

No. 33
STATE OF MICHIGAN
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House of Representatives
100th Legislature
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House Chamber, Lansing, Friday, April 24, 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—excused	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—excused	Kuppa—present	Schroeder—present
Bellino—present	Glenn—present	LaFave—present	Shannon—present
Berman—present	Green—present	LaGrand—excused	Sheppard—present
Bolden—excused	Greig—present	Lasinski—present	Slagh—present
Bollin—present	Griffin—present	Leutheuser—present	Sneller—present
Brann—present	Guerra—present	Liberati—excused	Sowerby—present
Brixie—present	Haadsma—present	Lightner—present	Stone—excused
Byrd—excused	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.—excused	Hertel—present	Manoogian—present	Wakeman—present
Carter, T.—excused	Hoadley—present	Marino—present	Warren—present
Chatfield—present	Hoitenga—present	Markkanen—present	Webber—present
Cherry—present	Hood—present	Meerman—present	Wendzel—present
Chirkun—excused	Hope—excused	Miller—present	Wentworth—present
Clemente—excused	Hornberger—present	Mueller—present	Whiteford—present
Cole—present	Howell—present	Neeley, C.—present	Whitsett—present
Coleman—present	Huizenga—present	O'Malley—present	Wittenberg—excused
Crawford—present	Iden—present	Pagan—excused	Witwer—present
Eisen—present	Inman—present	Paquette—present	Wozniak—present
Elder—present	Johnson, C.—excused	Peterson—present	Yancey—present
Ellison—present	Johnson, S.—present	Pohutsky—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

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

“Father in Heaven, we thank You for this beautiful day and pray that we will rejoice and be glad in it. We thank You for the many blessings You have given us and for all the blessings You have bestowed upon our country. Lord, I pray that You would continue to grant this legislative body wisdom, discernment and discretion as we learn how to handle this Covid-19 pandemic seriously and responsibly.

I pray that You would be with Governor Whitmer and President Trump as they continue to make decisions that impact our daily lives. I pray, Lord, that You would give us today, wisdom. As the Father of lights, I pray that You would shine upon us to give us Lord, what the best path is for the people of our state and the thousands of families who are hurting or confused and frightened.

We pray all these things in the name of Your son, Jesus Christ, Amen.”



Rep. Cole moved that Reps. Bolden, Byrd, Brenda Carter, Tyrone Carter, Chirkun, Clemente, Gay-Dagnogo, Hope, Cynthia Johnson, Jones, LaGrand, Liberati, Pagan, Stone and Wittenberg be excused from today’s session.

The motion prevailed.

Notices

April 23, 2020

Dear Secretary O’Brien and Clerk Randall,

Pursuant to the authority granted in Joint Rule 15 of the Senate and House of Representatives, you are hereby notified that we have unanimously determined there is a need to convene the Senate and House of Representatives on Friday, April 24, 2020 at 10:00 a.m. We respectfully request that you prepare all necessary notices and communications for these sessions of the Senate and House of Representatives.

Sincerely,

Mike Shirkey
Senate Majority Leader

Lee Chatfield
Speaker of the House

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Chatfield offered the following concurrent resolution:

House Concurrent Resolution No. 20.

A concurrent resolution to create the Joint Select Committee on the COVID-19 Pandemic.

Whereas, It is the inherent responsibility of the Legislature to oversee the operations of the executive branch and ensure the effective implementation and operation of state government programs. The Michigan Legislature passed the Emergency Management Act in 1976 and other related laws to grant the Governor certain responsibilities for coping with dangers to this state and the people of this state presented by a disaster or emergency; and

Whereas, On March 10, 2020, Governor Whitmer issued Executive Order 2020-04 declaring a state of emergency across the state of Michigan to address the COVID-19 pandemic; and

Whereas, On April 1, 2020, Governor Whitmer issued Executive Order 2020-33 to replace Executive Order 2020-04 and expand that initial March 10, 2020, declaration to include a state of disaster related to the COVID-19 pandemic; and

Whereas, On April 7, 2020, the Legislature extended the declared states of emergency and disaster until April 30, 2020; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That there be created the Joint Select Committee on the COVID-19 Pandemic. The joint select committee shall consist of five members of the House of Representatives appointed by the Speaker of the House, two from the House Democratic Caucus recommended by the House Minority Leader and three from the House Republican Caucus, and five members of the Senate appointed by the Senate Majority Leader, two from the Senate Democratic Caucus

recommended by the Senate Minority Leader and three from the Senate Republican Caucus. The Speaker of the House shall designate the chairperson of the joint select committee, and the Senate Majority leader shall designate the vice chairperson; and be it further

Resolved, That, pursuant to MCL 4.541, the joint select committee may subpoena and have produced before it the records and files of any state department, board, institution or agency, and it shall be the duty of any state department, board, institution or agency to produce before the joint select committee as required by the subpoena, or permit the members of the committee to inspect its records and files; and be it further

Resolved, That the joint select committee shall examine the status and efficacy of governmental actions in response to the COVID-19 pandemic in Michigan. The joint select committee shall report to the Legislature a summary of its findings and conclusions, as well as any recommendations on further appropriate actions the Legislature may take to address the COVID-19 pandemic and to prevent or prepare for similar emergencies in the state.

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

Notices

April 24, 2020

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, MI 48913

Dear Mr. Clerk:

I appoint the following members to the Joint Select Committee on the COVID-19 Pandemic:
Reps. Hall (C), Calley, O'Malley, Guerra, T. Carter

I am also appointing Rep. C. Neeley to the committees on Regulatory Reform and Tax Policy, and Rep. Sowerby to the committee on Commerce and Tourism.

Sincerely,
Lee Chatfield, Speaker
Michigan House of Representatives

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Rabhi moved that Rule 42 be suspended.
The motion did not prevail, 3/5 of the members present not voting therefor.

Rep. Rabhi moved that Rule 42 be suspended.
The motion did not prevail, 3/5 of the members present not voting therefor.

Rep. Rabhi moved that Rule 42 be suspended.
The motion did not prevail, 3/5 of the members present not voting therefor.

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 when the House adjourns today it stand adjourned until Thursday, April 30, at 10:00 a.m.
The motion prevailed.

Introduction of Bills

Rep. Koleszar introduced

House Bill No. 5714, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 2018 PA 485.

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

Rep. Sheppard introduced

House Bill No. 5715, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20173a, 21564, 21911, 21913, and 22235 (MCL 333.20173a, 333.21564, 333.21911, 333.21913, and 333.22235), section 20173a as amended by 2017 PA 167, section 21564 as added by 1990 PA 252, sections 21911 and 21913 as added by 2017 PA 172, and section 22235 as amended by 2002 PA 619, and by adding sections 20173c, 21564a, 21914, and 22235a.

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

Rep. Sheppard introduced

House Bill No. 5716, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding sections 40 and 80 to chapter 2.

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

Rep. Sheppard introduced

House Bill No. 5717, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 301a and 681a.

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

Rep. Sheppard introduced

House Bill No. 5718, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 24 and 30 (MCL 205.24 and 205.30), section 24 as amended by 2003 PA 201 and section 30 as amended by 2016 PA 267.

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

Rep. Sheppard introduced

House Bill No. 5719, 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, and by adding section 296a.

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

Rep. Sheppard introduced

House Bill No. 5720, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding sections 5740 and 5782.

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

Rep. Sheppard introduced

House Bill No. 5721, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 34060 (MCL 500.34060), as amended by 2016 PA 276, and by adding section 3406v.

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

Rep. Sheppard introduced

House Bill No. 5722, entitled

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending sections 3 and 9k (MCL 290.643 and 290.649k), section 3 as amended by 2008 PA 313 and section 9k as added by 2006 PA 104.

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

Rep. Sheppard introduced

House Bill No. 5723, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20910, 20921, 20954, 20958, and 20961 (MCL 333.20910, 333.20921, 333.20954, 333.20958, and 333.20961), section 20910 as amended by 2006 PA 582, section 20921 as amended by 2014 PA 413, section 20954 as amended by 2000 PA 375, section 20958 as amended by 2010 PA 304, and section 20961 as added by 1990 PA 179, and by adding section 20960.

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

Rep. Sheppard introduced

House Bill No. 5724, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16101 (MCL 333.16101) and by adding sections 16113 and 17715.

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

Rep. Sheppard introduced

House Bill No. 5725, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 17, 27, 28, 28c, 29, and 48 (MCL 421.17, 421.27, 421.28, 421.28c, 421.29, and 421.48), sections 17 and 48 as amended by 2011 PA 269, section 27 as amended by 2016 PA 522, section 28 as amended by 2020 PA 83, section 28c as amended by 2012 PA 579, and section 29 as amended by 2013 PA 146.

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

Rep. Iden introduced

House Bill No. 5726, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722a (MCL 257.722a), as amended by 1995 PA 248, and by adding section 722b.

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

Rep. Iden introduced

House Bill No. 5727, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2018 PA 211, and by adding section 3j; and to repeal acts and parts of acts.

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

Rep. Iden introduced

House Bill No. 5728, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 231 (MCL 436.1231) and by adding section 231a.

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

Rep. Iden introduced

House Bill No. 5729, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 2 (MCL 28.292), as amended by 2018 PA 669, and by adding section 2a.

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

Rep. Iden introduced

House Bill No. 5730, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8312 and 8317 (MCL 324.8312 and 324.8317), as amended by 2015 PA 118.

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

Rep. Iden introduced

House Bill No. 5731, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 314 (MCL 257.314), as amended by 2011 PA 159, and by adding section 314c.

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

Rep. Iden introduced

House Bill No. 5732, entitled

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending sections 5 and 7 (MCL 207.215 and 207.217), section 5 as amended by 2015 PA 178, and by adding section 7a.

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

Rep. Iden introduced

House Bill No. 5733, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 134a (MCL 330.1134a), as amended by 2014 PA 72, and by adding section 134b.

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

Rep. Iden introduced

House Bill No. 5734, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1279g (MCL 380.1279g), as amended by 2016 PA 170, and by adding sections 1851b and 1851c.

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

Rep. Iden introduced

House Bill No. 5735, entitled

A bill to amend 2008 PA 23, entitled “Enhanced driver license and enhanced official state personal identification card act,” by amending section 5 (MCL 28.305), as amended by 2018 PA 606, and by adding section 5a.

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

Rep. Iden introduced

House Bill No. 5736, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 5m and 7a (MCL 722.115m and 722.117a), as added by 2017 PA 258.

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

Rep. Iden introduced

House Bill No. 5737, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as amended by 2018 PA 558, and by adding section 34d.

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

Rep. Elder introduced

House Bill No. 5738, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 78t.

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

Rep. Elder introduced

House Bill No. 5739, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2245.

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

Rep. Tate introduced

House Bill No. 5740, entitled

A bill to amend 2018 IL 1, entitled “Michigan Regulation and Taxation of Marihuana Act,” by amending sections 3 and 14 (MCL 333.27953 and 333.27964).

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

By unanimous consent the House returned to the order of

Messages from the Governor

The following message from the Governor was received April 17, 2020 and read:

EXECUTIVE ORDER

No. 2020-52

Temporary extension of certain pesticide applicator certificates

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, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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 COVID-19 pandemic has disrupted, among many other things, the ability of state agencies and departments to conduct business as usual, including the administration of various regulatory requirements. To protect the health and safety of this state and its residents during this crisis, it is crucial to ensure that this disruption in state operations does not unduly impede Michiganders from meeting their essential needs, such as food. The food supply of this state depends on the hard work of many, including those who are registered or certified pesticide applicators. The certificates of these applicators expire every three years, but due to the pandemic and its resulting constraints on state operations, many of them have unexpectedly found themselves unable to timely satisfy all of the standard requirements for certificate renewal. Given the dependence of the state’s food supply on the availability of certified and registered pesticide applicators and the essential role that these applicators play in protecting public health and safety, it is reasonable and necessary to temporarily extend the validity of certain pesticide applicator certificates, so that these applicators may continue to provide their needed services throughout this crisis.

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

1. Notwithstanding any statute, rule, or regulation to the contrary, all three-year certificates for commercial applicators, private applicators, and registered applicators issued pursuant to Part 83 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.8301 et seq., that were set to expire on December 31, 2019, must be deemed unexpired and not to expire until 60 days after the end of the declared states of emergency and disaster.
2. This order is effective immediately.

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

Date: April 17, 2020

Time: 8:13 am

[SEAL]

GRETCHEN WHITMER
GOVERNOR
By the Governor:
JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received April 17, 2020 and read:

EXECUTIVE ORDER

No. 2020-53

Enhanced restrictions on price gouging

Rescission of Executive Order 2020-18

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 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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 crisis, 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 crisis at unjustified, exceptionally high prices. To prevent such price gouging and help all Michiganders access necessary products during the COVID-19 pandemic, 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 2020-18 imposed such enhanced restrictions. This order strengthens them and extends their duration, as they remain reasonable and necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents. With this order, Executive Order 2020-18 is rescinded.

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

1. A person must not resell a product in this state at a price that is grossly in excess of the purchase price at which the person acquired the product.
2. 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 et seq., or any other law of this state.
5. This order is effective immediately and continues through May 15, 2020 at 11:59 pm.
6. Executive Order 2020-18 is rescinded.
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: April 17, 2020

Time: 4:06 pm

[SEAL]

GRETCHEN WHITMER

GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received April 17, 2020 and read:

EXECUTIVE ORDER

No. 2020-54

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

Rescission of Executive Order 2020-19

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 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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 states of emergency and disaster 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.

Executive Order 2020-19 provided such relief. This order clarifies that relief and extends its duration, as it remains reasonable and necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents. With this order, Executive Order 2020-19 is rescinded.

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 May 15, 2020 at 11:59 pm.
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 to prohibit a landlord from making a demand for the payment of rent. Any demand for the payment of rent, however, must not include a demand for possession, or other threat of eviction, based on the nonpayment of rent. Effective immediately and continuing until May 15, 2020 at 11:59 pm, any service of a demand for payment may not be made 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 May 15, 2020 at 11:59 pm.
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 May 15, 2020 at 11:59 pm.

- 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 May 15, 2020 at 11:59 pm.
- 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. Executive Order 2020-19 is rescinded.
- 10. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.
- 11. 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: April 17, 2020

Time: 4:06 pm

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

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

EXECUTIVE ORDER

No. 2020-55

Michigan Coronavirus Task Force on Racial Disparities

Department of Health and Human Services

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 is 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, which declared a state of emergency across the state of Michigan.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the thousands, and deep disruption to this state’s economy, homes, and educational, civic, social, and religious institutions. In response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33 on April 1, 2020. 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.

The COVID-19 pandemic has disproportionately impacted communities of color throughout our state. For example, while African Americans represent 13.6% of our state’s population, they represent a staggering 40% of the deaths from COVID-19. The health and safety of this state and its residents, communities, and businesses would benefit from a task force devoted to thoroughly studying and developing strategies to immediately address this troubling disparity and the historical and systemic inequities that underlie it.

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 Michigan Coronavirus Task Force on Racial Disparities
 - (a) The Michigan Coronavirus Task Force on Racial Disparities (“Task Force”) is created as an advisory body within the Department of Health and Human Services (“Department”).
 - (b) The Task Force must consist of:
 - (1) The lieutenant governor.
 - (2) The director of the Department, or the director’s designee from within the Department.
 - (3) The chief medical executive.
 - (4) 24 members appointed by the governor reflecting the diverse geographic, economic, racial, cultural, gender, and occupational composition of this state.
 - (c) A vacancy on the Task Force must be filled in the same manner as the original appointment.
 - (d) The lieutenant governor must serve as the chairperson of the Task Force.
2. Charge to the Task Force
 - (a) The Task Force must act in an advisory capacity to the governor and must do the following:
 - (1) Study the causes of racial disparities in the impact of COVID-19 and recommend actions to address such disparities.
 - (2) Recommend actions to increase transparency in reporting data regarding the racial and ethnic impact of COVID-19; remove barriers to accessing physical and mental health care; reduce the impact of medical bias in testing and treatment; mitigate environmental and infrastructure factors contributing to increased exposure during pandemics resulting in mortality; and develop and improve systems for supporting long-term economic recovery and physical and mental health care following a pandemic.
 - (3) Perform outreach to ensure all stakeholders in impacted areas are informed, educated, and empowered. Stakeholder outreach will include, but is not limited to, community leaders, partner organizations, tribal governments, local government officials, and other elected officials representing the impacted areas.
 - (4) Perform outreach to ensure the general public is informed about racial disparities in the impact of COVID-19, and the work of the Task Force.
 - (5) Identify avenues of funding for combatting racial disparities in the impact of COVID-19.
 - (6) Recommend changes in Michigan law relevant to combatting racial disparities in the impact of and response to pandemics.
 - (7) Identify other issues and provide recommendations to the governor on any other matters relevant to addressing racial disparities in the impact of and response to pandemics.
 - (8) Provide other information or advice or take other actions as requested by the governor.
 - (b) The Task Force must report regularly to the governor on its activities and make recommendations on an ongoing basis.
 - (c) The Task Force will continue its work until 90 days after the end of the declared states of emergency and disaster, or such other time as the governor identifies.
3. Operations of the Task Force
 - (a) The Department must assist the Task Force in the performance of its duties and provide personnel to staff the Task Force. The budgeting, procurement, and related management functions of the Task Force will be performed under the direction and supervision of the director of the Department.
 - (b) The Task Force must adopt procedures, consistent with this order and applicable law, governing its organization and operations.
 - (c) The Task Force must comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.
 - (d) The Task Force may select from among its members a vice chairperson.
 - (e) The Task Force may select from among its members a secretary. Task Force staff must assist the secretary with recordkeeping responsibilities.
 - (f) The Task Force must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Task Force.
 - (g) A majority of the members of the Task Force serving constitutes a quorum for the transaction of the business of the Task Force. The Task Force must act by a majority vote of its members.
 - (h) The Task Force may establish advisory workgroups composed of individuals or entities participating in Task Force activities or other members of the public or of the executive branch of state government, as deemed necessary by the Task Force to assist it in performing its duties and responsibilities. The Task Force may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

- (i) The Task Force may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Task Force also may consult with outside experts in order to perform its duties, including experts in the private sector, organized labor, faith community, government agencies, and at institutions of higher education.
 - (j) The Task Force 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 Task Force and the performance of its duties as the chair deems advisable and necessary, consistent with this order and applicable law, rules, and procedures, subject to available funding.
 - (k) The Task Force 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.
 - (l) Members of the Task Force must not receive additional compensation for participation on the Task Force. Members of the Task Force may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.
 - (m) Members of the Task Force appointed under sections 1(b)(2)-(4) of this order 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 Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force 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 Task Force, 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) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.
 - (e) This order is effective upon signing.

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

Date: April 20, 2020

Time: 12:55 pm

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:

JOCelyn BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received April 21, 2020 and read:

EXECUTIVE ORDER

No. 2020-56

**Temporary enhancements to operational capacity,
flexibility, and efficiency of pharmacies**

Rescission of Executive Order 2020-25

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, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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 pandemic, the public requires increased access to therapeutic pharmaceuticals. Meeting this critical need requires swiftly but safely expanding access to pharmacy services. To that end, it is reasonable and necessary to provide temporary and limited relief from certain regulatory restrictions regarding pharmacies in order to enhance their operational capacity, flexibility, and efficiency.

Executive Order 2020-25 provided such relief. This order extends its duration, as it remains reasonable and necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents. With this order, Executive Order 2020-25 is rescinded.

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

1. Pharmacists located in any county in this state may dispense emergency refills of up to a sixty (60) day supply of any non-controlled maintenance medication for residents of any county in this state if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.
2. The following shall apply to all emergency refills dispensed under section 1 of this order:
 - (a) The pharmacist must inform the patient that the prescription was refilled under section 1 of this order.
 - (b) The pharmacist must inform the prescriber in writing within a reasonable period of time of any refills the pharmacist dispensed under section 1 of this order.
 - (c) Prior to refilling a prescription under section 1 of this order, the pharmacist, clinic, or mobile pharmacy must make every reasonable effort to communicate with the prescriber regarding the refilling of the prescription. The pharmacist must make an appropriate record of that effort, including the basis for proceeding under section 1 of this order.
 - (d) A prescriber must not incur any criminal or civil liability or licensing disciplinary action as the result of a pharmacist refilling a prescription under section 1 of this order.
3. Pharmacists may temporarily operate a pharmacy in an area not designated on the pharmacy license, but they may not prepare sterile drug products beyond low-risk preparations, as defined by USP standards, for immediate inpatient administration in such temporary facilities.
4. Pharmacists may dispense and/or administer drugs as needed to treat COVID-19 pursuant to protocols established by the Centers for Disease Control and Prevention or the National Institute of Health, or as determined appropriate by the chief medical executive of the Department of Health and Human Services or her designee.
5. Pharmacists may substitute a therapeutically equivalent medication for a medication subject to critical shortages without the authorization of a prescriber. The pharmacist must inform the patient of any such substitution. The pharmacist must inform the prescriber within a reasonable period of time of any prescriptions or refills dispensed under this section. A prescriber must not incur any criminal or civil liability or licensing disciplinary action as the result of a pharmacist filling or refilling a prescription under this section.
6. To increase the number of pharmacists who can serve patients during this time of need, preceptors may supervise student pharmacists remotely to fulfill eligibility for licensure and avoid delaying graduation.

- 7. Insurers and health maintenance organizations issuing health insurance or disability insurance policies that provide prescription drug benefits must cover any emergency refills of covered prescription drugs dispensed by a pharmacist under section 1 of this order. Insurers and health maintenance organizations must also allow for early refills of all 30-day or 60-day covered prescription maintenance medications to allow for up to a 90-day supply to be dispensed by a pharmacy, without regard to whether the pharmacy is mail-order or in-person. Insurers and health maintenance organizations may still apply policy or contract provisions governing out-of-network benefits and cost-sharing.
- 8. Pharmacists may supervise pharmacy technicians and other pharmacy staff remotely. Supervision must be conducted through a real-time, continuous audiovisual camera system, capable of allowing the pharmacist to visually identify the markings on tablets and capsules. The pharmacist must have access to all relevant patient information to accomplish the remote supervision and must be available at all times during the supervision to provide real-time patient consultation. A pharmacy technician may not perform sterile or nonsterile compounding without a pharmacist on the premises.
- 9. Pharmacies holding a license, certificate, or other permit in good standing issued by another state must be deemed licensed to do business in this state. These out-of-state licensed pharmacies must not deliver controlled substances into this state; must abide by all Michigan regulations applicable to the practice of pharmacy, but need not have a pharmacist-in-charge with a license to practice in Michigan; and must hold a current accreditation from a national organization approved by the Michigan Board of Pharmacy before providing sterile compounding services to patients in this state.
- 10. Wholesale distributors holding a license, certificate, or other permit in good standing issued by another state must be deemed licensed to do business in this state. These out-of-state wholesale distributors must not deliver controlled substances into this state and must abide by all Michigan regulations applicable to a Michigan-licensed wholesale distributor.
- 11. To the extent any statutes, rules, or regulations may be inconsistent with this order, strict compliance with them is temporarily suspended. This includes, but is not limited to: sections 17707(5), 17739(2)(c), 17739a(3), 17741(1)-(2), 17743, 17748, 17748a, 17748b, 17751, 17755(3), and 17763(b) of the Public Health Code, 1978 PA 368, as amended, MCL 333.17707(5), 333.17739(2)(c), 333.17739a(3), 333.17741(1)-(2), 333.17743, 333.17748, 333.17748a, 333.17748b, 333.17751, 333.17755(3), and 333.17763(b); and Rules 338.473(2), 338.473a(5)(a), 338.477(1)-(2), 338.482(2)-(3); 338.486(1)(b), 338.486(3), 338.489(3), 338.490(3), 338.490(4)(a), 338.490(5), 338.3041(4), and 338.3162(1) of the Michigan Administrative Code.
- 12. This order is effective immediately and continues through May 19, 2020 at 11:59 pm.
- 13. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.
- 14. Executive Order 2020-25 is rescinded.

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

Date: April 21, 2020

Time: 6:49 pm

[SEAL]

GRETCHEN WHITMER
 GOVERNOR
 By the Governor:
 JOCELYN BENSON
 SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received April 22, 2020 and read:

EXECUTIVE ORDER

No. 2020-57

Temporary expansions in unemployment eligibility and cost-sharing

Rescission of Executive Order 2020-24

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, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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 temporarily suspend rules and procedures to expand eligibility for unemployment benefits and cost-sharing with employers.

Executive Order 2020-10 took such action. Executive Order 2020-24 reaffirmed that action and clarified and strengthened its expansion of eligibility for unemployment benefits and cost-sharing with employers. This order continues the provisions of Executive Order 2020-24, and adds additional provisions to make it easier for employers and workers to implement and use shared-work plans, in order to avoid layoffs, and to allow certain retired state employees to return to service without losing access to pension payments. With this order, Executive Order 2020-24 is rescinded.

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

1. Strict compliance with subdivision (a) of subsection (1) of section 29 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended ("Employment Security Act"), MCL 421.29(1)(a), is temporarily suspended as follows:
 - (a) An individual must be considered to have left work involuntarily for medical reasons if that individual leaves work for any of the following reasons:
 - (1) The individual is under self-isolation or self-quarantine in response to elevated risk from COVID-19 due to being immuno-compromised.
 - (2) The individual has displayed at least one of the principal symptoms of COVID-19, which are a fever, atypical cough, and atypical shortness of breath.
 - (3) The individual has had contact in the last 14 days with someone with a confirmed diagnosis of COVID-19. Contact for the purposes of healthcare exposures is defined as follows:
 - a) being within approximately 6 feet (2 meters) of a person with COVID-19 for a prolonged period of time, without appropriate personal protective equipment consistent with Department of Health and Human Services recommendations; or
 - b) having unprotected direct contact with infectious secretions or excretions of the patient (e.g., being coughed on, touching used tissues with a bare hand).
 - (4) The individual is required to care for someone with a confirmed diagnosis of COVID-19.
 - (5) The individual has a family care responsibility as a result of a government directive.
 - (b) An individual may be deemed laid off if that individual became unemployed for any of the reasons identified in section 1(a)(1)-(5) of this order.
2. Strict compliance with subsection (3) of section 48 of the Employment Security Act, MCL 421.48(3), is temporarily suspended to allow an individual who is on a leave of absence for any of the reasons identified in paragraph 1(a)1-5 of this order to be considered to be unemployed unless that individual is already on sick leave or receives a disability benefit.
3. Strict compliance with subsections (4) through (7) of Rule 421.210 of the Michigan Administrative Code is temporarily suspended to allow a new or additional claim for unemployment benefits filed within 28 days of the last day the claimant worked to be considered to have been filed on time, and a continued claim filed within 28 days of the last day of the period for which the claimant is instructed to report and has continued to report in a claim series to be considered to have been filed on time.

4. Strict compliance with subsection (d) of section 27 of the Employment Security Act, MCL 421.27(d), is temporarily suspended such that each eligible individual who files a claim or has an active claim as of the effective date of this order will receive not more than 26 weeks of benefits payable in a benefit year.
5. In order to allow employers and workers more flexibility in the use of shared-work plans, strict compliance with several sections of the Employment Security Act are temporarily suspended, as follows:
 - (a) Strict compliance with subsections (1) and (2)(b) of section 28c, MCL 421.28c(1) and (2)(b), is temporarily suspended to the extent necessary to allow the Unemployment Insurance Agency to approve an employer's participation in a shared-work plan upon application by the employer, regardless of whether the employer has met the requirements of MCL 421.28c(1) and (2)(b).
 - (b) Strict compliance with subsection (2)(f) of section 28c, MCL 421.28c(2)(f), is temporarily suspended to allow an application for a shared-work plan to be approved without the employer's certification that implementation is in lieu of layoffs that would affect at least 15% of the employees in the affected unit and would result in an equivalent reduction in workers, provided that the application must contain a certification that it is in lieu of layoffs that would affect at least 10% of the employees and result in an equivalent reduction in work hours.
 - (c) Strict compliance with subsection (1)(b)(i) of section 28d, MCL 421.28d(1)(b)(i), is temporarily suspended to allow a shared-work plan to be approved whether or not it includes as a participating employee an employee who has been employed in the affected unit for less than three months before the date the employer applies for approval of the shared-work plan.
 - (d) Strict compliance with subsection (2)(a) of section 28d, MCL 421.28d(2)(a), is temporarily suspended to allow the reduction percentage of a shared-work plan to be less than 15% and more than 45%, provided that it shall be no less than 10% and no more than 60%
6. Any benefit paid to a claimant who is laid off or placed on a leave of absence must not be charged to the account of the employer or employers that otherwise would have been charged but instead must be charged to the Unemployment Insurance Agency's non-chargeable account. Effective March 25, 2020 at 11:59 pm, the benefits conferred on employers by this section are not available to employers determined to have misclassified workers.
7. Strict compliance with subdivision (a) of subsection (1) of section 28 of the Employment Security Act, MCL 421.28(1)(a), is temporarily suspended to the extent necessary to allow an unemployed individual to be eligible to receive benefits without a finding by the Unemployment Insurance Agency that the individual is actively engaged in seeking work.
8. Strict compliance with section 68c of the State Employees' Retirement Act, 1943 PA 240, as amended, MCL 38.68c, is temporarily suspended to the extent necessary to provide that the provisions of that section do not apply to a retiree who becomes employed by the Unemployment Insurance Agency or by the Michigan Occupational Safety and Health Administration on or after the date of this order. If such retiree remains employed by either of these agencies after the expiration of this order, section 68c will again apply.
9. Strict compliance with subsection (5) of section 29 of the Employment Security Act, MCL 421.29(5), is temporarily suspended to the extent necessary to allow an individual to be considered to have met the requirements of MCL 421.29(5) regardless of whether the individual performed services for the new employer and regardless of whether the new employment was for permanent, full-time work. That individual is not disqualified from receiving unemployment benefits and any benefits payable are charged to the Unemployment Insurance Agency's non-chargeable benefits account.
10. Unless otherwise specified in this order, this order is effective retroactive to March 16, 2020. This order is effective immediately upon issuance and remains in effect during the declared states of emergency and disaster.
11. Executive Order 2020-24 is rescinded.
12. 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: April 22, 2020

Time: 8:44 pm

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:

JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received April 22, 2020 and read:

EXECUTIVE ORDER

No. 2020-58

Temporary suspension of certain timing requirements relating to the commencement of civil and probate actions and proceedings

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, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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 to limit in-person interaction and services as much as possible. Accordingly, on March 15 and 18, 2020, the Michigan Supreme Court issued Administrative Order Nos. 2020-1 and 2020-2, which, among other things, restricted operations in trial-level courts throughout the state and facilitated adjournment of pending matters. And on March 23, 2020, the Court issued Administrative Order No. 2020-3, which provided that any day falling within the declared emergency would not be counted for purpose of computing deadlines pertaining to case initiation and the filing of initial responsive pleadings in civil and probate cases.

These measures are well designed to protect both court staff and the public from the spread of COVID-19 without unduly sacrificing the proper administration of justice. In recognition of the important protections these measures provide to the health and safety of this state and its residents, it is reasonable and necessary to temporarily suspend and toll, for the duration of the declared states of emergency and disaster, all deadlines and related timing requirements applicable to the commencement of civil or probate actions and proceedings.

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

1. Consistent with Michigan Supreme Court Administrative Order No. 2020-3, all deadlines applicable to the commencement of all civil and probate actions and proceedings, including but not limited to any deadline for the filing of an initial pleading and any statutory notice provision or other prerequisite related to the deadline for filing of such a pleading, are suspended as of March 10, 2020 and shall be tolled until the end of the declared states of disaster and emergency.
2. Consistent with Michigan Supreme Court Administrative Order No. 2020-3, this order does not prohibit or restrict a litigant from commencing an action or proceeding whenever the litigant may choose, nor does it suspend or toll any time period that must elapse before the commencement of an action or proceeding.
3. This order is effective immediately.

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

Date: April 22, 2020

Time: 8:45 pm

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:

JOCelyn BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

The following message from the Governor was received April 24, 2020 and read:

**EXECUTIVE ORDER
No. 2020-59**

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

Rescission of Executive Order 2020-42

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, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the 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.

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, to establish the public health infrastructure necessary to contain the spread of infection, 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. To that end, on March 23, 2020, I issued Executive Order 2020-21, ordering all people in Michigan to stay home and stay safe, and then extended that order through April 30, 2020, with Executive Order 2020-42. The orders limited gatherings and travel, and required all workers who are not necessary to sustain or protect life to stay home.

The measures put in place by Executive Orders 2020-21 and 2020-42 have been effective: the number of new confirmed cases each day has started to drop. Although the virus remains aggressive and persistent—on April 23, 2020, Michigan reported 35,291 confirmed cases and 2,977 deaths—the strain on our health care system has begun to relent, even as our testing capacity has increased. We can now start the process of gradually resuming in-person work and activities that were temporarily suspended under my prior orders. But in doing so, we must move with care, patience, and vigilance, recognizing the grave harm that this virus continues to inflict on our state and how quickly our progress in suppressing it can be undone. Accordingly, with this order, I find it reasonable and necessary to reaffirm the measures set forth in Executive Order 2020-42, amend their scope, and extend their duration to May 15, 2020, unless modified earlier. With this order, Executive Order 2020-42 is rescinded.

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 of this order, 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 ("CDC"), 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, to conduct minimum basic operations, or to perform a resumed activity within the meaning of this order.
 - (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 of this order.
 - (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. Workers need not carry copies of their designations when they leave the home or place of residence for work.
Any in-person work necessary to conduct minimum basic operations must be performed consistently with the social distancing practices and other mitigation measures described in section 11 of this order.
 - (c) Workers who perform resumed activities are defined in section 10 of this order.
5. Businesses and operations that employ critical infrastructure workers or workers who perform resumed activities may continue in-person operations, subject to the following conditions:
 - (a) Consistent with sections 8, 9, and 10 of this order, businesses and operations must determine which of their workers are critical infrastructure workers or workers who perform resumed activities 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. Workers need not carry copies of their designations when they leave the home or place of residence for work. 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 of this order.
 - (3) Workers and volunteers described in section 9(d) of this order.
 - (b) In-person activities that are not necessary to sustain or protect life or to perform a resumed activity must be suspended.
 - (c) Businesses and operations maintaining in-person activities must adopt social distancing practices and other mitigation measures to protect workers and patrons, as described in section 11 of this order. Stores that are open for in-person sales must also adhere to the rules described in section 12 of this order.
 - (d) Any business or operation that employs workers who perform resumed activities under section 10(a) of this order, but that does not sell necessary supplies, may sell any goods through remote sales via delivery or at the curbside. Such a business or operation, however, must otherwise remain closed to the public.
6. All in-person government activities at whatever level (state, county, or local) that are not necessary to sustain or protect life, or to support those businesses and operations that are maintaining in-person activities under this order, 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 (including recycling and composting), 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 activity permitted under this order.
 - (c) For purposes of this order, necessary government activities include minimum basic operations, as described in section 4(b) of this order. 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 11 of this order.

7. Exceptions.

- (a) Individuals may leave their home or place of residence, and travel as necessary:
 - (1) To engage in outdoor recreational activity, consistent with remaining at least six feet from people from outside the individual's household. Outdoor recreational activity includes walking, hiking, running, cycling, boating, golfing, or other similar activity, as well as any comparable activity for those with limited mobility.
 - (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) of this order may leave their home for work without being designated.)
 - (3) To conduct minimum basic operations, as described in section 4(b) of this order, after being designated to perform such work by their employers.
 - (4) To perform resumed activities, as described in section 10 of this order, after being designated to perform such work by their employers.
 - (5) To perform necessary government activities, as described in section 6 of this order.
 - (6) 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 in-person procedures or veterinary services that, in accordance with a duly implemented non-essential procedure or veterinary services postponement plan, have not been postponed).
 - (7) To obtain necessary services or supplies for themselves, their family or household members, their pets, and their motor vehicles.
 - (A) 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 or motor vehicles.
 - (B) Individuals may also leave the home to pick up or return a motor vehicle as permitted under section 9(i) of this order, or to have a motor vehicle or bicycle repaired or maintained.
 - (C) Individuals should limit, to the maximum extent that is safe and feasible, the number of household members who leave the home for any errands.
 - (8) To pick up non-necessary supplies at the curbside from a store that must otherwise remain closed to the public.
 - (9) To care for a family member or a family member's pet in another household.
 - (10) To care for minors, dependents, the elderly, persons with disabilities, or other vulnerable persons.
 - (11) To visit an individual under the care of a health care facility, residential care facility, or congregate care facility, to the extent otherwise permitted.
 - (12) To visit a child in out-of-home care, when there is agreement between the child placing agency, the parent, and the caregiver about a safe visitation plan, or when, failing such agreement, the individual secures an exception from the executive director of the Children's Services Agency.
 - (13) To attend legal proceedings or hearings for essential or emergency purposes as ordered by a court.
 - (14) To work or volunteer for businesses or operations (including both 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.
 - (15) To attend a funeral, provided that no more than 10 people are in attendance.
 - (16) To attend a meeting of an addiction recovery mutual aid society, provided that no more than 10 people are in attendance.
- (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) Between two residences in this state, including moving to a new residence.
 - (4) As required by law enforcement or a court order, including the transportation of children pursuant to a custody agreement.
- (c) All other travel is prohibited, including all travel to vacation rentals.

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). This order does not adopt any subsequent guidance document released by this same agency. Consistent with the March 19, 2020 guidance document, critical infrastructure 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, workers who conduct minimum basic operations, workers who perform necessary government activities, or workers who perform resumed activities. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of such workers.
 - (b) Workers at suppliers, distribution centers, or service providers, as described below.
 - (1) Any suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate another business's or operation's critical infrastructure work may designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
 - (2) Any suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the necessary work of suppliers, distribution centers, or service providers described in subprovision (1) of this subsection may designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
 - (3) Consistent with the scope of work permitted under subprovision (2) of this subsection, any suppliers, distribution centers, or service providers further down the supply chain whose continued operation is necessary to enable, support, or facilitate the necessary work of other suppliers, distribution centers, or service providers may likewise designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
 - (4) Suppliers, distribution centers, and service providers that abuse their designation authority under this subsection 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 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.

- (f) Workers at retail stores who sell groceries, medical supplies, and products necessary to maintain the safety, sanitation, and basic operation of residences or motor vehicles, including convenience stores, pet supply stores, auto supplies and repair stores, hardware and home maintenance stores, and home appliance retailers.
 - (g) Workers at laundromats, coin laundries, and dry cleaners.
 - (h) Workers at hotels and motels, provided that the hotels or motels do not offer additional in-house amenities such as gyms, pools, spas, dining, entertainment facilities, meeting rooms, or like facilities.
 - (i) Workers at motor vehicle dealerships who are necessary to facilitate remote and electronic sales or leases, or to deliver motor vehicles to customers, provided that showrooms remain closed to in-person traffic.
10. For purposes of this order, workers who perform resumed activities are defined as follows:
- (a) Workers who process or fulfill remote orders for goods for delivery or curbside pick-up.
 - (b) Workers who perform bicycle maintenance or repair.
 - (c) Workers for garden stores, nurseries, and lawn care, pest control, and landscaping operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.
 - (d) Maintenance workers and groundskeepers who are necessary to maintain the safety and sanitation of places of outdoor recreation not otherwise closed under Executive Order 2020-43 or any order that may follow from it, provided that the places and their workers do not provide goods, equipment, supplies, or services to individuals, and subject to the enhanced social-distancing rules described in section 11(h) of this order.
 - (e) Workers for moving or storage operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.
11. Businesses, operations, and government agencies that remain open for in-person work must adhere to sound social distancing practices and measures, which include but are not limited to:
- (a) Developing a COVID-19 preparedness and response plan, consistent with recommendations in Guidance on Preparing Workplaces for COVID-19, developed by the Occupational Health and Safety Administration and available here. Such plan must be available at company headquarters or the worksite.
 - (b) Restricting the number of workers present on premises to no more than is strictly necessary to perform the in-person work permitted under this order.
 - (c) Promoting remote work to the fullest extent possible.
 - (d) Keeping workers and patrons who are on premises at least six feet from one another to the maximum extent possible.
 - (e) 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.
 - (f) Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.
 - (g) Any other social distancing practices and mitigation measures recommended by the CDC.
 - (h) For businesses and operations whose in-person work is permitted under sections 10(c) through 10(e) of this order, the following additional measures must also be taken:
 - (1) Barring gatherings of any size in which people cannot maintain six feet of distance from one another.
 - (2) Limiting in-person interaction with clients and patrons to the maximum extent possible, and barring any such interaction in which people cannot maintain six feet of distance from one another.
 - (3) Providing personal protective equipment such as gloves, goggles, face shields, and face masks as appropriate for the activity being performed.
 - (4) Adopting protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning of tools, equipment, and frequently touched surfaces.
12. Any store that remains open for in-store sales under section 9(f) or section 10(c) of this order:
- (a) Must establish lines to regulate entry in accordance with subsection (b) of this section, with markings for patrons to enable them to stand at least six feet apart from one another while waiting. Stores should also explore alternatives to lines, including by allowing customers to wait in their cars for a text message or phone call, to enable social distancing and to accommodate seniors and those with disabilities.
 - (b) Must adhere to the following restrictions:
 - (1) For stores of less than 50,000 square feet of customer floor space, must limit the number of people in the store (including employees) to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.

- (2) For stores of more than 50,000 square feet, must:
 - (A) Limit the number of customers in the store at one time (excluding employees) to 4 people per 1,000 square feet of customer floor space.
 - (B) Create at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this order are people over 60, pregnant women, and those with chronic conditions like heart disease, diabetes, and lung disease.
 - (3) The director of the Department of Health and Human Services is authorized to issue an emergency order varying the capacity limits described in this subsection as necessary to protect the public health.
 - (c) May continue to sell goods other than necessary supplies if the sale of such goods is in the ordinary course of business.
 - (d) Must consider establishing curbside pick-up to reduce in-store traffic and mitigate outdoor lines.
13. No one shall rent a short-term vacation property except as necessary to assist in housing a health care professional aiding in the response to the COVID-19 pandemic or a volunteer who is aiding the same.
14. Michigan state parks remain open for day use, subject to any reductions in services and specific closures that, in the judgment of the director of the Department of Natural Resources, are necessary to minimize large gatherings and to prevent the spread of COVID-19.
15. Effective on April 26, 2020 at 11:59 pm:
- (a) Any individual able to medically tolerate a face covering must wear a covering over his or her nose and mouth—such as a homemade mask, scarf, bandana, or handkerchief—when in any enclosed public space.
 - (b) All businesses and operations whose workers perform in-person work must, at a minimum, provide non-medical grade face coverings to their workers.
 - (c) Supplies of N95 masks and surgical masks should generally be reserved, for now, for health care professionals, first responders (e.g., police officers, fire fighters, paramedics), and other critical workers who interact with the public.
 - (d) The protections against discrimination in the Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2101 et seq., and any other protections against discrimination in Michigan law, apply in full force to persons who wear a mask under this order.
16. 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, neither a place of religious worship nor its owner is subject to penalty under section 20 of this order for allowing religious worship at such place. No individual is subject to penalty under section 20 of this order for violating section 15(a) of this order.
17. 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.
18. This order takes effect immediately, unless otherwise specified in this order, and continues through May 15, 2020 at 11:59 pm. Executive Order 2020-42 is rescinded. All references to that order in other executive orders, agency rules, letters of understanding, or other legal authorities shall be taken to refer to this order.
19. I will evaluate the continuing need for this order prior to its expiration. In determining whether to maintain, intensify, or relax its restrictions, I 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.
20. 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: April 24, 2020

Time: 11:00 am

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

Announcements by the Clerk

March 20, 2020

Received from the Auditor General a copy of the:

- Performance audit report on the Michigan Integrated Tax Administration System (MIITAS), Department of Treasury and Department of Technology, Management, and Budget (271-0595-19), March 2020.

Gary L. Randall
Clerk of the House

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, April 16:

House Bill Nos.	5704	5705	5706	5707	5708	5709	5710	5711	5712	5713
Senate Bill Nos.	854	855	856	857	858	859	860			



Rep. Wakeman moved that the House adjourn.
The motion prevailed, the time being 12:20 p.m.

The Speaker declared the House adjourned until Thursday, April 30, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

