

No. 65
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House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Monday, August 17, 2020.

10:00 a.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Afendoulis—present	Filler—present	Jones—present	Rabhi—present
Albert—present	Frederick—present	Kahle—present	Reilly—present
Alexander—present	Garrett—present	Kennedy—present	Rendon—present
Allor—present	Garza—present	Koleszar—present	Sabo—present
Anthony—present	Gay-Dagnogo—present	Kuppa—present	Schroeder—present
Bellino—present	Glenn—present	LaFave—present	Shannon—present
Berman—present	Green—present	LaGrand—present	Sheppard—present
Bolden—present	Greig—present	Lasinski—present	Slagh—present
Bollin—present	Griffin—present	Leutheuser—present	Sneller—present
Brann—present	Guerra—present	Liberati—present	Sowerby—present
Brixie—present	Haadsma—present	Lightner—present	Stone—present
Byrd—present	Hall—present	Lilly—present	Tate—present
Calley—present	Hammoud—present	Love—present	VanSingel—present
Cambensy—present	Hauck—present	Lower—present	VanWoerkom—present
Camilleri—present	Hernandez—present	Maddock—present	Vaupel—present
Carter, B.—present	Hertel—present	Manoogian—present	Wakeman—present
Carter, T.—present	Hoadley—present	Marino—excused	Warren—present
Chatfield—present	Hoitenga—present	Markkanen—present	Webber—present
Cherry—present	Hood—present	Meerman—present	Wendzel—present
Chirkun—present	Hope—present	Miller—present	Wentworth—present
Clemente—present	Hornberger—present	Mueller—present	Whiteford—present
Cole—present	Howell—excused	Neeley, C.—present	Whitsett—present
Coleman—present	Huizenga—present	O'Malley—present	Wittenberg—present
Crawford—present	Iden—present	Pagan—present	Witwer—present
Eisen—present	Inman—present	Paquette—present	Wozniak—present
Elder—excused	Johnson, C.—present	Peterson—present	Yancey—present
Ellison—present	Johnson, S.—present	Pohutsky—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

Speaker Lee Chatfield, from the 107th District, offered the following invocation:

“Father in heaven, Lord, we are incredibly grateful to be here in Your presence this morning. We thank You for the many blessings You give us each and everyday, we thank You for the opportunity that You have given us to serve within this Chamber. Lord, we readily admit that we do not have all the answers and we ask that You would shine upon us, Your wisdom. Lord, give us discretion today. Give us humility to deal with others who have differences of opinion and Lord, I pray that You would put a special hand of protection on our country and our state. I pray that You would be with our Legislative leaders. I pray that You would be with President Trump. I pray that You would watch over Governor Whitmer. I pray that You would watch over all legislative leaders in this state. Lord, I pray that You would give us, not only the wisdom, discretion and humility, but the fortitude to carry out what we believe is right. I pray that You would be with us today, watch over us and bless these proceedings. We pray all these things in the name of our Lord and Savior, Jesus Christ, Amen.”

The Speaker called Associate Speaker Pro Tempore Lilly to the Chair.

Rep. Cole moved that Reps. Elder, Howell and Marino be excused from today’s session. The motion prevailed.

Motions and Resolutions

Reps. Pohutsky, Love, Coleman, Stone, Brenda Carter and Bolden offered the following resolution:

House Resolution No. 299.

A resolution to urge the Congress of the United States to enact legislation that ensures the safety of nursing home residents and staff during the COVID-19 Pandemic.

Whereas, Nursing home residents tend to be older adults with underlying chronic medical conditions, which makes them particularly vulnerable to the serious complications of COVID-19. There have been more than 240,000 cases of COVID-19 in long-term care facilities, and deaths in long-term care facilities have surpassed 50,000 people, making up a shocking 40 to 45 percent of all deaths from COVID-19 across the country; and

Whereas, Nursing homes must implement polices and procedures and have adequate resources to protect residents and workers from COVID-19. Ensuring proper staffing and access to testing and personal protective equipment are essential to prevent cross-contamination. Some nursing home workers lack access to paid sick leave, which increases the risk that workers continue to work while sick and spread the virus to residents and coworkers; and

Whereas, Enacting legislation to protect nursing home residents and workers, such as the Quality Care for Nursing Home Residents and Workers During COVID-19 Act of 2020 (H.R. 6698 and S. 3644), would ensure that nursing facilities maintain their quality of care, worker safety, and transparency during the COVID-19 public health emergency. This legislation would require Medicare skilled nursing facilities and Medicaid nursing facilities to perform COVID-19 testing for residents and employees, provide employees with at least two weeks of paid sick leave, and require daily reporting of COVID-19 cases and deaths. Additionally, funding from the Centers for Medicare and Medicaid would allow states to establish teams to quickly respond to the emergence of new COVID-19 cases in nursing homes; and

Whereas, Given the high death tolls in nursing homes across the United States, we need urgent action to protect our most vulnerable citizens from COVID-19 and support the selfless workers who care for them; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to enact legislation that ensures the safety of nursing home residents and staff during the COVID-19 Pandemic; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

Reps. Love, Pohutsky, Stone, Coleman, Garrett, Sneller, Hood, Cynthia Johnson, Hope, Hertel, Kuppa, Tyrone Carter, Ellison, Kennedy, Bolden, Brenda Carter and Lasinski offered the following resolution:

House Resolution No. 300.

A resolution to memorialize the Congress of the United States to enact legislation that forgives student loan debt for healthcare workers.

Whereas, The COVID-19 Pandemic has dramatically affected life for every American. In Michigan alone, tens of thousands have been infected, and more than 6,000 residents have lost their lives. Nationally, these figures stand at more than 3 million cases and more than 140,000 deaths; and

Whereas, Healthcare workers have been risking their lives on the front lines of this crisis. Throughout the Pandemic, hospital staff have put themselves at risk to treat those who have been infected. Likewise, nursing home employees have faced dangerous conditions while caring for infected residents and protecting those who have not been exposed to the virus. Hundreds of front line healthcare workers have died from the virus; and

Whereas, Many healthcare workers have made extraordinary sacrifices during this crisis. Thousands have been unable to see their families for weeks at a time, fearing they would expose loved ones to the virus. Others have traveled to help treat patients at virus hotspots, voluntarily putting themselves at severe risk of infection. Nursing home employees have worked with limited protections as they watched residents with whom they had formed connections suffer from the virus; and

Whereas, Healthcare workers are burdened by crushing levels of student debt accrued while training for their careers. Nearly 75 percent of medical school graduates have student loan debt averaging more than \$200,000 each. Nurses and nursing assistants generally have tens of thousands of dollars in student debt; and

Whereas, Forgiving these loans is the right thing to do to repay these selfless workers for the sacrifices they have made. These debts were accrued while learning the skills used to save lives during the Pandemic. It would be an important demonstration of our appreciation for their efforts to ensure that these workers do not continue to be burdened by this debt; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation that forgives student loan debt for healthcare workers; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Education.

Rep. Elder offered the following resolution:

House Resolution No. 301.

A resolution to join with the Michigan Civil Rights Commission in requesting that Michigan Attorney General Dana Nessel reconsider the opinion that certain migrant and seasonal farm workers are not entitled to minimum wage under Michigan law.

Whereas, In 2017, Michigan Attorney General Bill Schuette issued Opinion No. 7301, which stated that some small Michigan farms can pay seasonal and migrant farm workers less than the minimum wage under an exemption from federal minimum wage requirements; and

Whereas, Without minimum wage protections, these workers may earn less than a living wage and be unable to support themselves or their families. Many farm workers are paid at a piecework rate, or a certain amount per quantity harvested. In 2015, a family of five migrant workers was reported to earn less than \$4 per hour while working at an asparagus pickling operation in Oceana County; and

Whereas, Migrant and seasonal farm workers are a critical part of Michigan's food supply chain and economy. In 2013, the Michigan Department of Civil Rights reported that there were 49,135 migrant and seasonal farm workers in Michigan, which ranked 5th in the nation. These workers play an important role in the planting, cultivating, harvesting, and packaging of crops worth an estimated \$2.3 billion annually; and

Whereas, The importance of these workers has been reinforced by the recent COVID-19 Pandemic. While many Michigan residents have been ordered to stay home to prevent the virus' spread, farm workers have been declared essential and have continued to work in these dangerous conditions. It is unfair that any essential worker would lack the most basic labor protections available to other workers; and

Whereas, Attorney General Opinion No. 7301 may discourage migrant and seasonal farm workers from coming to Michigan for work. These workers often work in several states each year, and the lack of minimum wage protections may incentivize them to choose jobs in other states. This may significantly affect Michigan farmers' ability to employ enough workers to harvest their entire crop, negatively impacting Michigan's economy; and

Whereas, In 2019, the Michigan Civil Rights Commission requested that Attorney General Dana Nessel reconsider the opinion issued by her predecessor to ensure the continued success of Michigan's vital agricultural industry; now, therefore, be it

Resolved by the House of Representatives, That we join with the Michigan Civil Rights Commission in requesting that Michigan Attorney General Dana Nessel reconsider Attorney General Opinion No. 7301 that certain migrant and seasonal farm workers are not entitled to minimum wage under Michigan law; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Attorney General and the Chair of the Michigan Civil Rights Commission.

The resolution was referred to the Committee on Commerce and Tourism.

Reps. Reilly and Gay-Dagnogo offered the following resolution:

House Resolution No. 302.

A resolution to declare September 24, 2020, as a Day of Prayer, Fasting, and Humiliation in the state of Michigan.

Whereas, Our state and nation cries out in pain, grief, anxiety, and worry; and

Whereas, We restate the proclamation of President Lincoln: "it is fit and becoming in all people, at all times, to acknowledge and revere the Supreme Government of God," and "that the fear of the Lord is the beginning of wisdom."; and

Whereas, We humbly ask almighty God in accordance with His sovereignty to heal our land of calamities, division, anger, and strife; and

Whereas, We further quote President Lincoln to, "earnestly recommend to all the People, and especially to all ministers and teachers of religion of all denominations, and to all heads of families, to observe and keep that day according to their several creeds and modes of worship, in all humility and with all religious solemnity, to the end that the united prayer of the nation may ascend to the Throne of Grace and bring down plentiful blessings upon our Country"; and

Whereas, We have confidence that in accordance with God's will, our nation and state will be healed and unified; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 24, 2020, as a Day of Prayer, Fasting, and Humiliation in the state of Michigan.

The resolution was referred to the Committee on Government Operations.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 4483, entitled

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

Rep. Webber moved that the bill be re-referred to the Committee on Ways and Means.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5913, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 18, 23a, and 104 (MCL 388.1603, 388.1606, 388.1618, 388.1623a, and 388.1704), section 3 as amended by 2017 PA 108, sections 6, 18, and 104 as amended by 2019 PA 58, and section 23a as amended by 2020 PA 22.

The Senate has substituted (S-1) the bill.

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts;" by amending sections 6, 6a, 11p, 104, 201c, and 236g (MCL 388.1606, 388.1606a, 388.1611p, 388.1704, 388.1801c, and 388.1836g), sections 6 and 104 as amended by 2020 PA 146, section 6a as amended by 2007 PA 137, and sections 11p, 201c, and 236g as added by 2020 PA 146, and by adding section 98a.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Cole moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Kuppa moved to amend the Senate substitute (S-1) as follows:

1. Amend page 33, following line 26, by inserting:

"Sec. 35. (1) In addition to the funds appropriated in section 11, there is appropriated an amount not to exceed \$1,600,000.00 from the general fund for grants to be distributed by the department to districts for the implementation of teacher professional-learning practices as described in subsection (3).

(2) To receive a grant under this section, a district must apply for a grant in a form and manner prescribed by the department.

(3) A district that receives funding under this section must use the funding to implement teacher professional-learning practices at schools operated by the district that, at a minimum, meet all of the following:

(a) Align with the teacher professional-learning practices and standards developed by the governor's education advisory council.

(b) Are relevant and are based on applicable instructional areas, use the materials teachers are using, involve local colleagues, and are related to local context.

(c) Are supportive of new teachers by ensuring that new teachers receive appropriate professional learning to increase the retention of teachers in the profession and reduce teacher migration in the first 5 years of teaching.

(d) Focus on quality and sustainability.

(e) Are needs-driven and allow all educational personnel to exercise choice about engaging in professional learning to ensure that the learning is based on individual needs and the needs of the community.

(f) Are inclusive and consider all educational personnel, including, but not limited to, paraprofessionals, counselors, librarians, and social workers. The practices must be relevant to the specific roles of educational personnel.

(g) Are purposeful and the content included must be tied to either a long- or short-term plan with built-in progress monitoring that is sustained and job-embedded. A plan, as described in this subdivision, must be adjusted or changed if it is not working or not being implemented in a way that is best for staff growth.

(h) Are peer-based by engaging, when possible and feasible, experts.

(i) Are collaborative.

(j) Are flexible.

(k) Are culturally relevant.

(l) Are focused on anti-racism practices, anti-bias practices, and social justice.

(m) Prioritize a focus on, at a minimum, all of the following topics:

(i) Trauma-informed education.

(ii) Culturally relevant pedagogy and leadership.

(iii) Building home supports and relationships.

(iv) Building virtual-learning skills.

(v) Assessment and feedback.

(vi) Work-life balance.

(vii) Instructional resources."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Shannon moved to amend the Senate substitute (S-1) as follows:

1. Amend page 33, following line 26, by inserting:

“Sec. 54d. (1) From the appropriations in section 11, there is allocated an amount not to exceed ~~\$7,150,000.00~~ **\$8,350,000.00** for 2019-2020 to intermediate districts for the purpose of providing state early on services pilot programs for children from birth to 3 years of age with a developmental delay or a disability, or both, and their families, as described in the early on Michigan state plan, as approved by the department.

(2) To be eligible to receive grant funding under this section, each intermediate district shall apply in a form and manner determined by the department.

(3) The grant funding allocated under this section must be used to increase early on services and resources available to children that demonstrate developmental delays to help prepare them for success as they enter school. State early on services include evaluating and providing early intervention services for eligible infants and toddlers and their families to address developmental delays, including those affecting physical, cognitive, communication, adaptive, social, or emotional development. Grant funds must not be used to supplant existing services that are currently being provided.

(4) The department shall distribute the funds allocated under subsection (1) to intermediate districts according to the department’s early on funding formula utilized to distribute the federal award to Michigan under part C of the individuals with disabilities education act. Funds received under this section must not supplant existing funds or resources allocated for early on early intervention services. An intermediate district receiving funds under this section shall maximize the capture of Medicaid funds to support early on early intervention services to the extent possible.

(5) Each intermediate district that receives funds under this section shall report data and other information to the department in a form, manner, and frequency prescribed by the department to allow for monitoring and evaluation of the pilot projects and to ensure that the children described in subsection (1) received appropriate levels and types of services delivered by qualified personnel, based on the individual needs of the children and their families.

(6) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.”

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Pohutsky moved to amend the Senate substitute (S-1) as follows:

1. Amend page 39, following line 15, by inserting:

“**Sec. 98b. (1) In addition to the funds appropriated in section 11, there is appropriated for 2019-2020 an amount not to exceed \$1,750,000.00 from the general fund to Michigan Virtual. The funds under this section must be used for the implementation of a program that meets all of the criteria under subsection (2).**

(2) The program funded under subsection (1) must meet all of the following criteria:

(a) Offer educators, families, children, teachers, and parents with free digital lessons focused on developing social, emotional, and mental well-being skills.

(b) The lessons described in subdivision (a) must be designed to support children in grades K to 12.

(c) Offer students access to age and developmentally appropriate content to help them understand how to care for their mental health, how to cope with intense feelings and anxiety, and how to seek help.

(d) The lessons described in subdivision (a) must help students continue to develop human skills, such as digital citizenship, cyberbullying and stress management, and other skills, such as time management, emotional self-care, and getting along and working with others.

(e) Offer digital companion guides that will support educators and parents by providing talking points about each student topic.”

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Gay-Dagnogo moved to amend the Senate substitute (S-1) as follows:

1. Amend page 35, line 16, after “re-confirmed.” by striking out “Thirty days” and inserting “At the start of the first quarter, trimester, or semester, as applicable.”

2. Amend page 35, line 17, after “and” by inserting “at the start of”.

3. Amend page 35, line 17, after “every” by striking out “30 days” and inserting “quarter, trimester, or semester, as applicable.”

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Tate moved to amend the Senate substitute (S-1) as follows:

1. Amend page 39, following line 15, by inserting:

“Sec. 99a. (1) In addition to the funds appropriated in section 11, there is appropriated for 2019-2020 an amount equal to \$1,800,000.00 from the general fund for a grant to be distributed by the department to a community licensed public television station in this state to provide direct services to educators, parents, and informal and formal caregivers to improve school readiness. These direct services and supports must include, but are not limited to, reading and literacy, community education camps, and professional development training programs.

(2) Notwithstanding section 17b, the department shall make 15 grant payments under this section on a schedule determined by the department.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Wittenberg moved to amend the Senate substitute (S-1) as follows:

1. Amend page 3, line 22, after “district,” by striking out the balance of the line through “times” on line 25 and inserting “the greater of the district’s, public school academy’s, intermediate district’s, or community district’s 2019-2020 membership as calculated under this section in 2019-2020 or”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Koleszar moved to amend the Senate substitute (S-1) as follows:

1. Amend page 43, line 26, after “(8)” by striking out the balance of the line through “meet” on line 27 and inserting “A district may accomplish”.

2. Amend page 43, line 27, after “following” by striking out “requirements:” and inserting a colon.

3. Amend page 43, line 29, after “district” by striking out “shall” and inserting “may”.

4. Amend page 44, line 7, after “district” by striking out “shall” and inserting “may”.

5. Amend page 44, line 19, after “subsection” by striking out “(14),” and inserting “(13).”.

6. Amend page 45, line 6, after “assessments” by striking out “toward meeting the requirement under” and inserting “for the purpose of”.

7. Amend page 45, line 21, by striking out all of subsection (12) and renumbering the remaining subsections.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Love moved to amend the Senate substitute (S-1) as follows:

1. Amend page 37, line 19, after “each” by striking out “month” and inserting “quarter”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 344

Yeas—73

Afendoulis	Frederick	LaGrand	Slagh
Albert	Glenn	Lasinski	Sneller
Alexander	Green	Leutheuser	Sowerby
Allor	Greig	Liberati	Stone
Bellino	Griffin	Lightner	Tate
Berman	Haadsma	Lilly	VanSingel
Brann	Hall	Maddock	VanWoerkom
Brixie	Hauck	Markkanen	Vaupel
Byrd	Hertel	Meerman	Wakeman
Calley	Hoadley	Miller	Warren
Chatfield	Hood	Mueller	Webber
Cherry	Hornberger	Neeley, C.	Wendzel
Cole	Huizenga	O’Malley	Wentworth
Coleman	Iden	Rendon	Whiteford

Crawford	Inman	Sabo	Whitsett
Eisen	Jones	Schroeder	Witwer
Ellison	Kennedy	Shannon	Wozniak
Farrington	LaFave	Sheppard	Yaroch
Filler			

Nays—33

Anthony	Garrett	Johnson, C.	Pagan
Bolden	Garza	Johnson, S.	Paquette
Bollin	Gay-Dagnogo	Kahle	Peterson
Cambensy	Guerra	Koleszar	Pohutsky
Camilleri	Hammoud	Kuppa	Rabhi
Carter, B.	Hernandez	Love	Reilly
Carter, T.	Hoitenga	Lower	Wittenberg
Chirkun	Hope	Manoogian	Yancey
Clemente			

In The Chair: Lilly

The House agreed to the title as amended.

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

Reps. Garza, Pohutsky and Hope, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

Since the beginning of this unprecedented COVID-19 pandemic, Michigan’s public school teachers and administrators have been asking the Legislature to work with them on a plan for the academic year that provides the guidance and flexibility necessary to keep students, parents and teachers safe. Unfortunately, the package before us today fell short of offering our schools the certainty and security they need during this crisis.

While no compromise is perfect, the benchmark testing and attendance requirements outlined in this legislation create additional challenges for students and teachers as they adjust to new instructional methods during an already extremely stressful time. Additionally, requiring school boards to reauthorize their extended learning plan every month places an additional burden on local school boards, administrators and teachers when their most important priority must be ensuring students receive the instructional support they deserve.

I voted no on HB 5911 – 5913 because this legislation creates high stakes testing, places an undue administrative burden when our students, teachers, administrators and parents must focus on our students’ safety and educational needs.”

Rep. Cynthia Johnson, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

This Bill and its companion Bills will harm School Districts like Detroit and other Districts wishing to protect their families. The school districts will lose funding because many families, including mine, are scared and will not gamble their children and families lives by sending their children to a physical brick and mortar for face to face learning. We all know that in class learning is best, but because of the pandemic and because of all of the thousands of COVID-19 deaths, this bill package is not helping those who feel safer being taught online or virtual learning. These bill packages are forcing in person teaching and these bills are nothing more than going along with the President of the United States unreasonable stance and threat to districts by holding funding from them when students don’t attend. COVID-19 is real and all districts are not prepared. I’ve not seen a mandate for all districts to ensure air quality systems are up to date and safe. This is unfortunate.”

Rep. Love, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

These are unprecedented times. COVID-19 has caused great devastation across numerous industries and our school systems were not spared. As parents and schoolchildren ponder how they’ll manage this new method of schooling and educators prepare to administer necessary and meaningful learning experiences, it is imperative that we not add excessive burdens and penalize school districts for unrealistic requirements during. While this bill package earnestly starts to attempt to provide flexibility, its monthly student contact reporting requirement along with the 75/25 student count formula which is punitive for school district prevents me from supporting this bill package. Superintendents throughout my district agree, these package of bills simple do not do enough to assist school district and aid in the execution of educating our students.”

Rep. Bollin, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

Brighton Area Schools is a large district in my area that will be potentially harmed with the student count formula due to the increase in their school choice students and proposed penalties.”

House Bill No. 5912, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2019 PA 58.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Cole moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Camilleri moved to amend the Senate substitute (S-2) as follows:

- 1. Amend page 7, line 2, after “district.” by striking out the balance of the line through “75%.” on line 7.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Manoogian moved to amend the Senate substitute (S-2) as follows:

- 1. Amend page 7, line 2, after the first “district” by inserting a comma and “**excluding pupils who are not in attendance due to a COVID-19-related illness**”.

- 2. Amend page 7, line 4, after “year” by inserting “as described in this subdivision”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 345

Yeas—77

Afendoulis	Frederick	LaFave	Sheppard
Albert	Glenn	LaGrand	Slagh
Alexander	Green	Lasinski	Sneller
Allor	Greig	Leutheuser	Sowerby
Bellino	Griffin	Liberati	Stone
Berman	Haadsma	Lightner	Tate
Bollin	Hall	Lilly	VanSingel
Brann	Hauck	Maddock	VanWoerkom
Brixie	Hertel	Markkanen	Vaupel
Byrd	Hoadley	Meerman	Wakeman
Calley	Hoitenga	Miller	Warren
Chatfield	Hood	Mueller	Webber
Cherry	Hornberger	Neeley, C.	Wenzel

Cole	Huizenga	O'Malley	Wentworth
Coleman	Iden	Paquette	Whiteford
Crawford	Inman	Rendon	Whitsett
Eisen	Jones	Sabo	Witwer
Ellison	Kahle	Schroeder	Wozniak
Farrington	Kennedy	Shannon	Yaroch
Filler			

Nays—29

Anthony	Garrett	Johnson, C.	Pagan
Bolden	Garza	Johnson, S.	Peterson
Cambensy	Gay-Dagnogo	Koleszar	Pohutsky
Camilleri	Guerra	Kuppa	Rabhi
Carter, B.	Hammoud	Love	Reilly
Carter, T.	Hernandez	Lower	Wittenberg
Chirkun	Hope	Manoogian	Yancey
Clemente			

In The Chair: Lilly

The House agreed to the full title.

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

Reps. Garza, Pohutsky and Hope, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

Since the beginning of this unprecedented COVID-19 pandemic, Michigan’s public school teachers and administrators have been asking the Legislature to work with them on a plan for the academic year that provides the guidance and flexibility necessary to keep students, parents and teachers safe. Unfortunately, the package before us today fell short of offering our schools the certainty and security they need during this crisis.

While no compromise is perfect, the benchmark testing and attendance requirements outlined in this legislation create additional challenges for students and teachers as they adjust to new instructional methods during an already extremely stressful time. Additionally, requiring school boards to reauthorize their extended learning plan every month places an additional burden on local school boards, administrators and teachers when their most important priority must be ensuring students receive the instructional support they deserve.

I voted no on HB 5911 – 5913 because this legislation creates high stakes testing, places an undue administrative burden when our students, teachers, administrators and parents must focus on our students’ safety and educational needs.”

Rep. Love, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

These are unprecedented times. COVID-19 has caused great devastation across numerous industries and our school systems were not spared. As parents and schoolchildren ponder how they’ll manage this new method of schooling and educators prepare to administer necessary and meaningful learning experiences, it is imperative that we not add excessive burdens and penalize school districts for unrealistic requirements during. While this bill package earnestly starts to attempt to provide flexibility, its monthly student contact reporting requirement along with the 75/25 student count formula which is punitive for school district prevents me from supporting this bill package. Superintendents throughout my district agree, these package of bills simple do not do enough to assist school district and aid in the execution of educating our students.”

House Bill No. 5911, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 21f (MCL 388.1621f), as amended by 2018 PA 265.

The Senate has substituted (S-1) the bill.

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Cole moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 346**Yeas—81**

Afendoulis	Glenn	LaFave	Shannon
Albert	Green	LaGrand	Sheppard
Alexander	Greig	Lasinski	Slagh
Allor	Griffin	Leutheuser	Sneller
Bellino	Haadsma	Liberati	Sowerby
Berman	Hall	Lightner	Stone
Bollin	Hauck	Lilly	Tate
Brann	Hernandez	Lower	VanSingel
Brixie	Hertel	Maddock	VanWoerkom
Byrd	Hoadley	Markkanen	Vaupel
Calley	Hoitenga	Meerman	Wakeman
Chatfield	Hood	Miller	Warren
Cherry	Hornberger	Mueller	Webber
Cole	Huizenga	Neeley, C.	Wendzel
Coleman	Iden	O'Malley	Wentworth
Crawford	Inman	Paquette	Whiteford
Eisen	Johnson, S.	Reilly	Whitsett
Ellison	Jones	Rendon	Witwer
Farrington	Kahle	Sabo	Wozniak
Filler	Kennedy	Schroeder	Yaroch
Frederick			

Nays—25

Anthony	Clemente	Hope	Pagan
Bolden	Garrett	Johnson, C.	Peterson
Cambensy	Garza	Koleszar	Pohutsky
Camilleri	Gay-Dagnogo	Kuppa	Rabhi
Carter, B.	Guerra	Love	Wittenberg
Carter, T.	Hammoud	Manoogian	Yancey
Chirkun			

In The Chair: Lilly

The House agreed to the full title.

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

Reps. Garza, Pohutsky and Hope, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

Since the beginning of this unprecedented COVID-19 pandemic, Michigan’s public school teachers and administrators have been asking the Legislature to work with them on a plan for the academic year that provides the guidance and flexibility necessary to keep students, parents and teachers safe. Unfortunately, the package before us today fell short of offering our schools the certainty and security they need during this crisis.

While no compromise is perfect, the benchmark testing and attendance requirements outlined in this legislation create additional challenges for students and teachers as they adjust to new instructional methods during an already extremely stressful time. Additionally, requiring school boards to reauthorize their extended learning plan every month places an additional burden on local school boards, administrators and teachers when their most important priority must be ensuring students receive the instructional support they deserve.

I voted no on HB 5911 – 5913 because this legislation creates high stakes testing, places an undue administrative burden when our students, teachers, administrators and parents must focus on our students’ safety and educational needs.”

Rep. Love, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

These are unprecedented times. COVID-19 has caused great devastation across numerous industries and our school systems were not spared. As parents and schoolchildren ponder how they’ll manage this new method of schooling and educators prepare to administer necessary and meaningful learning experiences, it is imperative that we not add excessive burdens and penalize school districts for unrealistic requirements during. While this bill package earnestly starts to attempt to provide flexibility, its monthly student contact reporting requirement along with the 75/25 student count formula which is punitive for school district prevents me from supporting this bill package. Superintendents throughout my district agree, these package of bills simple do not do enough to assist school district and aid in the execution of educating our students.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hammoud, Brixie, Manoogian, Camilleri, Pagan, Liberati, Cherry, Afendoulis, Alexander, Allor, Anthony, Bellino, Berman, Bolden, Bollin, Brann, Byrd, Calley, Cambensy, Brenda Carter, Tyrone Carter, Chirkun, Clemente, Coleman, Crawford, Ellison, Filler, Garrett, Garza, Glenn, Greig, Guerra, Hauck, Hertel, Hoadley, Hood, Hope, Huizenga, Iden, Inman, Cynthia Johnson, Jones, Kahle, Kennedy, Koleszar, Kuppa, Lasinski, Leutheuser, Lightner, Lilly, Love, Maddock, Markkanen, Meerman, Miller, Mueller, Neeley, O’Malley, Paquette, Peterson, Pohutsky, Rabhi, Reilly, Rendon, Sabo, Schroeder, Shannon, Sheppard, Slagh, Sneller, Sowerby, Stone, Tate, VanSingel, Vaupel, Wakeman, Warren, Webber, Wendzel, Wentworth, Whiteford, Wittenberg, Witwer, Wozniak and Yaroch offered the following resolution:

House Resolution No. 303.

A resolution to urge the Congress and President of the United States to immediately send humanitarian aid to Lebanon in response to the Beirut Port Explosion.

Whereas, On August 4, 2020, a cache of the chemical substance ammonium nitrate which was being stored in a warehouse on the Port of Beirut in Lebanon caught fire, resulting in an explosion that killed more than 150 people and wounded over 5,000 others. According to experts, the blast registered on seismographs at 3.3, and the blast was the third most powerful explosion in history after Hiroshima and Nagasaki in Japan during World War II; and

Whereas, In addition to the tragic loss of life, the explosion has largely destroyed the port and its infrastructure, which was responsible for 60 percent of Lebanon’s imports and was one of the largest and busiest ports on the eastern Mediterranean Sea. As a result of the explosion, most of the city’s grain reserves and food imports were destroyed, which is likely to cause widespread food insecurity for years to come. In addition, the city of Beirut is suffering billions in damages, with the explosion shattering glass as far as 15 miles from the scene. In response to the widespread devastation from the blast, a two-week state of emergency has been declared; and

Whereas, The people of Lebanon were already suffering from daily power outages, a lack of safe drinking water, food and fuel shortages, and limited public health care before the explosion. The COVID-19 Pandemic exacerbated these issues, resulting in Lebanon’s worst economic crisis since the 1975-1990 Civil War. Now with the devastation from the explosion, it has become nearly impossible for the Lebanese people to obtain basic human rights without humanitarian aid; and

Whereas, Rescue efforts have been hampered by the lack of electricity, and medical professionals are stitching the wounded in the streets under their cellphone lights. Public Health Minister Hamad Hassan said Lebanon's health sector is short of beds and lacked the equipment necessary to treat the injured and care for patients in critical condition. Meanwhile, many buildings and homes have been reduced to an uninhabitable mess of glass, leaving as many as 300,000 people homeless. Furthermore, the toxic gases released from the explosion, combined with the impact of COVID-19 and the thick Mediterranean summer air, have created a deeply oppressive atmosphere where the people of Beirut cannot breathe; and

Whereas, Lebanon's Prime Minister Hassan Diab and his government have stepped down after citing mass corruption that contributed to the disaster. Before the resignation, Prime Minister Hassan Diab made a plea to other countries for aid. France, Russia, Iraq, and Iran have sent planes full of doctors, medical supplies, medication, and more to help Lebanon through this crisis; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress and President of the United States to send humanitarian aid in the form of medical supplies, medications, and emergency funding to Lebanon in the wake of the Beirut Port Explosion; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the Michigan congressional delegation.

The question being on the adoption of the resolution,
The resolution was adopted.

Rep. Cole moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Cole moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Rep. Cole moved that when the House adjourns today it stand adjourned until Tuesday, September 1, at 1:30 p.m.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, August 12:

House Bill Nos. 6102 6103 6104

The Clerk announced that the following bills had been reproduced and made available electronically on Saturday, August 15:

**Senate Bill Nos. 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065
1066 1067 1068 1069 1070 1071**

Reports of Select Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hall, Chair, of the Joint Select Committee on the COVID-19 Pandemic, was received and read:

Meeting held on: Thursday, August 13, 2020

Present: Reps. Hall, Calley, O'Malley, Guerra and Tyrone Carter
Sens. Schmidt, Hertel and Hollier

Absent: Sens. Nesbitt and LaSata

Excused: Sen. Nesbitt and LaSata

Messages from the Governor

The following message from the Governor was received August 15, 2020 and read:

EXECUTIVE ORDER

No. 2020-170

Temporary COVID-19 protocols for entry into Michigan Department of Corrections facilities and transfers to and from Department custody; temporary recommended COVID-19 protocols and enhanced early-release authorization for county jails, local lockups, and juvenile detention centers

Rescission of Executive Order 2020-146

The novel coronavirus presents an unusually deadly threat to people living in congregate settings like jails and prisons. In order to protect these vulnerable people, I took swift action in March 2020 to stem the tide of COVID-19 in prisons and jails by ordering a suspension of transfers from jails to prisons, and requiring the Department of Corrections to implement certain risk reduction protocols. Under this order, jails were allowed to resume transfers only upon demonstrating that they had implemented comparable risk reduction protocols.

I am extremely proud of Michigan's efforts to expand testing, especially of vulnerable populations. Our state now conducts the sixth-highest number of daily tests and requires testing in congregate settings like nursing homes and agricultural worker housing. In light of the ongoing threat of COVID-19 to jail and prison populations, and the increased availability of testing in our state, it is now reasonable and necessary to require entry, transfer, and release testing of inmates in Michigan prisons, and to allow transfers only from jails that implement comparable testing protocols.

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended (EMA), MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended (EPGA), MCL 10.31 et seq.

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the EPA, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the EMA.

Those executive orders have been challenged in *Michigan House of Representatives and Michigan Senate v. Whitmer*. On May 21, 2020, the Court of Claims ruled that Executive Order 2020-67 is a valid exercise of authority under the Emergency Powers of the Governor Act but that Executive Order 2020-68 is not a valid exercise of authority under the Emergency Management Act. Both of those rulings are being challenged on appeal.

On August 7, 2020, I issued Executive Order 2020-165, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature had declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

The Emergency Powers of the Governor Act provides a sufficient legal basis for issuing this executive order. In relevant part, it provides that, after declaring a state of emergency, "the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control." MCL 10.31(1).

Nevertheless, subject to the ongoing litigation and the possibility that current rulings may be overturned or otherwise altered on appeal, I also invoke the Emergency Management Act as a basis for executive action to combat the spread of COVID-19 and mitigate the effects of this emergency on the people of Michigan, with the intent to preserve the rights and protections provided by the EMA. The EMA vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)–(2). This executive order falls within the scope of those powers and duties, and to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has not granted an extension request, they too provide a sufficient legal basis for this order.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. **Transfers from jails to prisons.** All transfers into the custody of the Department of Corrections (“Department”) are temporarily suspended unless the transferring jail or local lockup satisfactorily implements both the risk reduction protocols described in section 2 and the testing protocols described in section 3. This section is effective immediately for jails that have not resumed transfers into the Department under a prior version of this executive order, and effective September 8, 2020 for jails that have resumed transfers into Department custody under a prior version of this executive order.
 - (a) Beginning seven days from the effective date of this order, and no more than once every seven days, a jail or local lockup may request that the Director of the Department (“Director”) determine that the jail or lockup has satisfactorily implemented both the risk reduction protocols described in section 2 and the testing protocols described in section 3.
 - (b) Upon inspection, if the Director determines that a jail or local lockup has satisfactorily implemented risk reduction protocols and testing protocols, transfers from that jail or lockup will resume in accordance with those protocols.
 - (c) Jails and local lockups must provide documentation of each transferee’s testing history upon transfer. The Director may reject transfers that do not pass the screening protocol for entry into a facility operated by the Department.
 - (d) Parole violators in the Department’s custody must not be transported to or lodged in a county jail or local lockup unless the Director has determined that such county jail or local lockup has satisfactorily implemented both the risk reduction protocols described in section 2 and the testing protocols described in section 3.
2. **Risk reduction protocols.** The Department must implement risk reduction protocols to address COVID-19, including the following:
 - (a) Screening all persons arriving at or departing from a facility, including staff, inmates, vendors, and any other person entering the facility, in a manner consistent with guidelines issued by the Centers for Disease Control and Prevention (“CDC”). Such screening includes a temperature reading and obtaining information about travel and any contact with persons under investigation for COVID-19 infection.
 - (b) Isolating and testing any inmate who has one or more of the principal symptoms of COVID-19, including fever, sore throat, a new uncontrolled cough that causes difficulty breathing, diarrhea, vomiting, abdominal pain, new onset of a severe headache, and new loss of taste or smell.
 - (c) Restricting all visits, except for attorney-related visits, and conducting those visits without physical contact to the extent feasible.
 - (d) Coordinating with local public health departments on isolation plans and outbreak response.
 - (e) Notifying the local public health department of any suspected or confirmed case of COVID-19.
 - (f) Providing, to the fullest extent possible, appropriate personal protective equipment to all staff as recommended by the CDC.
 - (g) To the extent feasible, opening windows and doors, and using fans, to increase air circulation; considering taking additional steps to improve ventilation in the facility, in consultation with an HVAC professional, based on local environmental conditions.
 - (h) Conducting routine cleaning and sanitizing consistent with CDC guidance, as provided at <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/index.html>
 - (i) Ensuring access to personal hygiene products for inmates and correctional staff, including soap and water sufficient for regular handwashing.
 - (j) Ensuring that protective laundering protocols are in place.
 - (k) Posting signage and continually educating on the importance of social distancing, handwashing, and personal hygiene.
 - (l) Requiring inmates and staff to practice social distancing to the fullest extent feasible, and to wear facial coverings when maintaining six feet of social distance from persons housed separately is not possible.

- (m) Minimizing crowding, including gatherings of 10 or more people, which may include scheduling more times for meal and recreation to reduce person-to-person contact.
 - (n) During transport, ensuring that staff and inmates wear facial coverings and maintain appropriate social distance, including by reducing vehicle capacity.
3. **Testing protocols.** Consistent with guidance issued by the Michigan Department of Health and Human Services, the Department must conduct COVID-19 diagnostic testing in all of its facilities as follows (obtaining consent of the individual or other person legally authorized to make medical care decisions for the individual):
- (a) Except as otherwise provided in this subsection, test all inmates entering a facility upon intake (within 24 hours), or in the 72 hours prior to intake. Although testing is recommended for all inmates entering a facility, this requirement does not apply to inmates held outside general population, housed in single cells (i.e. without other inmates), released within 24 hours, and provided with educational materials on the importance of testing and contact tracing.
 - (b) Test any inmate scheduled to be transferred to another facility, including a Department facility, within 72 hours prior to transfer.
 - (c) Test any inmate scheduled for release within 72 hours prior to release. If an inmate tests positive for COVID-19, that inmate must not be detained solely because of COVID-19 positive status, but must not be released into any other congregate settings if that inmate is in isolation protocol.
 - (d) In case of a sustained outbreak (any confirmed positive case identified within the last 14 days epidemiologically linked to another positive case within the same facility) or other high-risk situation, conduct ongoing testing coupled with contact tracing, in coordination with the local public health department.
 - (e) Isolate and medically manage any inmate who tests positive for COVID-19 as appropriate. Except for transfers to isolation units, to manage medical needs, or for exigent security reasons, inmates testing positive should not be transferred to another corrections facility or other congregate setting, unless they meet the following criteria:
 - (1) At least 10 days have passed since symptom onset, except in cases in which infection-control experts recommend longer isolation (e.g., up to 20 days in severely immunocompromised persons), and;
 - (2) At least 24 hours have passed since resolution of fever without the use of fever-reducing medications and;
 - (3) Other symptoms have improved.
4. **State assistance for expanded testing.**
- (a) The Department of Health and Human Services must provide direct assistance with testing supplies, specimen collection, and laboratory processing to jails and local lockups that request assistance, as resources permit. Jails and local lockups may submit requests for assistance to MDHHS-cjtestingrequests@michigan.gov.
 - (b) A jail or local lockup that receives assistance yet still cannot comply with the testing protocols described in section 3 due to delays in test processing time may request adjustments to the timing requirements of section 3, which the Director may grant in her sole discretion.
5. **Early release.** To mitigate the risk of COVID-19 spreading in county jails, strict compliance with the capacity and procedural requirements regarding county jail overcrowding states of emergency in the County Jail Overcrowding Act (“CJOA”), 1982 PA 325, MCL 801.51 et seq., is temporarily suspended. While this order is in effect, all actions that would be authorized under the CJOA in the event of a declaration of a county jail overcrowding state of emergency are authorized and shall remain authorized without regard to any reduction in jail population or any other such limitations on the duration of authorization imposed by the CJOA. Anyone authorized to act under this section is strongly encouraged to consider early release for all of the following, so long as they do not pose a public safety risk:
- (a) Older people, people who have chronic conditions or are otherwise medically frail, people who are pregnant, and people nearing their release date.
 - (b) Anyone who is incarcerated for a traffic violation.
 - (c) Anyone who is incarcerated for failure to appear or failure to pay.
 - (d) Anyone with behavioral health problems who can safely be diverted for treatment.
6. **Reimbursement to counties.** The State Budget Office must ensure that counties are reimbursed for lodging inmates who would have been transferred into the Department’s custody if not for the suspension of transfers.

- 7. **Juvenile detention centers.** Juvenile detention centers are strongly encouraged to reduce the risk that those at their facilities will be exposed to COVID-19 by implementing as feasible the following measures:
 - (a) Adopting the risk reduction protocols and testing protocols described in sections 1 and 2.
 - (b) Removing from the general population any juveniles who have COVID-19 symptoms.
 - (c) Eliminating any form of juvenile detention or residential facility placement except for juveniles who are determined to be a substantial and immediate safety risk to themselves or others.
 - (d) Providing written and verbal communications to all juveniles at such facilities regarding COVID-19, access to medical care, and community-based support.
 - (e) To the fullest extent possible, facilitating access to family, education, and legal counsel through electronic means (such as telephone calls or video conferencing) at no cost, rather than through in-person meetings.
- 8. **Juveniles on court-ordered probation.** Unless otherwise directed by court order, for juveniles on court-ordered probation, the use of out-of-home confinement for technical violations of probation and any requirements for in-person meetings with probation officers are temporarily suspended.
- 9. **Effective Date.** This order is effective immediately and continues through September 30, 2020 at 11:59 pm.
- 10. **Effects on prior orders.**
 - (a) Executive Order 2020-146 is rescinded.
 - (b) The Prescription Drug Task Force created by Executive Order 2020-1 must complete its work and submit a final report to the governor detailing its findings and recommendations by January 31, 2021.

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

Date: August 15, 2020

Time: 11:18 am

[SEAL]

GRETCHEN WHITMER

GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Rep. Wakeman introduced

House Bill No. 6105, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13501, 13505, 13506, 13515, 13517, 13521, 13522, 13525, 13535, and 13536 (MCL 333.13501, 333.13505, 333.13506, 333.13515, 333.13517, 333.13521, 333.13522, 333.13525, 333.13535, and 333.13536), sections 13501 and 13522 as amended by 1994 PA 100 and section 13521 as amended by 2018 PA 544, and by adding part 135a; and to repeal acts and parts of acts.

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

Rep. Hoitenga introduced

House Bill No. 6106, entitled

A bill to amend 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," by amending section 1 (MCL 10.31), as amended by 2006 PA 546.

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

Reps. Whitsett, Cynthia Neeley, Inman, Ellison, Peterson, Yancey, Elder, Garrett, Warren, Cambensy, Byrd, Garza, Tate and Jones introduced

House Bill No. 6107, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16290 and 20190.

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

Rep. Meerman introduced

House Bill No. 6108, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 505 (MCL 339.505) and by adding section 602a.

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

Reps. O'Malley and Meerman introduced

House Bill No. 6109, entitled

A bill to amend 2016 PA 407, entitled "Skilled trades regulation act," by amending section 509 (MCL 339.5509) and by adding section 603a.

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

Reps. Paquette and Meerman introduced

House Bill No. 6110, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 92 (MCL 24.292), as amended by 2014 PA 540.

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

Reps. Slagh and Meerman introduced

House Bill No. 6111, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221a and 16233 (MCL 333.16221a and 333.16233), section 16221a as added by 2014 PA 346 and section 16233 as amended by 2014 PA 280.

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

Reps. Brenda Carter, Rendon, Berman, Markkanen, Wozniak and Paquette introduced

House Bill No. 6112, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4151 and 4153 (MCL 500.4151 and 500.4153), as amended by 2012 PA 544.

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

Reps. Berman, Eisen, Markkanen, Rendon, Paquette, Wozniak and Brenda Carter introduced

House Bill No. 6113, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4155 and 4158 (MCL 500.4155 and 500.4158), section 4155 as amended by 2012 PA 544 and section 4158 as added by 2012 PA 544.

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

Reps. Markkanen, Rendon, Eisen, Wozniak, Paquette and Brenda Carter introduced

House Bill No. 6114, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4159 and 4160 (MCL 500.4159 and 500.4160), as added by 2012 PA 544.

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

Reps. Rendon, Berman, Markkanen, Wozniak, Eisen, Paquette and Brenda Carter introduced

House Bill No. 6115, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4165 (MCL 500.4165), as amended by 2012 PA 544, and by adding section 4166.

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

Reps. Lightner and Hernandez introduced

House Bill No. 6116, entitled

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

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

Reps. Whiteford and Hernandez introduced

House Bill No. 6117, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16315 and 20161 (MCL 333.16315 and 333.20161), section 16315 as amended by 2013 PA 268 and section 20161 as amended by 2020 PA 35.

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

Reps. Hauck and Hernandez introduced

House Bill No. 6118, entitled

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

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

Reps. Cynthia Neeley and Hernandez introduced

House Bill No. 6119, entitled

A bill to amend 1985 PA 106, entitled “State convention facility development act,” by amending section 10 (MCL 207.630), as amended by 2010 PA 207.

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

Reps. Cynthia Johnson and Hernandez introduced

House Bill No. 6120, entitled

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

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

Reps. Hammoud and Hernandez introduced

House Bill No. 6121, entitled

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

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

Reps. Stone and Hernandez introduced

House Bill No. 6122, entitled

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

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

Reps. Hall, Calley and O’Malley introduced

House Bill No. 6123, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 19 (MCL 421.19), as amended by 2011 PA 269.

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

Reps. Hall, Cambensy, Crawford and Wozniak introduced

House Bill No. 6124, entitled

A bill to amend 1981 PA 180, entitled “Older Michiganians act,” (MCL 400.581 to 400.594) by adding section 6l.

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

Reps. LaFave and Markkanen introduced

House Bill No. 6125, 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 1k.

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

Reps. Chirkun, Sabo, Tyrone Carter, Brixie, Tate, Cherry and Yaroch introduced

House Bill No. 6126, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20199 (MCL 333.20199) and by adding section 21788.

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

Rep. Markkanen introduced

House Bill No. 6127, 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,” by amending section 18m (MCL 247.668m), as added by 2018 PA 507.

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

Rep. Markkanen introduced

House Bill No. 6128, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” (MCL 61.1 to 74.25) by adding section 5b to chapter II.

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

Rep. Markkanen introduced

House Bill No. 6129, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 229 and 275 (MCL 388.1829 and 388.1875), section 229 as amended by 2018 PA 265 and section 275 as amended by 2017 PA 108.

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

Reps. Cynthia Johnson and Cynthia Neeley introduced

House Bill No. 6130, entitled

A bill to amend 2018 PA 338, entitled “Paid medical leave act,” by amending section 2 (MCL 408.962), as amended by 2018 PA 369.

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

Reps. Coleman, Rabhi, Peterson, Brenda Carter, Garza, Shannon, Camilleri and Hammoud introduced

House Bill No. 6131, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 27 and 28b (MCL 421.27 and 421.28b), section 27 as amended by 2016 PA 522 and section 28b as added by 2012 PA 216.

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

Reps. Mueller, Sneller, Cambensy, Yaroch and Cherry introduced

House Bill No. 6132, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 219, 904c, and 904f (MCL 257.219, 257.904c, and 257.904f), section 219 as amended by 2018 PA 74, section 904c as amended by 1999 PA 73, and section 904f as added by 1998 PA 358.

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

Rep. Reilly introduced

House Bill No. 6133, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 24f (MCL 211.24f), as amended by 2000 PA 244.

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

Reps. Reilly, Steven Johnson, Eisen, Paquette and Lower introduced

House Bill No. 6134, entitled

A bill to prohibit municipalities from requiring an individual to wear a face covering on public or private property or in a public or private building; to provide for the powers and duties of certain local governmental officers and entities; and to provide that certain local ordinances, resolutions, or policies are void and unenforceable.

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

Rep. Shannon moved that the House adjourn.
The motion prevailed, the time being 2:30 p.m.

Associate Speaker Pro Tempore Lilly declared the House adjourned until Tuesday, September 1, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives