

No. 30  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2020

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Senate Chamber, Lansing, Wednesday, March 25, 2020

10:00 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

**Motions and Communications**

The following communication was received and read:

Office of the Auditor General

March 18, 2020

Enclosed is a copy of the following report:

- Performance audit report on the Office of Land Survey and Remonumentation, Department of Licensing and Regulatory Affairs (641-0991-19).

Sincerely,  
Doug Ringle  
Auditor General

The audit report was referred to the Committee on Oversight.

**Messages from the Governor**

The following messages from the Governor were received:

Date: March 17, 2020

Time: 1:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 253 (Public Act No. 63), being**

An act to amend 1846 RS 81, entitled “Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action,” by amending section 2 (MCL 566.132), as amended by 1992 PA 245.

(Filed with the Secretary of State on March 17, 2020, at 1:56 p.m.)

Date: March 17, 2020

Time: 1:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 762 (Public Act No. 64), being**

An act to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and

operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

(Filed with the Secretary of State on March 17, 2020, at 1:58 p.m.)

Respectfully,  
Gretchen Whitmer  
Governor

The following message from the Governor was received on March 18, 2020, and read:

EXECUTIVE ORDER  
No. 2020-13

**Temporary enhancements to operational capacity  
and efficiency of health care facilities**

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 Michigan 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, MCL 30.401-421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945, 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).

To provide necessary protections against the dangers to this state posed by the COVID-19 emergency, the state must ensure that there is an adequate supply of health care providers and facilities. To this end, it is reasonable and necessary to provide limited and temporary relief from certain regulatory requirements to enhance the operational capacity and efficiency of health care facilities.

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

1. Effective immediately and continuing through April 14, 2020 at 11:59 p.m., the Department of Health and Human Services ("DHHS") may issue an emergency certificate of need to an applicant and defer strict compliance with the procedural requirements of section 22235 of the Public Health Code, 1978 PA 368, as amended, MCL 333.22235, until the termination of the state of emergency under section 3 of Executive Order 2020-4.

2. Effective immediately and continuing through April 14, 2020 at 11:59 p.m., the Department of Licensing and Regulatory Affairs ("LARA") may grant a waiver under section 21564 of the Public Health Code, 1978 PA 368, as amended, MCL 333.21564, to any licensed hospital in this state, regardless of number of beds or location, for the purpose of providing care during the COVID-19 emergency, to construct, acquire, or operate a temporary or mobile facility for any health care purpose, regardless of where the facility is located.

3. Effective immediately and continuing through April 14, 2020 at 11:59 p.m., LARA may issue a temporary registration as a certified nurse aide to an applicant, regardless of whether the applicant demonstrates to LARA that they have successfully completed the examination requirements of sections 21911 and 21913 of the Public Health Code, 1978 PA 368, as amended, MCL 333.21911 and MCL 333.21913. A temporary registration issued under this section shall be valid for 28 days and may be renewed by LARA until the termination of the state of emergency under section 3 of Executive Order 2020-4.

4. Effective immediately and continuing through April 14, 2020 at 11:59 p.m., LARA may renew a license to practice under Part 170, 172, 175, 177, or 187 of the Public Health Code, 1978 PA 368, as amended, regardless of whether the licensee has satisfied the continuing education requirement applicable to their license.

5. Effective immediately and continuing through April 14, 2020 at 11:59 p.m., LARA may recognize hours worked responding to the COVID-19 emergency as hours toward continuing education courses or programs required for licensure.

6. Effective immediately and continuing through April 14, 2020 at 11:59 p.m., LARA may allow a non-nursing assistant such as an activity coordinator, social worker, or volunteer to help feed or transport a patient or resident in a manner consistent with the patient’s or resident’s care plan.

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

Date: March 17, 2020

Time: 5:59 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 19, 2020, and read:

EXECUTIVE ORDER  
No. 2020-14

**Temporary extension of deadline to redeem property for nonpayment of delinquent property taxes**

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 Michigan 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, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945, 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).

In response to COVID-19, some county offices have closed or limited access to county buildings. As a result, many county treasurers are unable to process redemption payments or enter into payment plans with property owners to avoid foreclosure.

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is reasonable and necessary to temporarily suspend rules and procedures so as to extend the deadline for redemption of property foreclosed for nonpayment of delinquent property taxes.

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

1. Strict compliance with subsection (3) of section 78g of the General Property Tax Act (“GPTA”), 1893 PA 206, as amended, MCL 211.78g(3), is temporarily suspended. As a result, the deadline by which property forfeited to a county treasurer must be redeemed is extended from March 31, 2020 until the later of (a) May 29, 2020, or (b) 30 days after the termination of the state of emergency under section 3 of Executive Order 2020-4.

2. A copy of this order will be transmitted to the State Court Administrative Office. The State Court Administrative Office is encouraged to urge judges of the circuit court to amend orders of foreclosure issued in 2020 under subsection (5) of section 78k of the GPTA, MCL 211.78k(5), in a manner consistent with the deadline extension under section 1.

3. Unless rescinded earlier, this order is effective upon issuance until the later of (a) May 29, 2020, or (b) the date 30 days after the termination of the state of emergency under section 3 of Executive Order 2020-4. Given under my hand and the Great Seal of the State of Michigan.

Date: March 18, 2020

Time: 3:39 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 19, 2020, and read:

EXECUTIVE ORDER  
No. 2020-15

**Temporary authorization of remote participation in public meetings  
and hearings and temporary relief from monthly meeting  
requirements for school boards**

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 Michigan 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, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945, 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).

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is crucial that all Michiganders take steps to limit in-person contact. These critical mitigation measures include social distancing and limiting the number of people interacting at public gatherings.

To that end, it is reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to conduct public business during this emergency, including actions to respond to COVID-19, and the general public must be able to continue to participate in government decision-making without unduly compromising public health, safety, and welfare.

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

1. Effective immediately and continuing until April 15, 2020 at 11:59 p.m., to the extent that the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.272 (“OMA”) requires that a meeting of a public body be held in a physical place available to the general public or requires the physical presence of

one or more members of a public body, strict compliance with section 3 of the OMA, MCL 15.263, is temporarily suspended in order to alleviate any such physical-place or physical-presence requirements, as follows:

(a) A meeting of a public body may be held electronically, including by telephonic conferencing or video conferencing, in a manner in which both the general public and the members of the public body may participate by electronic means.

(b) A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. The public body also may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants.

(c) Members of a public body and of the general public participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting.

(d) All persons must be permitted to participate in any meeting of a public body held electronically, except as otherwise provided in the OMA.

(e) If a public body directly or indirectly maintains an official internet presence, the public body must, consistent with and in addition to any other applicable notice requirements under the OMA, post advance notice of a meeting held electronically on a portion of the public body's website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include all of the following:

(i) An explanation of the reason why the public body is meeting electronically.

(ii) Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.

(iii) Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.

(iv) Procedures by which persons with disabilities may participate in the meeting.

(f) The right of a person to participate in a meeting of a public body held electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations to minimize the possibility of disrupting the meeting.

(g) A public body may not require a person as a condition of participating in a meeting of the public body held electronically to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms necessary to permit the person to participate in a public comment period of the meeting.

(h) A person must be permitted to address a meeting of a public body held electronically under rules established and recorded by the public body. A person must not be excluded from a meeting held electronically otherwise open to the public except for a breach of the peace actually committed during the meeting.

(i) During a meeting of a public body held electronically, members of the public body are urged to take all votes by roll call to avoid any questions about how each member of the public body votes.

(j) If a public body holding a meeting electronically directly or indirectly maintains an official internet presence, the public body is encouraged to make available to the general public through the public body's website homepage an agenda and other materials relating to the meeting.

(k) Members of the general public otherwise participating in a meeting of a public body held electronically may be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.

2. A public body holding a meeting electronically as provided under this order is encouraged to do so in a manner that effectuates as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making. Discussions or deliberations at an open meeting that cannot at a minimum be heard by the general public participating in the meeting are contrary to these purposes. Accordingly, members of a public body must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision, and must avoid "round-the-horn" decision-making in a manner not accessible to the public at an open meeting.

3. If a decision or other action of a public body is in compliance with the requirements of this order and the other requirements of the OMA, it is in compliance with the OMA.

4. Effective immediately and continuing until April 15, 2020 at 11:59 p.m., if a statute or rule other than the OMA requires that public comments be permitted or a public hearing be held, including in conjunction with the issuance of a permit or a hearing required under the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a, a public body or department or agency may provide a means for remote public comment or participation through the use of any technology that would facilitate a member of the general public’s ability to participate remotely to the same extent as if the member of the general public appeared in person. If not expressly authorized by statute or rule, written comment, including by electronic means, also is permitted.

5. Effective immediately and continuing until April 15, 2020 at 11:59 p.m., strict compliance with subsection 6 of section 11a, subsection 7 of section 384, and subsection 1 of section 418a of the Revised School Code, 1976 PA 451, as amended, MCL 380.11a(6), MCL 380.384(7), and MCL 380.418a(1), is temporarily suspended so as not to require school district boards to hold meetings at least once each month.

6. Nothing in this order permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of the press and other news media both to meetings held electronically and to members of public bodies.

7. As used in this order, the terms “decision,” “meeting,” and “public body” mean those terms as defined under section 2 of the OMA, MCL 15.262, except this order does not apply to state legislative bodies.

8. A provision of this order will prevail over any conflicting provision of a local charter, ordinance, or rule.

9. This order supersedes sections 2 and 3 of Executive Directive 2020-2.  
Given under my hand and the Great Seal of the State of Michigan.

Date: March 18, 2020  
Time: 4:46 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 19, 2020, and read:

EXECUTIVE ORDER  
No. 2020-16

**Expanding child care access during the COVID-19 emergency**

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 Michigan 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, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945 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).

To respond effectively to the urgent and steep demands created by this emergency, providers of health care, emergency medical services, law enforcement, and other essential services require child care services for their children, particularly when schools are closed. The general public needs expanded access to child care during this emergency as well. Meeting this critical need requires swiftly but safely expanding access to child care services. To that end, it is reasonable and necessary to provide temporary and limited relief from certain regulatory restrictions regarding child care services, and to facilitate the use of certain property for those services.

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

1. Effective immediately and continuing through April 15, 2020 at 11:59 p.m., strict compliance with section 7a of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.117a, is suspended as follows:

(a) A provisional license may be issued without submission to the Department of Licensing and Regulatory Affairs (“LARA”) of an acceptable plan to overcome the deficiency present in the child care organization within the time limitations of the provisional licensing period.

(b) A provisional license may be issued with an expiration date no earlier than one month after the date of issuance and no later than six months after the date of issuance, and may be renewed at the discretion of LARA until the termination of the state of emergency under section 3 of Executive Order 2020-4.

2. Effective immediately and continuing through April 15, 2020 at 11:59 p.m., strict compliance with subsection (2) of section 5m of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.115m(2), is suspended, as follows:

(a) An employer may establish and maintain a disaster relief child care center without a license from LARA.

(b) A school district or a nonpublic school may establish and maintain a disaster relief child care center in a school building without a license from LARA.

3. LARA must issue rules and/or orders governing disaster relief child care centers.

(a) A disaster relief child care center must comply with the requirements imposed by any LARA rules and orders governing disaster relief child care centers.

(b) Such rules and/or orders must, at a minimum, require that disaster relief child care centers follow the safe sleep guidelines, including appropriate sleeping equipment for children under 12 months of age; follow applicable guidelines for diapering, handwashing, and sanitizing; provide porta-cribs, cots, or mats for children older than twelve months to sleep or rest; and solicit information about, and communicate with parents and guardians regarding, a child’s medicine, allergies, including food allergies; and other special needs.

4. Effective immediately and continuing through April 15, 2020 at 11:59 p.m., disaster relief child care centers may operate in any school facilities operated by a school district or nonpublic school that are closed and are approved for student use. Early childhood staff, student teachers, teachers, and individuals who provide before and after care may provide child care in these settings. The Michigan Department of Education (“MDE”) is authorized to credit the hours that student teachers work toward teacher preparation graduation requirements and MDE licensure requirements.

5. Effective immediately and continuing through April 15, 2020 at 11:59 p.m., Rule 400.8110(5) of the Michigan Administrative Code is suspended for disaster relief child care centers. Notice of any change in capacity and age groups must be provided to LARA.

6. A disaster relief child care center operated by a school district in accordance with section 2(b) of this order, including its employees, is designated as a disaster relief force under subsection (f) of section 2 of the Emergency Management Act, 1976 PA 390, as amended (“EMA”), MCL 30.402(f), and is entitled to the immunities set forth in subsections (1) through (3) of section 11 of the EMA, MCL 30.411(1)-(3).

7. Disaster relief child care centers operated by school districts constitute a pilot program under the Public Employment Relations Act, 1947 PA 336, MCL 423.201 *et seq.*, and they have authority to charge for reasonable and customary services.

8. School districts and nonpublic schools should first identify employees who voluntarily elect to become a disaster relief child care center participant before reassigning other employees to work in these centers, to the extent authorized under applicable contracts and laws. School districts and nonpublic schools may not require an employee to work in a disaster relief child care center if the employee: has a confirmed diagnosis of COVID-19; is displaying the symptoms of COVID-19; is 60 years or older; has an underlying condition that places the employee at an elevated risk of serious illness from COVID-19; or has been in contact with someone with a confirmed diagnosis of COVID-19 in the last 14 days.

9. A disaster relief child care center must perform a health evaluation of all individuals who enter the center each time the individual seeks to enter the center, and must deny entry to those individuals who do not meet the evaluation criteria. The evaluation criteria must include: symptoms of a respiratory infection, such as fever, cough, shortness of breath, or sore throat; and contact in the last 14 days with someone with a confirmed diagnosis of COVID-19.

10. For purposes of this order:

(a) "Disaster relief child care center" means a child center offering child care pursuant to this order. A disaster relief child care center must give priority for its services to the essential workforce, but may also provide child care services to the general public as space and governing rules and/or orders permit.

(b) "Essential workforce" includes health care workers, home health workers, direct care workers, emergency medical service providers, first responders, law enforcement personnel, sanitation workers, child care workers (including any employees acting as child care workers in essential workforce child care centers), personnel providing correctional services, postal workers, public health employees, key government employees, court personnel, and others providing critical infrastructure to Michiganders.

(c) "Critical infrastructure" includes utilities, manufacturing, mass transit, and groceries or other essential supplies, goods, or equipment.

(d) "Key government employees" includes child protective services workers, child welfare workers, foster care workers including those from contracted agencies, recipient rights workers, employees of the Executive Office of the governor, cabinet officers and their designees, Department of Health and Human Services field office staff, Unemployment Insurance Agency employees, and other employees identified by the Department of Technology, Management, and Budget.

11. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor. Given under my hand and the Great Seal of the State of Michigan.

Date: March 18, 2020  
Time: 9:27 p.m.

Gretchen Whitmer  
Governor

[SEAL]

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 20, 2020, and read:

EXECUTIVE ORDER  
No. 2020-17

**Temporary restrictions on non-essential medical and dental procedures**

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 Michigan 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, MCL 30.401-421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945 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).

To mitigate the spread of COVID-19, protect the public health, provide essential protections to vulnerable Michiganders, and ensure the availability of health care resources, it is reasonable and necessary to impose temporary restrictions on non-essential medical and dental procedures.

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

1. Beginning as soon as possible but no later than March 21, 2020 at 5:00 p.m., and continuing while the state of emergency declared in Executive 2020-4 is in effect, all hospitals, freestanding surgical outpatient facilities, and dental facilities, and all state-operated outpatient facilities (collectively, "covered facilities"), must implement a plan to temporarily postpone, until the termination of the state of emergency under



section 3 of Executive Order 2020-4, all non-essential procedures (“non-essential procedure postponement plan” or “plan”). For purposes of this order, “non-essential procedure” means a medical or dental procedure that is not necessary to address a medical emergency or to preserve the health and safety of a patient, as determined by a licensed medical provider.

2. A plan for a covered facility that performs medical procedures, including any medical center or office that performs elective surgery or cosmetic plastic surgery, must postpone, at a minimum, joint replacement, bariatric surgery, and cosmetic surgery, except for emergency or trauma-related surgery where postponement would significantly impact the health, safety, and welfare of the patient. A plan for a covered facility that performs medical procedures should exclude from postponement: surgeries related to advanced cardiovascular disease (including coronary artery disease, heart failure, and arrhythmias) that would prolong life; oncological testing, treatment, and related procedures; pregnancy-related visits and procedures; labor and delivery; organ transplantation; and procedures related to dialysis. A plan for a covered facility that performs medical procedures must exclude from postponement emergency or trauma-related procedures where postponement would significantly impact the health, safety, and welfare of the patient.

3. A plan for a covered facility that performs dental procedures must postpone, at a minimum: any cosmetic or aesthetic procedures (such as veneers, teeth bleaching, or cosmetic bonding); any routine hygiene appointments; any orthodontic procedures that do not relieve pain or infection, do not restore oral function, or are not trauma-related; initiation of any crowns, bridges, or dentures that do not relieve pain or infection, do not restore oral function, or are not trauma-related; any periodontal plastic surgery; any extractions of asymptomatic non-carious teeth; and any recall visits for periodontally healthy patients. If a covered facility that performs dental procedures chooses to remain open, its plan must exclude from postponement emergency or trauma-related procedures where postponement would significantly impact the health, safety, and welfare of the patient.

4. A covered facility must comply with the restrictions contained in its non-essential procedure postponement plan.

5. This order does not alter any of the obligations under law of an affected health care facility to its employees or to the employees of another employer.

6. The director of the Department of Licensing and Regulatory Affairs shall issue orders or directives pursuant to law as necessary to enforce this order.

7. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor. Given under my hand and the Great Seal of the State of Michigan.

Date: March 20, 2020

Time: 12:28 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 23, 2020, and read:

EXECUTIVE ORDER  
No. 2020-18

**Enhanced restrictions on price gouging**

**Rescission of Executive Order 2020-8**

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 Michigan 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, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945 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).

Since the onset of this emergency, it has become apparent that some businesses and individuals are selling face masks, hand sanitizers, cleaning supplies, paper products, and other products that people might seek to purchase due to the threat of COVID-19 at unjustified, exceptionally high prices. To prevent such price gouging and help all Michiganders access necessary products during the COVID-19 emergency, it is reasonable and necessary to temporarily impose enhanced restrictions on the excessive pricing of goods, materials, emergency supplies, and consumer food items.

Executive Order 2020-8 imposed such enhanced restrictions. With this order, Executive Order 2020-8 is rescinded. This order imposes substantially similar restrictions, with certain adjustments made to their scope.

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

1. Effective immediately and continuing until April 17, 2020 at 11:59 p.m., if a person has acquired any product from a retailer, the person must not resell that product in this state at a price that is grossly in excess of the purchase price at which the person acquired the product.

2. Effective immediately and continuing until April 17, 2020 at 11:59 p.m., a person must not offer for sale or sell any product in this state at a price that is more than 20% higher than what the person offered or charged for that product as of March 9, 2020, unless the person demonstrates that the price increase is attributable to an increase in the cost of bringing the product to market or to an extraordinary discount in effect as of March 9, 2020.

3. For purposes of this order:

a. “Person” means an individual, business, or other legal entity.

b. “Product” means any good, material, or consumer food item with a fair market value of less than \$1,000.00, or any emergency supply.

4. This order does not limit or impair the ability of the attorney general to investigate, determine, or impose liability under the Michigan consumer protection act, 1976 PA 331, as amended, MCL 445.901-922, or any other law of this state.

5. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

6. Executive Order 2020-8 is rescinded.

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

Date: March 20, 2020

Time: 3:37 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 23, 2020, and read:

EXECUTIVE ORDER  
No. 2020-19

**Temporary prohibition against entry to premises for the purpose of removing or excluding a tenant or mobile home owner from their home**

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 Michigan 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, MCL 30.401-421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945 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).

The current state of emergency would be exacerbated by the additional threats to the public health related to removing or excluding people from their residences during the COVID-19 pandemic. To reduce the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is reasonable and necessary to provide temporary relief from certain eviction-related requirements and to temporarily prohibit the removal or exclusion of a tenant or mobile home owner from their residential premises, except in extreme circumstances.

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

1. Due to the protection that a residential home provides from the COVID-19 pandemic, and the need to contain self-quarantined and self-isolated individuals within a residential home, no person shall remove or exclude from leased residential premises or residential premises held under a forfeited executory contract a tenant, a vendee of a forfeited executory contract, or a person holding under a tenant or vendee, except when the tenant, vendee, or person holding under them poses a substantial risk to another person or an imminent and severe risk to property. This order should be broadly construed to effectuate that purpose. This section is effective immediately and continues until April 17, 2020 at 11:59 p.m.

2. Nothing in this order is intended to abrogate the judicial power, which is vested exclusively in this state’s one court of justice by section 1 of article 6 of the Michigan Constitution of 1963. This order does not affect the inherent power of a judge to order equitable relief.

3. Nothing in this order shall be construed to abrogate the obligation to pay or right to receive payment due under a lease, nor the obligations and duties prescribed by sections 5716 and 5718 of the Revised Judicature Act (“RJA”), MCL 600.5716 and 600.5718. Effective immediately and continuing until April 17, 2020 at 11:59 p.m., demand for payment may not be served by personal delivery.

4. Due to the protection that a residential home provides from the COVID-19 pandemic, and the need to contain self-quarantined and self-isolated individuals within a residential home, no person may enter residential property in order to remove or exclude from the premises a tenant, a vendee of a forfeited executory contract, a person holding under a tenant or vendee, or the personal property of a tenant, vendee, or person holding under them, including pursuant to a writ authorizing restoration of a plaintiff to full, peaceful possession of premises under section 5744 of the RJA, MCL 600.5744, except when the tenant, vendee, or person holding under them poses a substantial risk to another person or an imminent and severe risk to property. This section is effective immediately and continues until April 17, 2020 at 11:59 p.m.

5. Due to the protection that a residential home provides from the COVID-19 pandemic, and the need to contain self-quarantined and self-isolated individuals within a residential home, a sheriff, under-sheriff or constable, deputy, or other officer must not serve process requiring forfeiture of leased residential premises or residential premises held under a forfeited executory contract. Any requirements to that effect imposed by the RJA are suspended. This section is effective immediately and continues until April 17, 2020 at 11:59 p.m.

6. Due to the protection that a residential home provides from the COVID-19 pandemic, and the need to contain self-quarantined and self-isolated individuals within a residential home, no person may deny a mobile home owner access to their mobile home, except when the mobile home owner’s tenancy has been terminated because the mobile home owner poses a substantial risk to another person or an imminent and severe risk to property. This section is effective immediately and continues until April 17, 2020 at 11:59 p.m.

7. Until thirty (30) days after the restrictions on eviction provided by sections 1 through 6 expire, any statutory limits on the court of this state to adjourn any proceedings, toll any redemption periods or limitations periods, or extend any deadlines are suspended.

8. As used in this order, all terms have the meaning provided by the Revised Judicature Act of 1961, 1961 PA 236, as amended.

9. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

10. A copy of this order will be transmitted to the State Court Administrative Office.

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

Date: March 20, 2020

Time: 4:09 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 23, 2020, and read:

EXECUTIVE ORDER  
No. 2020-20

**Temporary restrictions on the use of places of public accommodation**

**Rescission of Executive Order 2020-9**

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 Michigan 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, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945, 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).

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is reasonable and necessary to impose limited and temporary restrictions on the use of places of public accommodation.

Executive Order 2020-9 imposed such restrictions. This order changes those restrictions by clarifying their application to facilities offering non-essential personal care services. When the restrictions in this order take effect, Executive Order 2020-9 is rescinded.

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

1. Beginning as soon as possible but no later than March 22, 2020 at 9:00 a.m., and continuing until April 13, 2020 at 11:59 p.m., the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:

(a) Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage for on-premises consumption;

(b) Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;

(c) Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption;

(d) Theaters, cinemas, and indoor and outdoor performance venues;

(e) Libraries and museums;

(f) Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and facilities offering non-essential personal care services;

(g) Casinos licensed by the Michigan Gaming Control Board, racetracks licensed by the Michigan Gaming Control Board, and Millionaire Parties licensed by the Michigan Gaming Control Board; and

(h) Places of public amusement not otherwise listed above.

Places of public accommodation subject to this section are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage, a place of public accommodation subject to this section may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.

This section does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

2. The restrictions imposed by this order do not apply to any of the following:

(a) Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section 1;

(b) Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;

(c) Crisis shelters or similar institutions; and

(d) Food courts inside the secured zones of airports.

3. For purposes of this order:

(a) "Non-essential personal care services" includes but is not limited to hair, nail, tanning, massage, traditional spa, tattoo, body art, and piercing services, and similar personal care services that require individuals to be within six feet of each other. This does not include services necessary for medical treatment as determined by a licensed medical provider.

(b) "Place of public accommodation" means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation also includes the facilities of private clubs, including country clubs, golf clubs, boating or yachting clubs, sports or athletic clubs, and dining clubs.

(c) "Place of public amusement" means a place of public accommodation that offers indoor services or facilities, or outdoor services or facilities involving close contact of persons, for amusement or other recreational or entertainment purposes. A place of public amusement includes an amusement park, arcade, bingo hall, bowling alley, indoor climbing facility, skating rink, trampoline park, and other similar recreational or entertainment facilities.

4. The director of the Department of Health and Human Services, the Michigan Liquor Control Commission, and the executive director of the Michigan Gaming Control Board must issue orders and directives and take other actions pursuant to law as necessary to implement this order.

5. This order does not alter any of the obligations under law of an employer affected by this order to its employees or to the employees of another employer.

6. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

7. On March 22, 2020 at 9:00 a.m., Executive Order 2020-9 is rescinded.

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

Date: March 21, 2020

Time: 4:14 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following message from the Governor was received on March 23, 2020, and read:

EXECUTIVE ORDER  
No. 2020-21

**Temporary requirement to suspend activities that  
are not necessary to sustain or protect life**

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. Older adults and those with chronic health conditions are at particular risk, and there is an increased risk of rapid spread of COVID-19 among persons in close proximity to one another. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Michigan 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, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act 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). Similarly, the Emergency Powers of the Governor Act of 1945, 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).

To suppress the spread of COVID-19, to prevent the state’s health care system from being overwhelmed, to allow time for the production of critical test kits, ventilators, and personal protective equipment, and to avoid needless deaths, it is reasonable and necessary to direct residents to remain at home or in their place of residence to the maximum extent feasible.

This order takes effect on March 24, 2020 at 12:01 a.m., and continues through April 13, 2020 at 11:59 p.m.

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

1. This order must be construed broadly to prohibit in-person work that is not necessary to sustain or protect life.

2. Subject to the exceptions in section 7, all individuals currently living within the State of Michigan are ordered to stay at home or at their place of residence. Subject to the same exceptions, all public and private gatherings of any number of people occurring among persons not part of a single household are prohibited.

3. All individuals who leave their home or place of residence must adhere to social distancing measures recommended by the Centers for Disease Control and Prevention, including remaining at least six feet from people from outside the individual’s household to the extent feasible under the circumstances.

4. No person or entity shall operate a business or conduct operations that require workers to leave their homes or places of residence except to the extent that those workers are necessary to sustain or protect life or to conduct minimum basic operations.

(a) For purposes of this order, workers who are necessary to sustain or protect life are defined as “critical infrastructure workers,” as described in sections 8 and 9.

(b) For purposes of this order, workers who are necessary to conduct minimum basic operations are those whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment, care for animals, ensure security, process transactions (including payroll and employee benefits), or facilitate the ability of other workers to work remotely.

Businesses and operations must determine which of their workers are necessary to conduct minimum basic operations and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Such designations, however, may be made orally until March 31, 2020 at 11:59 p.m.

5. Businesses and operations that employ critical infrastructure workers may continue in-person operations, subject to the following conditions:

(a) Consistent with sections 8 and 9, businesses and operations must determine which of their workers are critical infrastructure workers and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Such designations, however, may be made orally until March 31, 2020 at 11:59 p.m. Businesses and operations need not designate:

- (1) Workers in health care and public health.
- (2) Workers who perform necessary government activities, as described in section 6.
- (3) Workers and volunteers described in section 9(d).

(b) In-person activities that are not necessary to sustain or protect life must be suspended until normal operations resume.

(c) Businesses and operations maintaining in-person activities must adopt social distancing practices and other mitigation measures to protect workers and patrons. Those practices and measures include, but are not limited to:

- (1) Restricting the number of workers present on premises to no more than is strictly necessary to perform the business’s or operation’s critical infrastructure functions.

(2) Promoting remote work to the fullest extent possible.

(3) Keeping workers and patrons who are on premises at least six feet from one another to the maximum extent possible, including for customers who are standing in line.

(4) Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.

(5) Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19.

(6) Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control.

6. All in-person government activities at whatever level (state, county, or local) that are not necessary to sustain or protect life, or to supporting those businesses and operations that are necessary to sustain or protect life, are suspended.

(a) For purposes of this order, necessary government activities include activities performed by critical infrastructure workers, including workers in law enforcement, public safety, and first responders.

(b) Such activities also include, but are not limited to, public transit, trash pick-up and disposal, activities necessary to manage and oversee elections, operations necessary to enable transactions that support the work of a business's or operation's critical infrastructure workers, and the maintenance of safe and sanitary public parks so as to allow for outdoor recreation.

(c) For purposes of this order, necessary government activities include minimum basic operations, as described in section 4(b). Workers performing such activities need not be designated.

(d) Any in-person government activities must be performed consistently with the social distancing practices and other mitigation measures to protect workers and patrons described in section 5(c).

7. Exceptions.

(a) Individuals may leave their home or place of residence, and travel as necessary:

(1) To engage in outdoor activity, including walking, hiking, running, cycling, or any other recreational activity consistent with remaining at least six feet from people from outside the individual's household.

(2) To perform their jobs as critical infrastructure workers after being so designated by their employers. (Critical infrastructure workers who need not be designated under section 5(a) may leave their home for work without a designation.)

(3) To conduct minimum basic operations, as described in section 4(b), after being designated to perform such work by their employers.

(4) To perform necessary government activities, as described in section 6.

(5) To perform tasks that are necessary to their health and safety, or to the health and safety of their family or household members (including pets). Individuals may, for example, leave the home or place of residence to secure medication or to seek medical or dental care that is necessary to address a medical emergency or to preserve the health and safety of a household or family member (including procedures that, in accordance with a duly implemented nonessential procedures postponement plan, have not been postponed).

(6) To obtain necessary services or supplies for themselves, their family or household members, and their vehicles. *Individuals must secure such services or supplies via delivery to the maximum extent possible.* As needed, however, individuals may leave the home or place of residence to purchase groceries, take-out food, gasoline, needed medical supplies, and any other products necessary to maintain the safety, sanitation, and basic operation of their residences.

(7) To care for a family member or a family member's pet in another household.

(8) To care for minors, dependents, the elderly, persons with disabilities, or other vulnerable persons.

(9) To visit an individual under the care of a health care facility, residential care facility, or congregate care facility, to the extent otherwise permitted.

(10) To attend legal proceedings or hearings for essential or emergency purposes as ordered by a court.

(11) To work or volunteer for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.

(b) Individuals may also travel:

(1) To return to a home or place of residence from outside this state.

(2) To leave this state for a home or residence elsewhere.

(3) To travel between two residences in this state.

(4) As required by law enforcement or a court order, including the transportation of children pursuant to a custody agreement.

8. For purposes of this order, critical infrastructure workers are those workers described by the Director of the U.S. Cybersecurity and Infrastructure Security Agency in his guidance of March 19, 2020 on the COVID-19 response (available here). Such workers include some workers in each of the following sectors:

- (a) Health care and public health.
- (b) Law enforcement, public safety, and first responders.
- (c) Food and agriculture.
- (d) Energy.
- (e) Water and wastewater.
- (f) Transportation and logistics.
- (g) Public works.
- (h) Communications and information technology, including news media.
- (i) Other community-based government operations and essential functions.
- (j) Critical manufacturing.
- (k) Hazardous materials.
- (l) Financial services.
- (m) Chemical supply chains and safety.
- (n) Defense industrial base.

9. For purposes of this order, critical infrastructure workers also include:

(a) Child care workers (including workers at disaster relief child care centers), but only to the extent necessary to serve the children or dependents of critical infrastructure workers as defined in this order. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of critical infrastructure workers.

(b) Workers at designated suppliers and distribution centers, as described below.

(1) A business or operation that employs critical infrastructure workers may designate suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the work of its critical infrastructure workers.

(2) Such suppliers, distribution centers, or service providers may designate workers as critical infrastructure workers *only* to the extent those workers are necessary to enable, support, or facilitate the work of the original operation's or business's critical infrastructure workers.

(3) Designated suppliers, distribution centers, and service providers may in turn designate additional suppliers, distribution centers, and service providers whose continued operation is necessary to enable, support, or facilitate the work of their critical infrastructure workers.

(4) Such additional suppliers, distribution centers, and service providers may designate workers as critical infrastructure workers *only* to the extent that those workers are necessary to enable, support, or facilitate the work of the critical infrastructure workers at the supplier, distribution center, or service provider that has designated them.

(5) Businesses, operations, suppliers, distribution centers, and service providers must make all designations in writing to the entities they are designating, whether by electronic message, public website, or other appropriate means. Such designations may be made orally until March 31, 2020 at 11:59 p.m.

(6) Businesses, operations, suppliers, distribution centers, and service providers that abuse their designation authority shall be subject to sanctions to the fullest extent of the law.

(c) Workers in the insurance industry, but only to the extent that their work cannot be done by telephone or remotely.

(d) Workers and volunteers for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.

(e) Workers who perform critical labor union functions, including those who administer health and welfare funds and those who monitor the well-being and safety of union members who are critical infrastructure workers, provided that any administration or monitoring should be done by telephone or remotely where possible.

10. Nothing in this order should be taken to supersede another executive order or directive that is in effect, except to the extent this order imposes more stringent limitations on in-person work, activities, and interactions. Consistent with prior guidance, a place of religious worship, when used for religious worship, is not subject to penalty under section 14.

11. Nothing in this order should be taken to interfere with or infringe on the powers of the legislative and judicial branches to perform their constitutional duties or exercise their authority.

12. This order takes effect on March 24, 2020 at 12:01 a.m., and continues through April 13, 2020 at 11:59 p.m.



13. The governor will evaluate the continuing need for this order prior to its expiration. In determining whether to maintain, intensify, or relax its restrictions, she will consider, among other things, (1) data on COVID-19 infections and the disease’s rate of spread; (2) whether sufficient medical personnel, hospital beds, and ventilators exist to meet anticipated medical need; (3) the availability of personal protective equipment for the health-care workforce; (4) the state’s capacity to test for COVID-19 cases and isolate infected people; and (5) economic conditions in the state.

14. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor. Given under my hand and the Great Seal of the State of Michigan.

Date: March 23, 2020

Time: 10:39 a.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

The following messages from the Governor were received and read:

March 18, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 299 of 1980, MCL 339.303 and 339.2002:

**Michigan Board of Architects**

Mr. Allan Machielse of 1211 Glynn Court, Detroit, Michigan 48202, county of Wayne, succeeding Dan Lambie whose term expires March 31, 2020, appointed to represent licensed architects, for a term commencing April 1, 2020 and expiring March 31, 2024.

March 18, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 250 of 1982, MCL 722.604:

**Child Abuse and Neglect Prevention Board (“Children’s Trust Fund”)**

Ms. Amy Tattrie Loepp of 3787 W. Maple Road, Bloomfield Hills, Michigan 48301, county of Oakland, succeeding Krista Beach whose term has expired, appointed to represent the general public, for a term commencing March 18, 2020 and expiring December 19, 2022.

March 18, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 227 of 1967, MCL 408.807:

**Elevator Safety Board**

Mr. Nicholas W. Ottney of 2466 Ingalls Road, Leslie, Michigan 49251, county of Ingham, succeeding Mike Nelson who has resigned, appointed to represent insurance companies authorized to insure elevators in this state, for a term commencing March 18, 2020 and expiring July 22, 2021.

March 18, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 299 of 1980, MCL 339.303 and 339.2002:

**Michigan Board of Professional Engineers**

Mr. Brett A. Dodge of 11553 Sara Ann Drive, DeWitt, Michigan 48820, county of Clinton, succeeding Michael Drewyor whose term expires March 31, 2020, appointed to represent a professional surveyor who is a member of the Board of Professional Surveyors, for a term commencing April 1, 2020 and expiring March 31, 2024.

Mr. Steven L. Warren of 4456 Bradford Drive, Saginaw, Michigan 48603, county of Saginaw, succeeding James Stevens whose term expires March 31, 2020, appointed to represent licensed professional engineers, for a term commencing April 1, 2020 and expiring March 31, 2024.

March 18, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 299 of 1980, MCL 339.303 and 339.2002:

**Michigan Board of Professional Surveyors**

Mr. Brett A. Dodge of 11553 Sara Ann Drive, DeWitt, Michigan 48820, county of Clinton, succeeding Ginger Michalski-Wallace whose term expires March 31, 2020, appointed to represent professional surveyors, for a term commencing April 1, 2020 and expiring March 31, 2024.

Mr. Steven L. Warren of 4456 Bradford Drive, Saginaw, Michigan 48603, county of Saginaw, succeeding Michael Drewyor whose term expires March 31, 2020, appointed to represent a professional engineer who is a member of the Board of Professional Engineers, for a term commencing April 1, 2020 and expiring March 31, 2024.

March 18, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 51 of 1951, MCL 247.675:

**Michigan Truck Safety Commission**

Mr. Randy L. Coplin of 11260 Anderson Road, Litchfield, Michigan 49252, county of Hillsdale, succeeding James Shea who has resigned, appointed to represent the general public, for a term commencing March 18, 2020 and expiring August 4, 2021.

March 18, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 560 of 2016, MCL 36.105:

**Michigan Veterans’ Facility Authority Board of Directors**

Mr. Kenneth D. Robbins of 960 E. Wedgewood Drive, Muskegon, Michigan 49445, county of Muskegon, succeeding Spencer Hoover who has resigned, appointed to represent members with professional knowledge, skill, or experience in long-term care, health care licensure or finance, or medicine, for a term commencing March 18, 2020 and expiring April 15, 2021.

Mr. Bradford J. Slagle of 106 Weiland Drive, Marquette, Michigan 49855, county of Marquette, reappointed to represent members with professional knowledge, skill, or experience in long-term care, health care licensure or finance, or medicine and a resident of the Upper Peninsula, for a term commencing April 16, 2020 and expiring April 15, 2024.

Respectfully,  
Gretchen Whitmer  
Governor

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

**Announcements of Printing and Enrollment**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, March 19 for her approval the following bills:

- Enrolled Senate Bill No. 415 at 12:52 p.m.**
- Enrolled Senate Bill No. 269 at 12:54 p.m.**
- Enrolled Senate Bill No. 543 at 12:56 p.m.**
- Enrolled Senate Bill No. 125 at 12:58 p.m.**
- Enrolled Senate Bill No. 711 at 1:00 p.m.**
- Enrolled Senate Bill No. 712 at 1:02 p.m.**
- Enrolled Senate Bill No. 754 at 1:04 p.m.**
- Enrolled Senate Bill No. 812 at 1:06 p.m.**
- Enrolled Senate Bill No. 268 at 1:08 p.m.**

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, March 17, and are available on the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>845</b>	<b>846</b>	<b>847</b>	<b>848</b>	<b>849</b>	<b>850</b>	<b>851</b>	<b>852</b>	<b>853</b>										
<b>Senate Resolution Nos.</b>		<b>108</b>	<b>109</b>																
<b>House Bill Nos.</b>	<b>5659</b>	<b>5660</b>	<b>5661</b>	<b>5662</b>	<b>5663</b>	<b>5664</b>	<b>5665</b>	<b>5666</b>	<b>5667</b>	<b>5668</b>	<b>5669</b>	<b>5670</b>	<b>5671</b>	<b>5672</b>	<b>5673</b>	<b>5674</b>	<b>5675</b>	<b>5676</b>	<b>5677</b>
														<b>5678</b>	<b>5679</b>	<b>5680</b>	<b>5681</b>	<b>5682</b>	<b>5683</b>
														<b>5685</b>	<b>5686</b>	<b>5687</b>	<b>5688</b>	<b>5689</b>	<b>5690</b>
														<b>5691</b>	<b>5692</b>	<b>5693</b>	<b>5694</b>	<b>5695</b>	<b>5696</b>
														<b>5697</b>	<b>5698</b>	<b>5699</b>	<b>5700</b>	<b>5701</b>	

**Scheduled Meetings****Appropriations -****Subcommittee -**

**Justice and Public Safety** - Thursday, March 26, 1:00 p.m., Room 1300, Binsfeld Office Building  
(517) 373-2768 (CANCELED)

In the absence of all Senators, pursuant to Joint Rule 15, the Secretary of the Senate adjourned the Senate, the time being 10:03 a.m.

In pursuance of the order previously made, the Secretary of the Senate declared the Senate adjourned until Wednesday, April 1, 2020, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

