

No. 95
STATE OF MICHIGAN
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REGULAR SESSION OF 2020

Senate Chamber, Lansing, Wednesday, December 16, 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—present
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—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Senator Ken Horn of the 32nd District offered the following invocation:

Dear Father in heaven, as You know, Lord, I have two grandchildren living with me at home and it seems that our young children have a way of making us look at Christmas with a set of fresh eyes. As I was making out my gift list, it occurred to me, Father, that I needed to add Your name to my list. After all, You gave us the ultimate gift this month, the miracle of Your Son Jesus. I must be honest, though, it's an awfully humbling experience, Lord, trying to put together a list of things that You might need. After all, what do you give to somebody who has everything? It seems we make a regular habit asking things of You; we are human after all.

So, today, in return for the gift of Your Son and the Holy Spirit, we offer these gifts to You. We will strive to discern the difference between being smart and being wise; being patient and having true patience; between asking for peace and being a person at peace; and of course we will try to distinguish the difference between hearing our colleagues and really understanding them.

As we count down the days to Christmas, help guide us to be generous of heart at home and courageous leaders in this chamber as we work toward a common solution to the many issues facing our great state. May all that is done on this day be as a gift to glorify and honor You.

So, in the name of Your newborn Son, the man he grew to be, and to the Holy Spirit which guides our intentions we pray. Amen.

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

Senator Runestad entered the Senate Chamber.

Motions and Communications

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

Senator Chang moved that Senators Ananich, Bullock and Hollier be temporarily excused from today's session.

The motion prevailed.

The following communication was received and read:
Office of the Auditor General

December 11, 2020

Enclosed is a copy of the following report:

- Performance audit report on the Medicaid Home Help Program, Michigan Department of Health and Human Services (391-0708-19).

Sincerely,
Doug Ringler
Auditor General

The audit report was referred to the Committee on Oversight.

Senator Hollier 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 a respectful message be sent to the House of Representatives requesting the return of the following bills:

Senate Bill No. 73

Senate Bill No. 75

The motion prevailed.

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

House Bill No. 5861, 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; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 11i.

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 Committee on Health Policy and Human Services be discharged from further consideration of the following bill:

House Bill No. 5298, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b and 100c (MCL 330.1100b and 330.1100c), section 100b as amended by 2020 PA 55 and section 100c as amended by 2020 PA 99, and by adding section 137a.

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 bills, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

House Bill No. 5861**House Bill No. 5298**

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

Senator Ananich entered the Senate Chamber.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:06 a.m.

10:27 a.m.

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

During the recess, Senators Bullock and Nesbitt 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 Daley 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. 4911, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5714 and 5775 (MCL 600.5714 and 600.5775), section 5714 as amended by 2014 PA 223 and section 5775 as added by 1988 PA 336.

House Bill No. 5059, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," (MCL 125.2651 to 125.2670) by adding section 15b.

House Bill No. 5126, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 135 and 154 (MCL 280.135 and 280.154), section 135 as amended by 2017 PA 62 and section 154 as amended by 2018 PA 646.

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. 5679, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3a, 4, 4a, 5, 5a, 7, 8, and 9 (MCL 28.722, 28.723a, 28.724, 28.724a, 28.725, 28.725a, 28.727, 28.728, and 28.729), section 2 as amended by 2014 PA 328, section 3a as added by 2011 PA 17, sections 4, 4a, and 5 as amended by 2011 PA 17, section 5a as amended by 2019 PA 82, sections 7 and 9 as amended by 2011 PA 18, and section 8 as amended by 2013 PA 2; and to repeal acts and parts of acts.

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. 4437, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1801, 1804, 1805, 1806, 1807, 1809, 1809a, and 1810 (MCL 339.1801, 339.1804, 339.1805, 339.1806, 339.1807, 339.1809, 339.1809a, and 339.1810), sections 1801 and 1810 as amended by 2006 PA 300, section 1806 as amended by 2013 PA 80, and section 1809a as added by 2009 PA 149, and by adding section 1806b.

Substitute (S-3)

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. 4910, entitled

A bill to regulate the certification of an individual's need for an emotional support animal by health care providers and requests for reasonable accommodation for emotional support animals in housing; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties.

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. 5504, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 31, 196, 221, and 434 (MCL 280.31, 280.196, 280.221, and 280.434), section 196 as amended by 2008 PA 509, section 221 as amended by 2016 PA 27, and section 434 as amended by 2002 PA 406.

Substitute (S-3)

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. 5298, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b and 100c (MCL 330.1100b and 330.1100c), section 100b as amended by 2020 PA 55 and section 100c as amended by 2020 PA 99, and by adding section 137a.

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 bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5059

House Bill No. 5504

House Bill No. 5126

House Bill No. 5298

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 bill:

House Bill No. 5059

The motion prevailed.

The following bill was read a third time:

House Bill No. 5059, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," (MCL 125.2651 to 125.2670) by adding section 15b.

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. 551

Yeas—32

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

Nays—6

Barrett	Johnson	Runestad	Thisis
Irwin	McBroom		

Excused—0

Not Voting—0

In The Chair: President

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

“An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5504, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 31, 196, 221, and 434 (MCL 280.31, 280.196, 280.221, and 280.434), section 196 as amended by 2008 PA 509, section 221 as amended by 2016 PA 27, and section 434 as amended by 2002 PA 406.

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. 552

Yeas—38

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Hollier	McCann	Shirkey

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

“An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5126, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 135 and 154 (MCL 280.135 and 280.154), section 135 as amended by 2017 PA 62 and section 154 as amended by 2018 PA 646.

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. 553

Yeas—37

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

Nays—1

Johnson

Excused—0

Not Voting—0

In The Chair: President

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

“An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5298, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100b and 100c (MCL 330.1100b and 330.1100c), section 100b as amended by 2020 PA 55 and section 100c as amended by 2020 PA 99, and by adding section 137a.

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. 554

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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 the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The Senate agreed to the full title.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:52 a.m.

12:06 p.m.

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

By unanimous consent the Senate returned to the order of
Messages from the House

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

Senate Bill No. 73

The motion prevailed.

The House of Representatives returned, in accordance with the request of the Senate

Senate Bill No. 73, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 40b, 307, and 310 (MCL 257.40b, 257.307, and 257.310), section 40b as amended by 2012 PA 498, section 307 as amended by 2018 PA 604, and section 310 as amended by 2020 PA 93, and by adding section 310f.

Senator MacGregor moved to reconsider the vote by which the bill was passed.

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

The question being on the passage of the bill,

Senator Chang offered the following substitute:

Substitute (S-3).

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. 555

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

Senate Bill No. 75

The motion prevailed.

The House of Representatives returned, in accordance with the request of the Senate

Senate Bill No. 75, 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 sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), section 1 as amended by 2020 PA 92, section 1a as amended by 2008 PA 31, and section 2 as amended by 2020 PA 242, and by adding section 2a.

Senator MacGregor moved to reconsider the vote by which the House substitute was concurred in.

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

The question being on concurring in the House substitute,

Senator Theis offered the following substitute:

Substitute (S-3).

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

The question being on concurring in the House substitute, as substituted,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 556

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 420, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2559, 6002, and 6012 (MCL 600.2559, 600.6002, and 600.6012), section 2559 as amended by 2018 PA 261.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 533, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 529 (MCL 750.529), as amended by 2004 PA 128.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator MacGregor moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 557

Yeas—38

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

Nays—0

Excused—0

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 not concurred in, 2/3 of the members serving not voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1215, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding section 5k.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1216, entitled

A bill to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” (MCL 46.1 to 46.32) by adding section 23a.

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

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1217, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 7xx.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1218, entitled

A bill to amend 1953 PA 189, entitled “An act to provide for the taxation of lessees and users of tax-exempt property,” by amending section 1 (MCL 211.181), as amended by 1998 PA 244.

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

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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 Daley 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. 4395, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 636 (MCL 257.636), as amended by 2018 PA 279.

House Bill No. 4396, entitled

A bill to amend 1925 PA 368, entitled “An act to prohibit obstructions and encroachments on public highways; to provide for the removal of obstructions and encroachments on public highways; to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies, broadband companies, and municipalities may enter upon, construct, and maintain telegraph, telephone, power, cable television, or broadband lines, pipe lines, wires, cables, poles, conduits, sewers, and like structures upon, over, across, or under public roads, bridges, streets, and waters; and to prescribe penalties and provide remedies,” by repealing section 19 (MCL 247.189).

House Bill No. 6313, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2504a (MCL 339.2504a), as amended by 2017 PA 56.

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. 5832, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100a, 100b, 161, 409, and 439 (MCL 330.1100a, 330.1100b, 330.1161, 330.1409, and 330.1439), section 100a as amended by 2018 PA 595, section 100b as amended by 2020 PA 55, section 161 as amended by 2012 PA 500, section 409 as amended by 2018 PA 593, and section 439 as added by 1986 PA 118, and by adding sections 971, 972, 973, 974, 975, 976, 977, 978, and 979.

Substitute (S-2)

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 bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 4395

House Bill No. 4396

House Bill No. 5832

House Bill No. 5679

House Bill No. 6313

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4395

House Bill No. 4396

House Bill No. 5832

House Bill No. 5679

House Bill No. 6313

The motion prevailed.

The following bill was read a third time:

House Bill No. 4395, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 636 (MCL 257.636), as amended by 2018 PA 279.

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. 558

Yeas—38

Alexander

Ananich

Barrett

Bayer

Geiss

Hertel

Hollier

Horn

MacGregor

McBroom

McCann

McMorrow

Santana

Schmidt

Shirkey

Stamas

Bizon	Irwin	Moss	Theis
Brinks	Johnson	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Bumstead	Lauwers	Polehanki	Wojno
Chang	Lucido	Runestad	Zorn
Daley	MacDonald		

Nays—0

Excused—0

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 not concurred in, 2/3 of the members serving not 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 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.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4396, entitled

A bill to amend 1925 PA 368, entitled “An act to prohibit obstructions and encroachments on public highways; to provide for the removal of obstructions and encroachments on public highways; to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies, broadband companies, and municipalities may enter upon, construct, and maintain telegraph, telephone, power, cable television, or broadband lines, pipe lines, wires, cables, poles, conduits, sewers, and like structures upon, over, across, or under public roads, bridges, streets, and waters; and to prescribe penalties and provide remedies,” by repealing section 19 (MCL 247.189).

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. 559

Yeas—38

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Hollier	McCann	Shirkey

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

Nays—0

Excused—0

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 not concurred in, 2/3 of the members serving not voting therefor. The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5832, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100a, 100b, 161, 409, and 439 (MCL 330.1100a, 330.1100b, 330.1161, 330.1409, and 330.1439), section 100a as amended by 2018 PA 595, section 100b as amended by 2020 PA 55, section 161 as amended by 2012 PA 500, section 409 as amended by 2018 PA 593, and section 439 as added by 1986 PA 118, and by adding sections 971, 972, 973, 974, 975, 976, 977, 978, and 979.

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. 560

Yeas—38

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

Nays—0

Excused—0

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 not concurred in, 2/3 of the members serving not 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 the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; 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. 5679, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending sections 2, 3a, 4, 4a, 5, 5a, 7, 8, and 9 (MCL 28.722, 28.723a, 28.724, 28.724a, 28.725, 28.725a, 28.727, 28.728, and 28.729), section 2 as amended by 2014 PA 328, section 3a as added by 2011 PA 17, sections 4, 4a, and 5 as amended by 2011 PA 17, section 5a as amended by 2019 PA 82, sections 7 and 9 as amended by 2011 PA 18, section 8 as amended by 2013 PA 2; 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. 561

Yeas—21

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

Nays—17

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

Excused—0

Not Voting—0

In The Chair: President

Senator MacGregor moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

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

“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.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6313, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2504a (MCL 339.2504a), as amended by 2017 PA 56.

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. 562

Yeas—38

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

Nays—0

Excused—0

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, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

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

House Bill No. 5851

The motion prevailed.

Senator MacGregor moved to reconsider the vote by which the following bill was passed:

House Bill No. 5851, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7408a (MCL 333.7408a), as amended by 2012 PA 501.

The question being on the motion to reconsider,

Senator MacGregor moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

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

House Bill No. 5846

The motion prevailed.

Senator MacGregor moved to reconsider the vote by which the following bill was passed:

House Bill No. 5846, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 204a, 208, 303, 304, 306a, 307, 317, 319, 320e, 321a, and 328 (MCL 257.204a, 257.208, 257.303, 257.304, 257.306a, 257.307, 257.317, 257.319, 257.320e, 257.321a, and 257.328), section 204a as amended by 2016 PA 332, section 208 as amended by 2006 PA 565, section 303 as amended by 2012 PA 498, section 304 as amended by 2018 PA 48, section 306a as amended by 2020 PA 127, section 307 as amended by 2018 PA 604, section 317 as amended by 2018 PA 566, section 319 as amended by 2016 PA 358, section 320e as amended by 2003 PA 152, section 321a as amended by 2017 PA 236, and section 328 as amended by 2015 PA 135; and to repeal acts and parts of acts.

The question being on the motion to reconsider,

Senator MacGregor moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

Recess

Senator MacGregor moved that the Senate recess until 2:00 p.m.

The motion prevailed, the time being 12:44 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 2:01 p.m.

2:10 p.m.

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

By unanimous consent the Senate proceeded to the order of

Statements

Senators McMorrow, Bayer and Runestad asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McMorrow’s statement is as follows:

I rise to recognize a young woman from Royal Oak who we lost far too soon. Eighteen-year-old Taylor DeRosa from Royal Oak passed away unfortunately recently and while police at Grand Valley State University are still investigating the cause of her death, I wanted to take a moment to talk about the incredible young woman Taylor was.

I met Taylor in 2018 when she and a group of students from Royal Oak in the wake of the Parkland shooting reached out to me—a candidate for State Senate—and wanted to get coffee at a Starbucks at 8 a.m. on a Sunday—which is not something that I remember doing in high school—but I was struck by how passionate Taylor and these students were, that even though they couldn't vote yet, that they demanded to have a voice. Taylor was the light in any room. She was always smiling, she was always there for people, she is the only child of Cara DeRosa—a single mom—and she started school this year as a freshman at Grand Valley, and she and her mom texted or talked or FaceTimed almost every single day. They were partners. Her passing has really rocked Royal Oak. Just in the past day alone, more than 1,700 people have stepped up to donate to her memorial and funeral, ranging from \$5 to \$100, anything that people can chip in, which just goes to show how impactful this young woman was on every single person that she came in contact with.

I spoke to a few of her friends over the past couple of days and asked if they would be willing to share some thoughts with me about her. She volunteered on my campaign and I knew her but I wanted to hear directly from the people who knew her best. She had the opportunity to meet John Lewis when John Lewis was in Oakland County in 2018 and one of her friends said, 'When we met with John Lewis, it seemed like he heard her the most out of everyone there, because she had so much confidence and it was frankly contagious.'

Taylor told people they could do something and everybody believed her. She built everybody around her up. Another friend said that even with her 'quiet but overwhelming power,' that helped shape a movement they were trying to build, she taught her friends how to be politically active and there was never a moment when she was too busy for a friend. 'Taylor was the person who was there for you at your lowest point, no matter how close you thought you were.' Across Facebook, I've seen story after story after story over the past couple of days of people who met her once and felt like she had known them forever. This friend goes on to say, 'In her memory, we must all strive to continue her work of lifting up others and providing the means and hope to carry on,' especially at a time like this.

What really struck me about Taylor whenever I interacted with her was that to me she embodied the next generation of leadership and I think what they look for, which is proving that you can be powerful and you can be kind, and that these things are not mutually exclusive. It's really hard to grapple, especially in the year that we've had, with something as tragic as this, that just sends shockwaves throughout the community but I just wanted to take a few minutes today to recognize and be grateful for the 18 years that she graced this year, that she was a resident of Royal Oak, how many lives she touched, and realizing the impact that this young woman had on Royal Oak, the Grand Valley State community, and all of her friends and family. I hope my colleagues join me in recognizing and being grateful for her as well.

Senator Bayer's statement is as follows:

My colleagues, I am here today to ask for your support to save lives—the lives of our sons and daughters, and our nieces and nephews, and parents and our spouses—right here by codifying a mask mandate.

First, I want to tell you why I was absent one day last week. Many of you know that my husband John had a pretty severe stroke a year and a half ago. On Monday last week, I heard a loud crash and went dashing into the living room and he was laying on the floor seizing. There was blood everywhere. I've never seen a seizure before. That was pretty scary for me. I was afraid he was having another stroke. He was completely unresponsive. His eyes were glazed over. It was horrifying. I called 911.

Once in the hospital, the doctors and nurses were amazing and they rushed to take care of him. I was allowed to come in, but I was told I would have to leave once he was admitted to the hospital. The hospital does not allow any visitors. And I was scared of that. He doesn't speak very well and at that time he couldn't speak at all. And so I was going to have to just leave him there in that circumstance where he couldn't answer a single question.

Thousands—hundreds of thousands—of people have had this experience lately. I was told that it was possible that the seizure was caused by COVID and they couldn't even admit him into a room until they knew whether or not he was COVID-positive, because of course the hospital is separated into COVID and non-COVID sections. Luckily he was COVID-negative.

But, in the end it didn't matter because there were no rooms available. He was admitted to the hospital in an ER observation room and if ever you have been in one of those, that means no food service, no care of any kind. There is no bathroom—it is a terrible place to stay for over 30 hours just waiting for tests to be conducted and being able to leave the room. He ended up okay. He didn't have a stroke. He had a terrible seizure. It has impacted his speech. He had stitches in his head, causing all the blood everywhere. But thousands in this state are not so lucky.

In Oakland County alone there are 655 people—655 sons and daughters, neighbors and friends, and spouses—in hospitals with COVID. Across the state, yesterday, 2,650 ICU beds were occupied, leaving only 614 beds open for heart attack victims, stroke victims, victims of accidents, influenza—anything, including COVID—limited beds

Our friends with strokes and heart attacks and other serious conditions—seizures that break open someone’s head—they may not get the treatment they need because the hospitals don’t have the staff or beds. In John’s case, I stayed in the ER and never left, and so I could help take care of him. But the hospital staff—I was in the ER—they don’t do care there. They did the best they could, but it was crammed with people. There were people everywhere. No room at the inn. No room for the right kind of care.

We can do something about this. We’ve learned enough—there is enough data to show us how we can manage this virus and get the numbers down so that we don’t have this kind of crowding going on in our hospitals. It’s about masks. We know this—the data show this—we know that masks save lives. And yet this Legislature continues to not do anything. We continue to ignore public health best practices, accepting the devastation to families as lives are lost. Luckily for Michigan residents here, our Governor and our Department of Health and Human Services are taking their responsibility seriously and taking action to help stomp out COVID with public health epidemic orders like capacity limitations and mask mandates. Most people are following them—the numbers are starting to go down. But more would if everyone in this room supported them and worked together to codify a mask mandate. We could do that and reduce the burden on the state and help our medical providers and hospitals stomp out COVID while we are waiting for these vaccinations. We could do our jobs and save lives if we act.

We’re running out of days. Let’s do something today. Let’s codify that mask mandate

Senator Runestad’s statement is as follows:

Recently I had some time to leaf through some old family documents and among those was a poem that my mother Barbara Runestad had written. She was probably—well, certainly—one of the most influential people in my life. She raised six kids, substitute taught for many years, was a farm wife, she canned fruits and vegetables, put up 50 gallons of maple syrup per year, drove tractors, put up hay, and with all that going on she also had time to write hundreds of poems, many were published in periodicals, and looking through these documents I found I had not read this poem before. However, I found it very appropriate for today and it expressed many of the sentiments that I have serving in this chamber, but not being trained at reading poetry, I’m going to do my best with her poem.

There is a list of folks I know
 All written in a book.
 And every year at Christmas time
 I go and take a look.
 And that is when I realize that
 These names are a part
 Not of the book they’re written in
 But of my very heart.

For each name stands for someone
 Who has touched my life sometime,
 And in that meeting they’ve become
 The ‘Rhythm of the Rhyme.’
 I really feel I am composed
 Of each remembered name,
 And while you may not be aware
 Of feeling quite the same
 My life is so much better
 Than it was before you came.

For once that you have known someone
 The years cannot erase
 The memory of a pleasant word
 Or of a friendly face.
 So never think my Christmas cards
 Are just a mere routine
 Of names upon a list, forgotten
 In between.
 For when I send a Christmas card
 That is addressed to you
 It is because you’re on that list
 Of folks I’m indebted to.

And whether I've known you
 For many years or few,
 In some way you have had a part
 In shaping things I do.
 So every year when Christmas comes
 I just realize anew
 The biggest gift that God can give
 Is knowing folks like you!

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 Daley 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. 5217, entitled

A bill to prohibit postsecondary educational institutions in this state and certain athletic organizations from preventing a college athlete from receiving compensation for the use of his or her name, image, or likeness rights.

House Bill No. 5218, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 411e (MCL 750.411e); and to repeal acts and parts of acts.

The bills were 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 bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5217

House Bill No. 5218

House Bill No. 4437

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

House Bill No. 5217

House Bill No. 5218

House Bill No. 4437

House Bill No. 5851

House Bill No. 5846

The motion prevailed.

The following bill was read a third time:

House Bill No. 5217, entitled

A bill to prohibit postsecondary educational institutions in this state and certain athletic organizations from preventing a college athlete from receiving compensation for the use of his or her name, image, or likeness rights.

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. 563

Yeas—35

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

Nays—3

Daley	LaSata	Runestad
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Excused—0

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.

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5218, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 411e (MCL 750.411e); 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. 564

Yeas—35

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

Nays—3

Daley	LaSata	Runestad
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Excused—0

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. 4437, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1801, 1804, 1805, 1806, 1807, 1809, 1809a, and 1810 (MCL 339.1801, 339.1804, 339.1805, 339.1806, 339.1807, 339.1809, 339.1809a, and 339.1810), sections 1801 and 1809 as amended by 2020 PA 138, section 1806 as amended by 2013 PA 80, section 1809a as added by 2009 PA 149, and section 1810 as amended by 2006 PA 300, and by adding section 1806b.

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. 565

Yeas—32

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

Nays—5

Barrett	McBroom	Runestad	Thisis
Bumstead			

Excused—0

Not Voting—1

Johnson

In The Chair: President

Senator MacGregor moved to reconsider the vote by which the bill was passed.

The motion prevailed, 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. 566

Yeas—33

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

Nays—5

Barrett	McBroom	Runestad	This
Bumstead			

Excused—0

Not Voting—0

In The Chair: President

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The Senate agreed to the full title.

House Bill No. 5851, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7408a (MCL 333.7408a), as amended by 2012 PA 501.

(This bill was passed on December 10 and the motion to reconsider the vote postponed earlier today. See p. 2434.)

The question being on the motion to reconsider the vote by which the bill was passed, The motion prevailed, a majority of the Senators serving having voted therefor.

The question being on the passage of the bill, Senator Lucido offered the following substitute: Substitute (S-1).

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. 567

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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.

House Bill No. 5846, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 204a, 208, 303, 304, 306a, 307, 317, 319, 320e, 321a, and 328 (MCL 257.204a, 257.208, 257.303, 257.304, 257.306a, 257.307, 257.317, 257.319, 257.320e, 257.321a, and 257.328), section 204a as amended by 2016 PA 332,

section 208 as amended by 2006 PA 565, section 303 as amended by 2012 PA 498, section 304 as amended by 2018 PA 48, section 306a as amended by 2020 PA 127, section 307 as amended by 2018 PA 604, section 317 as amended by 2018 PA 566, section 319 as amended by 2016 PA 358, section 320e as amended by 2003 PA 152, section 321a as amended by 2017 PA 236, and section 328 as amended by 2015 PA 135; and to repeal acts and parts of acts.

(This bill was passed on December 10 and the motion to reconsider the vote postponed earlier today. See p. 2434.)

The question being on the motion to reconsider the vote by which the bill was passed,

The motion prevailed, a majority of the Senators serving having voted therefor.

The question being on the passage of the bill,

Senator Lucido offered the following substitute:

Substitute (S-3).

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. 568

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

“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.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Motions and Communications

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:48 p.m.

3:34 p.m.

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

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

Senate Bill No. 1256, entitled

A bill to amend 2018 PA 365, entitled "Small wireless communications facilities deployment act," by amending sections 3 and 5 (MCL 460.1303 and 460.1305).

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:

Senate Bill No. 1256

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senator MacGregor moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

Senate Bill No. 897

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

Senate Bill No. 897, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 536 (MCL 436.1536), as amended by 2019 PA 131.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 536 (MCL 436.1536), as amended by 2020 PA 126.

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 569

Yeas—37

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

Nays—1

McBroom

Excused—0

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 not concurred in, 2/3 of the members serving not voting therefor.
The Senate agreed to the title as amended.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 293, 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, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 369, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers that conduct business in this state; to provide for the disposition of allegedly misappropriated property in the possession of pawnbrokers; to provide remedies and prescribe penalties; and to provide for the powers and duties of certain local governmental units and state agencies,” by amending section 9 (MCL 446.209), as amended by 2018 PA 345.

The House of Representatives has passed the bill and ordered that it be given immediate effect.
The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 820, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 517a (MCL 436.1517a), as amended by 2018 PA 472.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 910, entitled

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

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1015, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1103 and 1106 (MCL 500.1103 and 500.1106), section 1103 as amended and section 1106 as added by 2018 PA 91.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1021, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 2006 PA 398.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1186, entitled

A bill to amend 2000 PA 305, entitled "Uniform electronic transactions act," by amending section 18a (MCL 450.848a), as added by 2020 PA 247.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator MacGregor moved that the bill be given immediate effect.

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

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1187, entitled

A bill to amend 2003 PA 238, entitled "Michigan law on notarial acts," by amending sections 9, 26c, and 26d (MCL 55.269, 55.286c, and 55.286d), section 9 as amended and sections 26c and 26d as added by 2020 PA 249.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator MacGregor moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1188, entitled

A bill to amend 2010 PA 123, entitled “Uniform real property electronic recording act,” by amending section 5a (MCL 565.845a), as added by 2020 PA 248.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator MacGregor moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1189, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1202 and 5108a (MCL 700.1202 and 700.5108a), as added by 2020 PA 246.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator MacGregor moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate returned to the order of

Motions and Communications

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
 The motion prevailed, the time being 3:50 p.m.

4:01 p.m.

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

The President, Lieutenant Governor Gilchrist, resumed the Chair.

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

The motion prevailed.

Senator Shirkey’s statement is as follows:

I’d like to ask for the attention of all my colleagues on the Senate floor right now because this is going to require a little audience participation.

Paul Teszlewicz—say that with me, Teszlewicz—is an 18-year-veteran of the Michigan Senate Police Department. He retired in May so this tribute is long overdue, and while I’m continuing this tribute because he could not be here today—he’s watching via video—and for us to make it special, every time I say ‘Paul’ and go like this, you say, ‘Teszlewicz.’ Now you have to pay attention.

Paul—‘Teszlewicz!’—came to the Senate in 2001 after an illustrious and accomplished career with the Lansing Police Department. While at the Lansing Police Department, Paul graduated from the FBI National Academy in Quantico, Virginia as well as the Northwestern University School of Police Staff and Command, and served in many roles including acting chief of police and officer and commander of the Special Tactics and Rescue Team.

In 2019, Paul was promoted from Assistant Sergeant-at-Arms to Lieutenant of Operations for the Michigan Senate Police Department, a position in which he worked tirelessly to develop and improve safety and security procedures in the Senate. In addition to his commitment to keeping Senators, staff, and guests safe, Paul developed lasting friendships with many in our institution and his caring nature, sense of humor, and can-do attitude are greatly missed in this chamber.

In his retirement, Paul plans to do the simple things in life—traveling, fishing, mowing the grass, and plowing snow, of which I hope he has none to plow for yet another few weeks. Paul also will continue his volunteer work with St. Therese Catholic Church and the St. Vincent de Paul food pantry. Most of all, Paul is glad to have more time for family—Geraldyn, his wife of 47 years; his children Christy, Tami, Kari, and Andy; and his grandchildren Kennedy, Nathan, Ryan, Madilyn, and Brady.

It is with great pleasure that we pay this tribute to Paul and wish him continued happiness and health in his retirement. Please join me in congratulating Paul—‘Teszlewicz!’—for his service to the Michigan Senate.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 4:05 p.m.

4:14 p.m.

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

Senator MacGregor moved that a respectful message be sent to the House of Representatives requesting the return of the following bills:

House Bill No. 5832

House Bill No. 5298

The motion prevailed.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 4:15 p.m.

5:00 p.m.

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

Recess

Senator MacGregor moved that the Senate recess until 6:30 p.m.
The motion prevailed, the time being 5:01 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 6:31 p.m.

6:50 p.m.

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

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 Daley 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 bill:

Senate Bill No. 1256, entitled

A bill to amend 2018 PA 365, entitled “Small wireless communications facilities deployment act,” by amending sections 3 and 5 (MCL 460.1303 and 460.1305).

The bill 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:

Senate Bill No. 1256

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 7:00 p.m.

7:11 p.m.

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

Senate Bill No. 1256

House Bill No. 5217

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1256, entitled

A bill to amend 2018 PA 365, entitled “Small wireless communications facilities deployment act,” by amending sections 3 and 5 (MCL 460.1303 and 460.1305).

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. 570

Yeas—36

Alexander
Ananich
Barrett
Bizon

Hertel
Hollier
Horn
Irwin

MacGregor
McBroom
McCann
McMorrow

Santana
Schmidt
Shirkey
Stamas

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator MacGregor moved that the Senate proceed to consideration of the following bill:
Senate Bill No. 612
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 612, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2212c (MCL 500.2212c), as added by 2013 PA 30, and by adding section 2212e.

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. 572

Yeas—30

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

Nays—8

Bizon	Geiss	Irwin	Santana
Brinks	Hollier	Nesbitt	Wojno

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 7:46 p.m.

8:47 p.m.

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

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

Senate Bill No. 1077, entitled

A bill to amend 2008 IL 1, entitled “Michigan Medical Marihuana Act,” by amending section 6 (MCL 333.26426), as amended by 2016 PA 283.

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:

Senate Bill No. 1077

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

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 Daley 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 amendment, the following bill:

Senate Bill No. 1077, entitled

A bill to amend 2008 IL 1, entitled “Michigan Medical Marihuana Act,” by amending section 6 (MCL 333.26426), as amended by 2016 PA 283.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 7, line 29, after “**30**,” by striking out “**2020**,” and inserting “**2021**,”.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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:

Senate Bill No. 1077

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

Senate Bill No. 1077

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1077, entitled

A bill to amend 2008 IL 1, entitled “Michigan Medical Marihuana Act,” by amending section 6 (MCL 333.26426), as amended by 2016 PA 283.

The question being on the passage of the bill,

The bill was passed, 3/4 of the members serving voting therefor, as follows:

Roll Call No. 573

Yeas—38

Alexander
Ananich

Geiss
Hertel

MacGregor
McBroom

Santana
Schmidt

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator MacGregor 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.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 8:58 p.m.

9:06 p.m.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 681, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18e of chapter XIII (MCL 712A.18e), as amended by 2018 PA 142, and by adding section 18t to chapter XIII.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 682, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 28 of chapter XIII (MCL 712A.28), as amended by 1998 PA 478.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The motion prevailed.

Senator Irwin's statement is as follows:

I just want to briefly thank my colleagues for their work on this issue. This 'clean slate for kids' bill is going to provide a lot of relief to young people who've put their lives back on track, and with this legislation we can help them keep their lives back on track.

Senate Bill No. 1105, entitled

A bill to provide for the exemption of certain renewable energy facilities from certain taxes; to levy and collect a payment in lieu of those taxes as to those facilities; to provide for the disposition of the payment in lieu of taxes; to provide for the obtaining and transferring of exemption certificates for certain renewable energy facilities and to prescribe the content of those certificates; and to provide for the powers and duties of certain state and local governmental officers and entities.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

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

Senate Bill No. 1106, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7xx.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," (MCL 211.1 to 211.155) by adding section 7yy.

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

Senate Bill No. 1160, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22210 (MCL 333.22210), as amended by 2014 PA 165.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator MacGregor moved that the bill be given immediate effect.

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

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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 House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Senator MacGregor moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1244, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 8 (MCL 691.1408), as amended by 2002 PA 400.

The House of Representatives has passed the bill and ordered that it be given immediate effect.
The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1246, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending sections 3 and 3a (MCL 15.263 and 15.263a), section 3 as amended and section 3a as added by 2020 PA 228.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 6, after "meeting," by inserting "**For a meeting of a public body held in person before April 1, 2021, the public body shall do both of the following:**

(a) To the extent feasible under the circumstances, ensure adherence to social distancing and mitigation measures recommended by the Centers for Disease Control and Prevention for purposes of preventing the spread of COVID-19, including the measure that an individual remain at least 6 feet from anyone from outside the individual's household.

(b) Adopt heightened standards of facility cleaning and disinfection to limit participant exposure to COVID-19, as well as protocols to clean and disinfect in the event of a positive COVID-19 case in the public body's meeting place."

2. Amend page 2, line 15, after "local" by inserting "**official, governing body, or**".

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 1251, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 2, 4, 7, and 23 (MCL 125.2002, 125.2004, 125.2007, and 125.2023), sections 4 and 23 as amended by 2014 PA 507 and section 7 as amended by 2014 PA 454.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1252, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 2 (MCL 12.252), as amended by 2016 PA 193, and by adding section 11.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1254, entitled

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1c (MCL 780.621c), as added by 2020 PA 187.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 9:17 p.m.

11:13 p.m.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator MacGregor moved that the following bill be given immediate effect:

Senate Bill No. 1256

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:14 p.m.

11:30 p.m.

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

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 Daley 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:

Senate Bill No. 1258, entitled

A bill to amend 2020 PA 238, entitled “An act to prohibit an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19; to prohibit an employee from reporting to work under certain circumstances related to COVID-19; to prohibit

discrimination and retaliation for engaging in certain activities; and to provide remedies,” by amending sections 1 and 5 (MCL 419.401 and 419.405).

Substitute (S-1)

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 3, line 2, after “COVID-19” by inserting “has the definition provided by order of the director or chief medical executive of the Michigan department of health and human services. In the event that the term is not defined by the director or chief medical executive of the Michigan department of health and human services at the time of an action taken under section 5, principal symptoms of COVID-19”.

The Senate agreed to the substitute as amended 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:

Senate Bill No. 1258

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1258

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1258, entitled

A bill to amend 2020 PA 238, entitled “An act to prohibit an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19; to prohibit an employee from reporting to work under certain circumstances related to COVID-19; to prohibit discrimination and retaliation for engaging in certain activities; and to provide remedies,” by amending sections 1 and 5 (MCL 419.401 and 419.405).

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. 574

Yeas—37

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

Nays—1

Irwin

Excused—0

Not Voting—0

In The Chair: President

Senator MacGregor 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.

Senator MacGregor moved that when the Senate adjourns today, it stand adjourned until Thursday, December 17, 2020, at 12:00 noon.
The motion prevailed.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Tuesday, December 15, and are available on the Michigan Legislature website:

House Bill Nos. 6510 6511 6512 6513

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:
Meeting held on Thursday, December 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 Oversight submitted the following:
Meeting held on Tuesday, December 15, 2020, at 1:00 p.m., Room 403, 4th Floor, Capitol Building
Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:
Joint meeting held on Tuesday, December 15, 2020, at 4:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 11:40 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, December 17, 2020, at 12:00 noon.

MARGARET O'BRIEN
Secretary of the Senate