machine to be finally processed. The concern I have is if that seal is somehow broken, again through either purposeful action to tamper with the results or just through error or negligence or rough handling of that particular box, those ballots are now exposed and there’s nothing in here that says what happens in that event, and there could be a lot of ambiguity as to whether or not those ballots should be counted. Certainly those voters deserve to have their ballots counted, but what do we do about the actual security and certainty of that particular box of ballots that was partially processed but not finally tabulated? That’s the concern I have.

The election results this year could be extremely close here in Michigan. We all know that could happen again—it happened four years ago. To me, we have to err on the side of the certainty and less on the side of the convenience and I’m hopeful that in the House of Representatives, they will address this issue in the bill and then we can come back and concur in it. I’d be happy to support it at that point.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, September 10:

House Bill Nos. 4483 4488 4489 4490 4491 4492 4493 5085 5611 5699

The Secretary announced the enrollment printing and presentation to the Governor on Monday, September 14, for her approval the following bills:

Enrolled Senate Bill No. 473 at 12:58 p.m.
Enrolled Senate Bill No. 475 at 1:00 p.m.
Enrolled Senate Bill No. 171 at 1:02 p.m.
Enrolled Senate Bill No. 595 at 1:04 p.m.
Enrolled Senate Bill No. 799 at 1:06 p.m.

The Secretary announced that the following bills and resolutions were printed and filed on Thursday, September 10, and are available on the Michigan Legislature website:

Senate Bill Nos. 1095 1096 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106
Senate Resolution Nos. 140 141 142 143
House Bill Nos. 6193 6194 6195 6196 6197 6198 6199 6200

Committee Reports

The Committee on Environmental Quality reported

Senate Bill No. 1080, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30705 (MCL 324.30705), as amended by 2002 PA 215.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Rick Outman
 Chairperson

To Report Out:

Yeas: Senators Outman, Daley, Johnson, VanderWall, Bayer and Brinks

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Environmental Quality reported

House Bill No. 4454, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8905a (MCL 324.8905a), as amended by 2014 PA 549.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Rick Outman
 Chairperson

To Report Out:

Yeas: Senators Outman, Daley, VanderWall, Bayer and Brinks

Nays: Senator McBroom

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Meeting held on Thursday, September 10, 2020, at 9:00 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators Outman (C), Daley, Johnson, VanderWall, McBroom, Bayer and Brinks

The Committee on Judiciary and Public Safety reported

Senate Bill No. 20, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 317a (MCL 750.317a), as added by 2005 PA 167.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
 Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson and Runestad
Nays: Senators Chang and Irwin
The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

Senate Bill No. 21, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 5a to chapter II.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson and Runestad
Nays: Senators Chang and Irwin
The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

Senate Bill No. 289, entitled

A bill to create the child abuse offenders registry; to prescribe the powers and duties of certain departments and agencies in connection with that registry; and to prescribe penalties and sanctions.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson and Chang
Nays: Senator Irwin
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

Senate Bill No. 290, entitled

A bill to require persons convicted of certain child abuse offenses to register with the child abuse offenders registry; to prescribe the powers and duties of certain departments and agencies in connection with that registration; to prescribe fees and penalties; and to authorize certain causes of action.

With the recommendation that the bill pass.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett and Johnson
Nays: Senator Irwin
The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

Senate Bill No. 291, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2016 PA 234.

With the recommendation that the bill pass.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson and Runestad
Nays: Senator Irwin
The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

Senate Bill No. 611, entitled

A bill to amend 1982 PA 455, entitled “The library privacy act,” by amending the title and sections 2, 3, and 4 (MCL 397.602, 397.603, and 397.604), section 2 as amended by 1999 PA 37 and section 3 as amended by 1996 PA 188.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido

Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Thursday, September 10, 2020, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Lucido (C), VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

The Committee on Health Policy and Human Services reported

Senate Bill No. 758, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 18201 (MCL 333.18201) and by adding sections 16190 and 1821 1a.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall

Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported

House Bill No. 5482, entitled

A bill to provide for certain requirements regarding suicide prevention for schools; to prescribe the rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for and prescribe the powers and duties of certain state departments; and to provide for the regulation of certain school employees.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall

Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Thursday, September 10, 2020, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Thursday, September 10, 2020, at 12:00 noon, Room 1100, Binsfeld Office Building

Present: Senators Nesbitt (C), Theis, McBroom and Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Small Business Development submitted the following:

Meeting held on Thursday, September 10, 2020, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Horn (C), VanderWall, MacGregor, Lauwers, Schmidt, LaSata, McMorrow, Geiss and Moss

COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on the COVID-19 Pandemic (HCR 20) submitted the following:

Meeting held on Tuesday, September 15, 2020, at 8:15 a.m., Room 519, House Office Building

Present: Senators Nesbitt, LaSata, and Hertel

Excused: Senators Schmidt and Hollier

Scheduled Meetings

Advice and Consent - Thursday, September 17, 10:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5314

Appropriations -**Subcommittee -**

Universities and Community Colleges - Thursday, September 17, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768 (CANCELED)

COVID-19 Pandemic Joint Select - Wednesday, September 16, 8:15 a.m., Room 519, Anderson House Office Building (517) 373-5795

Health Policy and Human Services - Thursday, September 17, 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

Judiciary and Public Safety - Thursday, September 17, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5312

Legislative Council - Wednesday, September 23, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-0212

Local Government - Thursday, September 17, 1:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5312 (CANCELED)

Oversight - Wednesday, September 16, 9:00 a.m., Room 403, 4th Floor, Capitol Building and Thursday, September 17, 8:00 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Senate Fiscal Agency Governing Board - Wednesday, September 16, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 11:56 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, September 16, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate