



HOUSE OF REPRESENTATIVES

COMMITTEE ON GOVERNMENT OPERATIONS

REP. JASON M SHEPPARD

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, October 13, 2020 9:15 AM Room 352, House Appropriations, State Capitol Building

The House Committee on Government Operations was called to order by Chair Sheppard.

The Chair requested attendance be called:

Present: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Absent: None.

Excused: None.

Representative Cole moved to adopt the meeting minutes from September 24, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 857 before the committee:

SB 857 (Sen. Barrett)

A bill to repeal 1945 PA 302, entitled "An act authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties," (MCL 10.31 to 10.33).

Senator Barrett testified in support of his bill. Questions and discussion followed.

Representative Cole moved to report out SB 857 with recommendation. The motion prevailed 3-2-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly.

Nays: Reps. Greig, Rabhi.

Pass: None.

The Chair laid HB 6294, HB 6295, HB 6296 and HB 6297 before the committee:

HB 6294 (Rep. Lightner)

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

HB 6295 (Rep. Lightner)

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

HB 6296 (Rep. Lightner)

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

HB 6297 (Rep. Lightner)

A bill to amend 2003 PA 238, entitled "Michigan law on notarial acts," by amending section 26 (MCL 55.286), as added by 2018 PA 360, and by adding section 26c.

Representative Lilly moved to adopt substitute (H-1) to HB 6294. The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

Representative Cole moved to adopt substitute (H-1) to HB 6295. The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

Representative Lilly moved to adopt substitute (H-2) to HB 6296. The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

Representative Lilly moved to adopt substitute (H-1) to HB 6297. The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

Representative Cole offered the following amendment to HB 6297 (H-1):

1. Amend page 10, following line 22, by inserting:

"(5) If a record is notarized electronically under this section, all of the following apply:

(a) The record does not need to be notarized under any other provision of this act.

(b) The rights or interests of a person that relies in good faith and without actual notice that the record was executed before December 31, 2020 but was not executed or notarized in accordance with this section are not impaired, challenged, or terminated on that basis alone.

(c) Compliance with this section is presumed. A person challenging a record notarized under this section may overcome the presumption by establishing, by clear and convincing evidence, that the notary or the individual seeking the notary public's services intentionally failed to comply with a requirement described in this section."

Representative Cole moved to adopt the amendment to HB 6297 (H-1). The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

Representative Lightner testified in support of her legislation. Questions and discussion followed.

Howard Collin, representing the Elder Law and Disability Rights Section of the State Bar of Michigan, and Nathan Piwowski, representing the Probate and Estate Planning Section of the State Bar of Michigan, testified with no position on HB 6294, HB 6295, HB 6296 and HB 6297.

The following person submitted a card with no position on HB 6294, HB 6295, HB 6296 and HB 6297, but due to the time constraints was unable to speak:

Mike Luberto, representing the Real Property Law Section of the State Bar of Michigan.

The following person submitted a card in support of HB 6297, but did not wish to speak:

Matt Levin, representing the Michigan Department of State.

The following people submitted a card in support of HB 6294, HB 6295, HB 6296 and HB 6297, but did not wish to speak:

Rebecca Bechler, representing the Michigan Probate and Estate Planning Section of the State Bar of Michigan.

Brad Ward, representing the Michigan Realtors Association.

Sean Sorenson-Abbott, representing the Michigan Health and Hospital Association.

Kieran Marion, representing the Michigan Credit Union League.

Joanne Misuraca, representing the Michigan Mortgage Lenders Association.
Sam Olsen, representing the Community Association Institute.

Representative Lilly moved to report out HB 6294 with recommendation, as substitute (H-1).
The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.
Nays: None.
Pass: None.

Representative Cole moved to report out HB 6295 with recommendation, as substitute (H-1).
The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.
Nays: None.
Pass: None.

Representative Lilly moved to report out HB 6296 with recommendation, as substitute (H-2).
The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.
Nays: None.
Pass: None.

Representative Lilly moved to report House Bill No. 6297 as amended, as substitute (H-2).
The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.
Nays: None.
Pass: None.

The Chair laid HB 6293 before the committee:

HB 6293 (Rep. Filler)

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16113.

Representative Cole moved to adopt substitute (H-1) to HB 6293. The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.
Nays: None.
Pass: None.

Representative Lilly offered the following amendment to HB 6293 (H-1):

1. Amend page 2, line 18, after "Observing" by inserting "self-collection of a saliva sample or".

Representative Lilly moved to adopt the amendment to HB 6293 (H-1). The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

Representative Filler testified in support of his bill. Questions and discussion followed.

Representative Cole moved to report House Bill No. 6293 as amended, as substitute (H-2). The motion prevailed 5-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Sheppard, Cole, Lilly, Greig, Rabhi.

Nays: None.

Pass: None.

There being no further business before the committee, Rep. Jason Sheppard adjourned the meeting at 9:58 AM.

Representative Jason Sheppard, Chair

Angie Lake
Committee Clerk
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