



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2020-182

Council on Climate Solutions

Department of Environment, Great Lakes, and Energy

SENATE JOURNAL
SEP 23 2020 PM2:05

The science is clear, and message urgent: the earth's climate is now changing faster than at any point in the history of modern civilization, and human activities are largely responsible for this change. Climate change already degrades Michigan's environment, hurts our economy, and threatens the health and well-being of our residents, with communities of color and low-income Michiganders suffering most. Inaction over the last half-century has already wrought devastating consequences for future generations, and absent immediate action, these harmful effects will only intensify. But we can avoid some of the worst harms by quickly reducing greenhouse gas emissions and adapting nimbly to our changing environment.

At this moment, our state is reckoning with the failure of U.S. officials to adequately prepare for the challenges of a global pandemic. We cannot make the same mistake when it comes to impending climate crises of food instability, crop-killing droughts, deadly heatwaves, and intensifying weather events. Even now, fires of historic proportion are raging across the West Coast, offering a tragic reminder that climate change is a present-day threat and is not waiting for our attention.

To combat this climate crisis, Michigan must take comprehensive, coordinated, and aggressive action. That is why, with Executive Directive 2020-10, I directed the Department of Environment, Great Lakes, and Energy, through its Office of Climate and Energy, to develop, issue, and oversee the implementation of the MI Healthy Climate Plan ("Plan"), which will serve as the action plan for this state to reduce greenhouse gas emissions and transition toward economywide carbon neutrality.

The development and implementation of this Plan would benefit from the guidance of a council composed of individuals representing various sectors and communities throughout this state, who can use their diversity of experiences and expertise to ensure that Michigan pursues and achieves its carbon-neutrality goals as effectively and equitably as possible.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 places each principal department of state government under the supervision of the governor unless otherwise provided.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

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

1. Creating the Council on Climate Solutions

- (a) The Council on Climate Solutions (“Council”) is created as an advisory body within the Department of Environment, Great Lakes, and Energy (“Department”).
- (b) The Council must consist of:
 - (1) The director of the Department, or the director’s designee from within the Department.
 - (2) The director of the Department of Agriculture and Rural Development, or the director’s designee from within that department.
 - (3) The director of the Department of Labor and Economic Opportunity, or the director’s designee from within that department.
 - (4) The director of the Department of Natural Resources, or the director's designee from within that department.
 - (5) The director of the Department of Transportation, or the director’s designee from within that department.
 - (6) The director of the Department of Health and Human Services, or the director’s designee from within that department.
 - (7) The chairperson of the Michigan Public Service Commission, or the chairperson’s designee from within that agency.
 - (8) The Treasurer of the State of Michigan, or the Treasurer’s designee from within the Department of the Treasury.
 - (9) The Chief Executive Officer of the Michigan Economic Development Corporation, or the Chief Executive Officer’s designee from within that organization.
 - (10) 14 residents of this state appointed by the governor representing the range of sectors, experiences, and expertise relevant to this issue.
- (c) Of the Council members initially appointed under section 1(b)(9), 4 members must be appointed for a term of four years, 4 members must be appointed for a term of three years, 4 members must be appointed for a term of 2 years, and 3 members must be appointed for a term of one year. After these initial appointments, a

member of the Council appointed under section 1(b)(9) must be appointed for a term of four years.

- (d) Council members appointed under section 1(b)(1) - (8) are ex officio members and serve at the pleasure of the governor.
- (e) A vacancy on the Council created other than by the expiration of the term of a member of the Council must be filled in the same manner as the original appointment, for the remainder of the unexpired term. A member of the Council may be reappointed for additional terms.

2. Charge to the Council

- (a) The Council must act in an advisory capacity to the governor and the Department, and must do the following:
 - (1) Advise the Department in formulating and overseeing the implementation of the MI Healthy Climate Plan, which will serve as the action plan for this state to reduce greenhouse gas emissions and transition toward economywide carbon neutrality. This work must include, but is not limited to:
 - (a) Identifying and recommending opportunities for the development and effective implementation of emissions-reduction strategies.
 - (b) Identifying solutions to resolve impact disparities across Michigan and recommending targeted solutions for communities disproportionately impacted by the changing climate.
 - (2) Provide other information or advice or take other actions as requested by the governor.
- (b) The Council must report regularly to the governor on its activities.

3. Operations of the Council

- (a) The Department must assist the Council in the performance of its duties and provide personnel to staff the Council. The budgeting, procurement, and related management functions of the Council will be performed under the direction and supervision of the director of the Department.
- (b) The Council must adopt procedures, consistent with this order and applicable law, governing its organization and operations.
- (c) The Council must comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.
- (d) The governor must designate the chairperson of the Council.
- (e) The Council may select from among its members a vice chairperson.

- (f) The Council may select from among its members a secretary. Council staff must assist the secretary with recordkeeping responsibilities.
- (g) The Council must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Council.
- (h) A majority of the members of the Council serving constitutes a quorum for the transaction of the business of the Council. The Council must act by a majority vote of its members.
- (i) The Council may establish advisory workgroups composed of individuals or entities participating in Council activities or other members of the public as deemed necessary by the Council to assist it in performing its duties and responsibilities. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.
- (j) The Council may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Council also may consult with outside experts to perform its duties, including experts in the private sector, organized labor, and government agencies, and at institutions of higher education.
- (k) The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the director of the Department deems advisable and necessary, consistent with this order and applicable law, rules and procedures, subject to available funding.
- (l) The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations must be received and used in accordance with law.
- (m) Members of the Council must not receive additional compensation for participation on the Council. Members of the Council may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.
- (n) Members of the Council must refer all legal, legislative, and media contacts to the Department.

4. Implementation

- (a) All departments, agencies, committees, commissioners, and officers of this state must give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Council, consistent with applicable law.

- (b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.
- (c) Nothing in this order should be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.
- (d) Section 2(e) of Executive Order 2019-10 is rescinded, and now provides: "The Task Force shall complete its work and shall issue a final report detailing its findings and policy recommendations by December 31, 2020."
- (e) Appointees to The Michigan Joint Task Force on Jail and Pretrial Incarceration appointed under section 1(c) of Executive Order 2019-10 must continue in their terms until December 31, 2020.
- (f) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.
- (g) This order is effective upon filing.

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



Date: September 23, 2020

Time: 1:45 pm

GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE