

No. 42  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
**REGULAR SESSION OF 2020**

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Senate Chamber, Lansing, Tuesday, May 19, 2020.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present  
Ananich—present  
Barrett—present  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present  
Hollier—present

Horn—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
Lucido—present  
MacDonald—excused  
MacGregor—present  
McBroom—present  
McCann—present  
McMorrow—present  
Moss—present  
Nesbitt—present

Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Marshall Bullock II of the 4th District offered the following invocation:

Dear God, heavenly Father, our rock in ages past and our hope for years to come, we first thank You for the blessing of a new day. We thank You for our lives, our health, and our strength. Heavenly Father, we invite Your presence into the sessions of the day.

We ask for Your blessings upon the leadership of our great state. Bless our Governor, the Lieutenant Governor, our distinguished chamber leadership, and all the esteemed members of the Michigan Senate. We seek—no, dear Lord, we need—Your wisdom and guidance as we convene to deliberate over the delicate conditions and affairs of our state. Touch our hearts so we grow, so we learn, and treat one another with dignity and respect even through challenges and opposing views.

Heavenly Father, we humbly ask for You to look upon all the citizens of our state. Many have been affected by the horrific contagion which is before us. Please heal those who may have been affected and comfort those who have lost loved ones. We are thankful for the frontline workers and the many volunteers in our communities coming together to support one another.

Heavenly Father, we know You will see us through and we will recover. In times like these, we see the resilience, the courage, the compassion, the hope, and the humanity of Michiganders when faced with challenges both great and small. Heavenly Father, direct us in making today better and tomorrow will be a greater day. And every day may Your mercies continue to be brand new. May Your grace be sufficient in all we do. May Your love be unconditional and may Your spirit inspire us.

Hear this Heavenly Father, our prayer we pray. Let the chamber say. Amen.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator MacGregor moved that Senator McBroom be temporarily excused from today's session. The motion prevailed.

Senator MacGregor moved that Senator MacDonald be excused from today's session. The motion prevailed.

Senator Chang moved that Senator Ananich be temporarily excused from today's session. The motion prevailed.

Senator MacGregor moved that rule 3.901 be suspended to allow filming and photographs to be taken from the Senate Gallery.

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

The following communication was received:  
Office of Senator Sean McCann

May 1, 2020

I respectfully request that my name be added as a co-sponsor to Senate Bill 905, introduced by Senator Santana.

If you have any questions, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,  
Sean McCann  
State Senator  
20th District

The communication was referred to the Secretary for record.

### Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:04 a.m.

10:15 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

During the recess, Senators McBroom and Ananich entered the Senate Chamber.

### **Messages from the Governor**

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

#### **EXECUTIVE ORDER No. 2020-83**

### **Expanding child care access during the COVID-19 pandemic**

#### **Rescission of Executive Order 2020-51**

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.*

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

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

Executive Order 2020-16 provided that expanded access. Executive Order 2020-51 clarified the scope of that expansion and extended its duration. This order extends that duration further, 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 2020-51 is rescinded.

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

1. Strict compliance with section 7a of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.117a, is suspended as follows:

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

(b) A provisional license may be issued with an expiration date no earlier than one month after the date of issuance and no later than six months after the date of issuance, and may be renewed at the discretion of LARA until the end of the declared states of emergency and disaster.

2. Strict compliance with subsection (2) of section 5m of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.115m(2), is suspended, as follows:

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

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

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

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

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

4. Disaster relief child care centers may operate in any school facilities operated by a school district or nonpublic school that are closed and are approved for student use. Early childhood staff, student teachers, teachers, and individuals who provide before and after care may provide child care in these settings. The Michigan Department of Education ("MDE") is authorized to credit the hours that student teachers work toward teacher preparation graduation requirements and MDE licensure requirements.

5. Rule 400.8110(5) of the Michigan Administrative Code is suspended for disaster relief child care centers. Notice of any change in capacity and age groups must be provided to LARA.

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

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

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

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

10. For purposes of this order:

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

(b) "Essential workforce" includes health care workers, home health workers, direct care workers, emergency medical service providers, first responders, law enforcement personnel, sanitation workers, child care workers (including any employees acting as child care workers in disaster relief child care centers), personnel providing correctional services, postal workers, public health employees, key government employees, court personnel, and others providing critical infrastructure to Michiganders, including any individuals performing (remotely or in person) critical infrastructure work, necessary government activities, or minimum basic operations under Executive Order 2020-42 or any order that may follow from it.

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

(d) "Key government employees" includes child protective services workers, child welfare workers, foster care workers including those from contracted agencies, recipient rights workers, employees of the Executive

Office of the governor, cabinet officers and their designees, Department of Health and Human Services field office staff, Unemployment Insurance Agency employees, and other employees identified by the Department of Technology, Management, and Budget.

11. Nothing in this order shall be construed to diminish or relax in any way the restrictions and requirements imposed by Executive Order 2020-77 or any order that may follow from it.

12. This order is effective immediately and continues through June 10, 2020.

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

14. Executive Order 2020-51 is rescinded.

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

Date: May 13, 2020

Time: 9:45 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-84

**Enhanced protections for residents and staff of long-term care facilities  
during the COVID-19 pandemic**

**Rescission of Executive Order 2020-50**

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.*

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

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 poses a particularly dire threat to the health and safety of both residents and employees of long-term care facilities. 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 contact as much as

possible and, for those in-person services and interactions that must occur, to engage in social distancing and other mitigation practices. For the residents of long-term care facilities to receive the care they need, however, the residents and staff of the facilities must share close quarters and interact in person regularly, and limitations on access to personal protective equipment only make it more difficult for these in-person interactions to be carried out safely. Due to the nature of the care provided in long-term care facilities and the vulnerable status of their residents, the risk of harm posed by a single positive case of COVID-19 to the entire facility—residents and staff—is inordinately high. As a result, it is reasonable and necessary to afford limited and temporary relief from certain rules and procedures so as to provide enhanced protections for residents and employees of long-term care facilities during this unprecedented crisis.

Executive Order 2020-50 provided that limited and temporary relief. This order extends the duration of that relief because it remains necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents.

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

#### **I. Protections for residents of long-term care facilities**

1. Notwithstanding any statute, rule, regulation, or policy to the contrary, a long-term care facility must not effectuate an eviction or involuntary discharge against a resident for nonpayment, nor deny a resident access to the facility, except as otherwise provided in this order.

2. A long-term care facility must not prohibit admission or readmission of a resident based on COVID-19 testing requirements or results in a manner that is inconsistent with relevant guidance issued by the Department of Health and Human Services (“DHHS”).

3. The following apply to a resident that obtained housing outside of a long-term care facility, including but not limited to living with a family member, during the declared states of emergency and disaster:

(a) The resident does not forfeit any right to return that would have been provided to the resident under state or federal law had they been hospitalized or placed on therapeutic leave.

(b) The long-term care facility of origin must accept the return of the resident, provided it can meet the medical needs of the resident and there are no statutory grounds to refuse the return, as soon as capacity allows.

(c) Prior to accepting the return of such a resident, the long-term care facility must undertake screening precautions that are consistent with relevant DHHS guidance when receiving the returning resident.

4. Nothing in this order abrogates the obligation to pay or right to receive payment due under an admission contract between a resident and a long-term care facility.

5. All long-term care facilities must use best efforts to facilitate the use of telemedicine in the care provided to their residents, including, but not limited to, for regular doctors’ visits, telepsychology, counseling, social work and other behavioral health visits, and physical and occupational therapy.

#### **II. Protections for employees and residents of long-term care facilities**

1. It is the public policy of this state that employees of long-term care facilities or regional hubs who test positive for COVID-19 or who display one or more of the principal symptoms of COVID-19 should remain in their homes or places of residence, as provided in section 2 of Executive Order 2020-36 or any order that may follow from it, and that their employers shall not discharge, discipline, or otherwise retaliate against them for doing so, as provided in section 1 of Executive Order 2020-36 or any order that may follow from it.

2. Long-term care facilities must:

(a) Cancel all communal dining and all internal and external group activities throughout the duration of the declared states of emergency and disaster;

(b) Take all necessary precautions to ensure the adequate disinfecting and cleaning of facilities, in accordance with relevant guidance from the Centers for Disease Control and Prevention (“CDC”);

(c) Use best efforts to provide appropriate personal protective equipment (“appropriate PPE”) and hand sanitizer to all employees that interact with residents;

(d) As soon as reasonably possible, but no later than 12 hours after identification, inform employees of the presence of a COVID-19-affected resident;

(e) Notify employees of any changes in CDC recommendations related to COVID-19;

(f) Keep accurate and current data regarding the quantity of each type of appropriate PPE available onsite, and report such data to EMResource upon DHHS’s request or in a manner consistent with DHHS guidance; and

(g) Report to DHHS all presumed positive COVID-19 cases in the facility together with any additional data required under DHHS guidance.

#### **III. Procedures related to transfers and discharges of COVID-19-affected residents**

1. A long-term care facility must report the presence of a COVID-19-affected resident to their local health department within 24 hours of identification.

2. A long-term care facility must transfer a COVID-19-affected resident who is medically unstable to a hospital for evaluation.

3. A nursing home with a census below 80% must create a unit dedicated to the care of COVID-19-affected residents (“dedicated unit”) and must provide appropriate PPE, as available, to direct-care employees who staff the dedicated unit. A nursing home provider that operates multiple facilities may create a dedicated unit by dedicating a facility for such a purpose.

4. A long-term care facility must adhere to the following protocol with respect to a COVID-19-affected resident who is medically stable:

(a) If the long-term care facility has a dedicated unit and provides appropriate PPE to the direct-care employees who staff the dedicated unit, the facility must transfer the COVID-19-affected resident to its dedicated unit.

(b) If the long-term care facility does not have a dedicated unit or does not provide appropriate PPE to the direct-care employees who staff the dedicated unit, it must transfer the COVID-19-affected resident to a regional hub, if one is available to accept the resident. If no regional hub is available to accept the transfer of the COVID-19-affected resident, the long-term care facility must attempt to send the resident to a hospital within the state that has available bed capacity. If no hospital will admit the COVID-19-affected resident, the long-term care facility must transfer the resident to an alternate care facility.

5. Once a long-term care facility resident who has been hospitalized due to onset of one or more of the principal symptoms of COVID-19 becomes medically stable and eligible for discharge in the judgment of the resident’s medical providers, a hospital must discharge the resident in accordance with the following protocol:

(a) If the long-term care facility where the resident resided prior to the onset of one or more of the principal symptoms of COVID-19 (“facility of residence”) has a dedicated unit and provides appropriate PPE to the direct-care employees who staff the dedicated unit, the hospital must discharge the resident to their facility of residence for placement in the dedicated unit, provided there is available bed capacity.

(b) If a discharge in accordance with section 5(a) of this part is not available, the hospital must discharge the resident to a regional hub, provided there is available bed capacity.

(c) If a discharge in accordance with section 5(a) or 5(b) of this part is not available, the hospital must transfer the resident to any alternate care facility with available bed capacity in accordance with the following protocol:

(1) Any alternate care facility within the state that has available bed capacity to receive the resident must accept a transfer authorized by this order.

(2) An alternate care facility must discharge a long-term care facility resident to the facility of residence as soon as capacity allows. If the facility of residence lacks available capacity, the alternate care facility must transfer the resident to a regional hub. If a regional hub receives a resident under this part, it must transfer the resident to the facility of residence as soon as capacity allows.

6. For any transfer or discharge of a resident, the transferring or discharging entity must ensure that the resident’s advance directive accompanies the resident and must disclose the existence of any advance directive to medical control at the time medical control assistance is requested.

7. Any long-term care facility that has a dedicated unit and provides appropriate PPE to the direct-care employees who staff the dedicated unit must admit anyone that it would normally admit as a resident, regardless of whether the individual has recently been discharged from a hospital treating COVID-19 patients.

8. A long-term care facility that transfers or discharges a resident in accordance with this order must notify the resident and the resident’s representative of the transfer or discharge as soon as practicable.

9. A transfer or discharge of a long-term care facility resident that is made in accordance with this order constitutes a transfer or discharge mandated by the physical safety of other facility residents and employees as documented in the clinical record, for purposes of section 21773(2)(b) of the Public Health Code, 1978 PA 368, as amended, MCL 333.21773(2)(b), and constitutes a transfer or discharge that is necessary to prevent the health and safety of individuals in the facility from being endangered, for purposes of 42 CFR 483.15(c)(1)(i)(C)-(D) and (c)(4)(ii)(A)-(B).

10. To the extent necessary to effectuate this terms of this order, strict compliance with any statute, rule, regulation, or policy pertaining to bed hold requirements or procedures, or to pre-transfer or pre-discharge requirements or procedures, is temporarily suspended. This includes, but is not limited to, strict compliance with the requirements and procedures under sections 20201(3)(e), 21776, 21777(1), and 21777(2) of the Public Health Code, MCL 333.20201(3)(e), MCL 333.21773(2), MCL 333.21776, MCL 333.21777(1), and MCL 333.21777(2), as well as Rules 325.1922(13)-(16), 400.1407(12), 400.2403(9), and 400.15302 of the Michigan Administrative Code.

**IV. Definitions and general provisions**

1. For purposes of this order:

(a) "Adult foster care facility" has the same meaning as provided by section 3(4) of the Adult Foster Care Facility Licensing Act, 1979 PA 218, as amended, MCL 400.703(4).

(b) "Alternate care facility" means any facility activated by the state to provide relief for hospitals that surge past their capacity, including but not limited to the TCF Regional Care Center.

(c) "Appropriate PPE" means the PPE that DHHS recommends in relevant guidance.

(d) "COVID-19-affected resident" means a resident of a long-term care facility who is COVID-19 positive, who is a person under investigation, or who displays one or more of the principal symptoms of COVID-19.

(e) "Home for the aged" has the same meaning as provided by section 20106(3) of the Public Health Code, MCL 333.20106(3).

(f) "Long-term care facility" means a nursing home, home for the aged, adult foster care facility, or assisted living facility.

(g) "Medically unstable" means a change in mental status or a significant change or abnormality in blood pressure, heart rate, oxygenation status, or laboratory results that warrants emergent medical evaluation.

(h) "Nursing home" has the same meaning as provided by section 20109(1) of the Public Health Code, MCL 333.20109(1).

(i) "Person under investigation" means a person who is currently under investigation for having the virus that causes COVID-19.

(j) "Principal symptoms of COVID-19" are fever, atypical cough, or atypical shortness of breath.

(k) "Regional hub" means a nursing home that is designated by DHHS as a dedicated facility to temporarily and exclusively provide care to COVID-affected residents.

2. DHHS may issue orders and directives, and take any other actions pursuant to law, to implement this executive order.

3. This order is effective immediately and continues through May 20, 2020.

4. Executive Order 2020-50 is rescinded.

5. 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: May 13, 2020

Time: 9:54 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-85

**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 2020-54**

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.*



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

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. Executive Order 2020-54 clarified that relief and extended its duration. This order extends that relief further, 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 2020-54 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 June 11, 2020 at 11:59 p.m.

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

3. Nothing in this order shall be construed to abrogate the obligation to pay or right to receive payment due under a lease or executory contract, nor to prohibit a landlord or vendor from making a demand for payment. Any demand for rent or executory contract payment, however, must not include a demand for possession or notice of forfeiture of executory contract, or other threat of eviction or forfeiture, based on the nonpayment of rent or executory contract obligation. Effective immediately and continuing until June 11, 2020 at 11:59 p.m., 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 June 11, 2020 at 11:59 p.m.

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

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

7. Until 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 2020-54 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: May 14, 2020

Time: 9:05 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-86

**Encouraging the use of telehealth services during the COVID-19 emergency**

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

On March 10, 2020, the 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.*

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

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 promote use of telehealth, the U.S. Department of Health and Human Services Office for Civil Rights is exercising its enforcement discretion and will not impose penalties for noncompliance with HIPAA Rules against covered health providers in connection with the good-faith provision of telehealth services using non-public facing audio or video communication products during the COVID-19 national public health emergency. Moreover, the Centers for Disease Control and Prevention have issued guidance encouraging healthcare systems to use telehealth services when feasible to reduce the risk of transmission of COVID-19.

Telehealth provides a way for patients to obtain needed health services while observing social distancing. It is a means to limit potential exposure to COVID-19 and is currently permitted under Michigan law. In order to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents, it is therefore reasonable and necessary to enable the use of telehealth services in new contexts and encourage expansion of telehealth services through other means.

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

1. All health care providers are authorized and encouraged to use telehealth services when medically appropriate and upon obtaining patient consent. To facilitate the provision of telehealth services:

(a) Written consent for treatment is not required. A health care provider may obtain verbal consent for telehealth services and must document such consent in the patient's file before providing telehealth services.

(b) Health care providers engaging in telehealth services may use asynchronous store-and-forward technology for the transmission of medical information. Providers may use interactive, real-time, two-way audio in combination with asynchronous store-and-forward technology.

(c) Remote patient monitoring, which may or may not take place in real-time, may be conducted as part of telehealth services. As used in this order, "remote patient monitoring" means digital technology to collect medical and other forms of health data from an individual in 1 location and electronically transmit that information via a health insurance portability and accountability act of 1996, Public 104-191 (HIPAA) compliant, secure system to a health care provider in a different location for assessment and recommendations. Remote patient monitoring includes assessment, observation, education, and virtual visits, including by home health care providers.

(d) A physician is not required to conduct an in-person examination before prescribing medication or ordering the administration of medication, including controlled substances except for methadone.

(e) Strict compliance with MCL 500.3476 is suspended only to the extent necessary to effectuate this section.

2. Healthy Michigan and private insurance carriers are authorized and encouraged to reimburse for telehealth services. To facilitate reimbursement of telehealth services:

(a) Insurance carriers must cover virtual check-ins and e-visits and must not impose any additional requirements inconsistent with guidance issued by the Centers for Medicare and Medicaid Services on March 17, 2020. The Director of the Department of Insurance and Financial Services may issue orders or guidance to implement this subsection.

(b) Telehealth services are covered under the Michigan Medicare/Medicaid Assistance Program and Healthy Michigan Plan if the originating site is an in-home setting or any other originating site allowed in the Medicaid Provider Manual or considered appropriate by the provider. For purposes of this order, "originating site" means the location of the eligible beneficiary at the time the service being furnished by a telecommunications system occurs.

3. Health care providers must abide by applicable guidance issued by the Substance Abuse and Mental Health Services Administration ("SAMHSA"), the Centers for Medicare and Medicaid Services ("CMS"), Centers for Disease Control and Prevention ("CDC"), and the Drug Enforcement Agency ("DEA") when providing telehealth services. Strict compliance with Rules of the Michigan Administrative Code that apply to substance use disorder services programs licensed under part 62 of the Public Health Code, 1978 PA 368, as amended, MCL 333.6230 *et seq.*, is temporarily suspended only to the extent necessary to effectuate this section.

4. A controlled substance license issued under part 73 of the Public Health Code, MCL 333.7301 *et seq.*, is sufficient to authorize a licensee to prescribe, administer, or dispense a controlled substance to treat a drug-dependent person enrolled in a drug treatment and rehabilitation program, regardless of whether the program is in-patient, out-patient, office-based, or another format. Strict compliance with article 7 of the Public Health Code, 1978 PA 368, as amended, MCL 333.7101 *et seq.*, and Rules 338.3132(1)(f), 338.3163(1)(a), and 338.3170(2) of the Michigan Administrative Code is suspended only to the extent necessary to effectuate this section.

5. Upon a determination by a health care provider that an in-person evaluation, examination, or visitation is not feasible due to the COVID-19 pandemic, the use of two-way interactive video technology or other remote participation tools shall satisfy the requirement of an in-person evaluation, examination, or visitation under article 5, part 3 of the Estates and Protected Individuals Code, MCL 700.5301 *et seq.*, and chapters 4, 4A, 5, and 10 of the Mental Health Code, 1974 PA 258, MCL 330.1400 *et seq.*, MCL 330.1498a *et seq.*, MCL 330.1500 *et seq.*, and MCL 330.2000 *et seq.*

6. The restrictions of MCL 500.3476 requiring telehealth services to be provided by a health care professional who is licensed, registered, or otherwise authorized to engage in his or her health care profession in the state where the patient is located is hereby suspended to the extent necessary to allow a medical professional licensed and in good standing to practice in a state other than Michigan to use telehealth when treating patients in Michigan without a license to practice medicine in Michigan. A license that has been suspended or revoked is not considered a license in good standing, and a licensee with pending disciplinary action is not considered to have a license in good standing. A license that is subject to a limitation or restriction in another state is subject to the same limitation or restriction in this state.

7. Strict compliance with sections 3(a)(1) and 3(q)(2) of the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 26423(a)(1) and (q)(2), is suspended only to the extent necessary to allow relevant medical evaluations to be conducted via telemedicine.

8. Definitions.

(a) As used in this order, “telehealth” has the meaning provided in section 16283(c) of the public health code, MCL 333.16283(c).

(b) As used in this order, “health care providers” includes health professionals licensed under articles 7 and 15 of the Public Health Code, 1978 PA 368, as amended, MCL 333.7101 *et seq.* and 333.16101 *et seq.*; “health facilities or agencies,” as that term is defined in section 20106(1) of the Public Health Code, MCL 333.20106(1); psychiatric hospitals and units licensed under section 134 of the Mental Health Code, MCL 330.1134; health care employers, state-owned surgical centers, state-operated psychiatric hospitals, state-owned facilities, state-owned veterans facilities; and substance use disorder services licensed under part 62 of the Public Health Code, MCL 333.6201 *et seq.*

(c) As used in this order, “medical professional” means a person licensed in a state other than Michigan who holds a license in that state for a profession that is licensed in article 7 or 15 of the Public Health Code, MCL 333.7101 *et seq.* or 333.16101 *et seq.*

(d) As used in this order, “store and forward” means the asynchronous transmission of medical information to be reviewed at a later time by a health care provider.

(e) As used in this order, “state” means any of the fifty sovereign American states or the District of Columbia

9. This order supersedes any order issued by a local health department to the extent that it conflicts with this order.

10. This order is effective immediately and remains in effect during any state of emergency or state of disaster arising out of the COVID-19 pandemic.

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

Date: May 14, 2020

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-87

**Temporary Extension of Deadlines for Boards of Review, County Equalization,  
and Tax Tribunal Jurisdiction**

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. 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 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).

Similarly, in response to COVID-19, some local offices have closed or limited access to government buildings and workplaces. As a result, many taxpayers have been unable to protest their 2020 property tax assessments and local units and counties are unable to conduct meetings, meet deadlines and provide the necessary filings to comply with statutory requirements.

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 modify rules and procedures so as to extend the deadline for the protest of assessments, filing of certain required reporting from local and county officials, and filing of petitions to appeal assessment determinations.

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

1. Strict compliance with sections 30 and 30a of the General Property Tax Act (GPTA), 1893 PA 206, as amended, MCL 211.30 and 211.30a, is suspended such that (a) any review of assessments by a city or township board of review that has been completed by the date of this order is deemed to have been timely completed; (b) a completed assessment roll for 2020 that has been delivered to a county equalization director by the date of this order is deemed to have been timely delivered; (c) in the event that the county equalization director does not receive a certified roll from a board of review, the county must equalize based on the assessment roll prepared by the assessor.

2. Strict compliance with the deadlines for county boards of commissioners set forth in section 34 of the GPTA, 1893 PA 206, as amended, MCL 211.34, and section 5 of the State Board of Equalization Act, 1911 PA 44, as amended, MCL 209.5, is temporarily suspended to allow for the following extensions of time:

(a) The county board of commissioners in each county must meet by May 15, 2020 to determine county equalized value. Such meetings must be conducted in a manner consistent with Executive Orders 2020-75 and 2020-77, or any executive orders on the same subjects that may follow.

(b) The director of the tax or equalization department must transmit a certified copy of the tabular statement in the manner required under MCL 209.5(2) to the State Tax Commission on or before May 18, 2020.

3. Strict compliance with the protest and dispute provisions set forth in sections 28, 29, 30, 30a, 34c, and 53b of the GPTA, 1893 PA 206, as amended, MCL 211.30, 211.30a, 211.34c, and 211.53b, is temporarily suspended to allow for the following modifications:

(a) Boards of review that were not able to complete the duties set forth in sections 28, 29, or 30 of the GPTA, MCL 211.28–30, must meet on the Tuesday following the third Monday in July to hear protests.

(b) In addition to purposes set forth in section 53b of the GPTA, MCL 211.53b, boards of review acting in July must also meet to hear protests under Section 30 of the GPTA, MCL 211.30, and any other matters that are properly before a March board of review under MCL 211.30. Boards of review must issue decisions on any protests under MCL 211.30 by September 1, 2020.

(c) Boards of review meeting in July, as described in sections 3(a) and (b), must allow a resident taxpayer to file his or her protest before the board of review by letter without a personal appearance by the taxpayer or his or her agent.

(d) An owner of any assessable property who disputes the classification of a particular parcel must notify the assessor and may protest the assigned classification to the board of review acting in July.

(e) An owner or assessor may appeal the classification decision of the board of review acting in July by filing a written petition with the State Tax Commission not later than September 1, 2020.

(f) This order does not provide for a rehearing or reconsideration by a July board of review of a protest, request, or other property tax matter that was previously denied by a March board of review.

4. Strict compliance with the jurisdictional requirements set forth in the Tax Tribunal Act, 1973 PA 186, as amended, MCL 205.735a, is temporarily suspended to allow for the following extensions of time:

(a) The May 31 deadline set forth in MCL 205.735a(6) for assessment disputes as to property classified under section 34c of the GPTA as commercial real property, industrial real property, developmental real

property, commercial personal property, industrial personal property, or utility personal property is extended to July 31. This order does not change or otherwise effect the July 31 deadline set forth in MCL 205.735a(6) for assessment disputes as to property classified under section 34c of the GPTA as agricultural real property, residential real property, timber-cutover real property, or agricultural personal property.

(b) With respect to all other matters, including assessment disputes arising out of decisions made by boards of review meeting in July in accordance with sections 3(a) and 3(b) of this order, the jurisdiction of the tribunal is invoked by a party in interest, as petitioner, filing a written petition within 35 days after the final decision, ruling, or determination.

5. To the extent that this order creates a conflict with any deadline or other requirement set by a local unit of government’s charter or ordinances, the contents of this order control.

6. The time extensions with respect to township and city boards of review, county boards of commissioners, and Tax Tribunal jurisdiction set forth in this order are automatic. Taxpayers and local officials do not need to file any additional forms or contact the Michigan Department of Treasury, State Tax Commission or Michigan Tax Tribunal to qualify for the above stated extensions. Boards of review meeting in July to hear protests must provide notice in the manner required under the Open Meetings Act, MCL 15.261 *et seq.*, as modified by any applicable executive order that may be in effect at the time notice is required. The provision of such notice satisfies the minimum requirements of due process.

7. With respect to the Tax Tribunal’s obligations under the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.201 *et seq.*, and the MAHS Administrative Hearing Rules, R 792.10101 *et seq.*, paragraphs 5 and 6 of Executive Order 2020-80, or any executive orders on the same subject that may follow, modifying certain procedural requirements related to the manner in which administrative hearings are held and the manner in which notice and service of process are provided, remain applicable.

8. This order applies only to the 2020 tax year.

9. This order is effective immediately and shall apply retroactively to April 6, 2020.

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

Date: May 14, 2020

Time: 9:24 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-88

**COVID-19 Return to School Advisory Council**

**Executive Office of the Governor**

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.

On April 2, 2020, to protect our youngest Michiganders and educators against the spread of COVID-19, and to reduce the risk of asymptomatic spread of the virus, I ordered our public schools closed for the



remainder of the school year. Michigan is now less than 100 days from the scheduled reopening of school for the 2020-2021 school year. Returning to school in the face of the COVID-19 pandemic will be a monumental task. On March 3, I announced the creation of the COVID-19 Task Force on Education and tasked it with developing and coordinating the COVID-19 response for our K-12 public schools. As we begin to plan for the K-12 school year ahead, the COVID-19 Task Force on Education should begin to develop a framework to inform K-12 districts as they operationalize plans for the 2020-2021 school year. The formation of an advisory group to identify the critical issues that must be addressed and provide valuable input to inform the process of returning to school is reasonable and necessary to ensure a smooth and safe transition back to school.

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 also 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 Return to School Advisory Council**

(a) The Return to School Advisory Council (“the Council”) is created as an advisory body within the Department of Technology, Management, and Budget.

(b) The Council must consist of up to 25 members. These members must be appointed by the governor and reflect the diverse geographic and demographic composition of this state. Membership must include school leaders, educators, individuals with expertise in public health, pediatrics, mental health, epidemiology, or emergency management, and community members (including at least one parent and one student).

(c) A vacancy on the Council must be filled in the same manner as the original appointment.

(d) The Governor must name a chairperson of the Council.

**2. Charge to the Council**

(a) The Council must act in an advisory capacity to the governor and the COVID-19 Task Force on Education and must do the following:

(1) Develop and submit recommendations to the COVID-19 Task Force on Education regarding the safe, equitable, and efficient K-12 return to school in the Fall.

(2) Assemble critical voices from the education and public health communities to assist in identifying key issues schools must consider before opening in the Fall.

(3) Recommend actions to remove statutory and administrative barriers to delivering education before Phase 6 of the MI Safe Start Plan.

(4) Recommend actions to develop and improve systems for academic support for students who experienced learning loss during the Spring/Summer 2020.

(5) Provide other information or advice or take other actions as requested by the governor and the COVID-19 Task Force on Education.

(b) The Council must report regularly to the COVID-19 Task Force on Education on its activities and make recommendations on an ongoing basis.

(c) The Council will dissolve on December 31, 2020, or such other time as the governor directs.

**3. Operations of the Council**

(a) The Department of Technology, Management, and Budget, with additional support from the Executive Office of the Governor in coordination with any identified external expertise, must assist the Council in the performance of its duties and provide personnel to staff the Council. The budgeting, procurement, and related management functions of the Council will be performed under the direction and supervision of the Department.

(b) The Council must adopt procedures, consistent with this order and applicable law, governing its organization and operations.

(c) The Council will meet at least monthly.

(d) The Council must comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.

(e) The Council may select from among its members a vice chairperson.

(f) The Council may select from among its members a secretary. Council staff must assist the secretary with recordkeeping responsibilities.

(g) The Council must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Council.

(h) A majority of the members of the Council serving constitutes a quorum for the transaction of the business of the Council. The Council must act by a majority vote of its members.

(i) The Council may establish advisory workgroups composed of individuals or entities participating in Council’s activities or other members of the public as deemed necessary by the Council to assist it in performing its duties and responsibilities. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

(j) The Council may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Council also may consult with outside experts in order to perform its duties, including experts in the private sector, educators, public health experts, community leaders, government agencies, and institutions of higher education.

(k) The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Department deems advisable and necessary, consistent with this order and applicable law, rules, and procedures, subject to available funding.

(l) The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations must be received and used in accordance with law.

(m) Members of the Council must not receive additional compensation for participation on the Council. Members of the Council may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.

(n) Members of the Council must refer all legal, legislative, and media contacts to the Executive Office of the Governor.

**4. Implementation**

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

(b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.

(c) Nothing in this order should be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.

(d) 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 filing.

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

Date: May 15, 2020

Time: 3:00 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-89

**Enhanced restrictions on price gouging**

**Rescission of Executive Order 2020-53**

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.*

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

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. Executive Order 2020-53 strengthened them and extended their duration. This order extends that duration further, 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 2020-53 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 June 12, 2020 at 11:59 pm.

6. Executive Order 2020-53 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: May 15, 2020

Time: 5:56 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-90

**Resumption of laboratory research activities**

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.*

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

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. In Executive Orders 2020-42, 2020-59, 2020-70, and 2020-77, I extended that initial order, modifying its scope as needed and as appropriate to match the ever-changing circumstances presented by this pandemic.

The measures put in place by these executive orders have been effective: the number of new confirmed cases each day has started to drop. Although the virus remains aggressive and persistent—on May 15, 2020, Michigan reported 50,079 confirmed cases and 4,825 deaths—the strain on our health care system has begun to relent, even as our testing capacity has increased. We have now begun the process of gradually resuming in-person work and activities that were temporarily suspended under my prior orders. In so doing, however, 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.

With Executive Order 2020-77, I ordered that certain previously suspended work and activities could resume, based on an evaluation of public health metrics and an assessment of the statewide risks and benefits. That evaluation remains ongoing, and based upon it, I find that we will soon be positioned to allow another segment of previously suspended work to resume: laboratory research. This work, like the resumed activities allowed under Executive Order 2020-77, will be subject to stringent precautionary measures. This partial and incremental reopening will allow my public health team to evaluate the effects of allowing these activities to resume, to assess the capacity of the health care system to respond adequately to any increases in infections, and to prepare for any increase in patients presenting to a health-care facility or provider.

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

1. Workers necessary to conduct research activities in a laboratory setting are considered workers who perform resumed activities within the meaning of section 10 of Executive Order 2020-77.

2. Research laboratories, but not laboratories that perform diagnostic testing, must adhere to the workplace safeguards described in subsection 11(a) through (h) of Executive Order 2020-77, as well as the following:

- (a) Assign dedicated entry point(s) and/or times into lab buildings.
- (b) Conduct a daily entry screening protocol for workers, contractors, suppliers, and any other individuals entering a worksite, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with, if possible, a temperature screening.
- (c) Create protocols and/or checklists as necessary to conform to the facility’s COVID-19 preparedness and response plan under section 11(a) of Executive Order 2020-77.
- (d) Train workers on adherence to the facility’s preparedness response plan.
- (e) Suspend all non-essential in-person visitors (including visiting scholars and undergraduate students) until further notice.
- (f) Train workers on the proper use of lab protection and personal protective equipment.
- (g) Establish and implement a plan for distributing face coverings.
- (h) Limit the number of people per square feet of floor space permitted in a particular laboratory at one time.
  - (i) Close open workspaces, cafeterias, and conference rooms.
  - (j) As necessary, use tape on the floor to demarcate socially distanced workspaces and to create one-way traffic flow.
  - (k) Require all office and dry lab work to be conducted remotely.
  - (l) Minimize the use of shared lab equipment and shared lab tools and create protocols for disinfecting lab equipment and lab tools.
  - (m) Provide disinfecting supplies and require workers to wipe down their work stations at least twice daily.
  - (n) Implement an audit and compliance procedure to ensure that cleaning criteria are followed.
  - (o) Establish a clear reporting process for any symptomatic individual or any individual with a confirmed case of COVID-19, including the notification of lab leaders and the maintenance of a central log.
  - (p) Clean and disinfect the work site when a worker is sent home with symptoms or with a confirmed case of COVID-19.
  - (q) Send any potentially exposed co-workers home if there is a positive case in the facility.
  - (r) Restrict all non-essential travel, including conference events.

3. 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: May 15, 2020  
Time: 6:30 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-91

**Safeguards to protect Michigan’s workers from COVID-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 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.*

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

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. In Executive Orders 2020-42, 2020-59, 2020-70, and 2020-77, I extended that initial order, modifying its scope as needed and appropriate to match the ever-changing circumstances presented by this pandemic.

The measures put in place by these executive orders have been effective: the number of new confirmed cases each day has started to drop. Although the virus remains aggressive and persistent—on May 17, 2020, Michigan reported 51,142 confirmed cases and 4,891 deaths—the strain on our health care system has begun to relent, even as our testing capacity has increased. We have now begun the process of gradually resuming in-person work and activities that were temporarily suspended under my prior orders. In so doing, however, 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.

In particular, businesses must do their part to protect their employees, their patrons, and their communities. Many businesses have already done so by implementing robust safeguards to prevent viral transmission. But we can and must do more: no one should feel unsafe at work. With this order, I am creating an enforceable set of workplace standards that apply to all businesses across the state. These standards will have the force and effect of agency rules and will be vigorously enforced by the agencies that oversee compliance with other health-and-safety rules. Any failure to abide by the rules will also constitute a failure to provide a workplace that is free from recognized hazards within the meaning of the Michigan Occupational Safety and Health Act, MCL 408.1011.

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

1. All businesses or operations that are permitted to require their employees to leave the homes or residences for work under Executive Order 2020-92, and any order that follows it, must, at a minimum:

(a) Develop 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 [<https://www.osha.gov/Publications/OSHA3990.pdf>]. By June 1, 2020, or within two weeks of resuming in-person activities, whichever is later, a business's or operation's plan must be made readily available to employees, labor unions, and customers, whether via website, internal network, or by hard copy.

(b) Designate one or more worksite supervisors to implement, monitor, and report on the COVID-19 control strategies developed under subsection (a). The supervisor must remain on-site at all times when employees are present on site. An on-site employee may be designated to perform the supervisory role.

(c) Provide COVID-19 training to employees that covers, at a minimum:

(1) Workplace infection-control practices.

(2) The proper use of personal protective equipment.

(3) Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.

(4) How to report unsafe working conditions.

(d) Conduct a daily entry self-screening protocol for all employees or contractors entering the workplace, including, at a minimum, a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19.

(e) Keep everyone on the worksite premises at least six feet from one another to the maximum extent possible, including through the use of ground markings, signs, and physical barriers, as appropriate to the worksite.

(f) Provide non-medical grade face coverings to their employees, with supplies of N95 masks and surgical masks reserved, for now, for health care professionals, first responders (e.g., police officers, fire fighters, paramedics), and other critical workers.

(g) Require face coverings to be worn when employees cannot consistently maintain six feet of separation from other individuals in the workplace, and consider face shields when employees cannot consistently maintain three feet of separation from other individuals in the workplace.

(h) Increase facility cleaning and disinfection to limit exposure to COVID-19, especially on high-touch surfaces (e.g., door handles), paying special attention to parts, products, and shared equipment (e.g., tools, machinery, vehicles).

(i) Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case in the workplace.

(j) Make cleaning supplies available to employees upon entry and at the worksite and provide time for employees to wash hands frequently or to use hand sanitizer.

(k) When an employee is identified with a confirmed case of COVID-19, within 24 hours, notify both:

(1) The local public health department, and

(2) Any co-workers, contractors, or suppliers who may have come into contact with the person with a confirmed case of COVID-19.

(l) Follow Executive Order 2020-36, and any executive orders that follow it, that prohibit discharging, disciplining, or otherwise retaliating against employees who stay home or who leave work when they are at particular risk of infecting others with COVID-19.

(m) Establish a response plan for dealing with a confirmed infection in the workplace, including protocols for sending employees home and for temporary closures of all or part of the worksite to allow for deep cleaning.

(n) Restrict business-related travel for employees to essential travel only.

(o) Encourage employees to use personal protective equipment and hand sanitizer on public transportation.

(p) Promote remote work to the fullest extent possible.

(q) Adopt any additional infection-control measures that are reasonable in light of the work performed at the worksite and the rate of infection in the surrounding community.

2. Businesses or operations whose work is primarily and traditionally performed outdoors must:

(a) Prohibit gatherings of any size in which people cannot maintain six feet of distance from one another.

(b) Limit in-person interaction with clients and patrons to the maximum extent possible, and bar any such interaction in which people cannot maintain six feet of distance from one another.

(c) Provide and require the use of personal protective equipment such as gloves, goggles, face shields, and face coverings, as appropriate for the activity being performed.

(d) Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning and disinfection of tools, equipment, and frequently touched surfaces.

3. Businesses or operations in the construction industry must:

(a) Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering a worksite, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with, if possible, a temperature screening.

(b) Create dedicated entry point(s) at every worksite, if possible, for daily screening as provided in sub-provision (b) of this section, or in the alternative issue stickers or other indicators to employees to show that they received a screening before entering the worksite that day.

(c) Provide instructions for the distribution of personal protective equipment and designate on-site locations for soiled face coverings.

(d) Require the use of work gloves where appropriate to prevent skin contact with contaminated surfaces.

(e) Identify choke points and high-risk areas where employees must stand near one another (such as hallways, hoists and elevators, break areas, water stations, and buses) and control their access and use (including through physical barriers) so that social distancing is maintained.

(f) Ensure there are sufficient hand-washing or hand-sanitizing stations at the worksite to enable easy access by employees.

(g) Notify contractors (if a subcontractor) or owners (if a contractor) of any confirmed COVID-19 cases among employees at the worksite.

(h) Restrict unnecessary movement between project sites.

(i) Create protocols for minimizing personal contact upon delivery of materials to the worksite.

4. Manufacturing facilities must:

(a) Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering the facility, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with temperature screening as soon as no-touch thermometers can be obtained.

(b) Create dedicated entry point(s) at every facility for daily screening as provided in sub-provision (a) of this section, and ensure physical barriers are in place to prevent anyone from bypassing the screening.

(c) Suspend all non-essential in-person visits, including tours.

(d) Train employees on, at a minimum:

(1) Routes by which the virus causing COVID-19 is transmitted from person to person.

(2) Distance that the virus can travel in the air, as well as the time it remains viable in the air and on environmental surfaces.

(3) The use of personal protective equipment, including the proper steps for putting it on and taking it off.

(e) Reduce congestion in common spaces wherever practicable by, for example, closing salad bars and buffets within cafeterias and kitchens, requiring individuals to sit at least six feet from one another, placing markings on the floor to allow social distancing while standing in line, offering boxed food via delivery or pick-up points, and reducing cash payments.

(f) Implement rotational shift schedules where possible (e.g., increasing the number of shifts, alternating days or weeks) to reduce the number of employees in the facility at the same time.

(g) Stagger meal and break times, as well as start times at each entrance, where possible.

(h) Install temporary physical barriers, where practicable, between work stations and cafeteria tables.

(i) Create protocols for minimizing personal contact upon delivery of materials to the facility.

(j) Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible.

(k) Ensure there are sufficient hand-washing or hand-sanitizing stations at the worksite to enable easy access by employees, and discontinue use of hand dryers.

(l) Notify plant leaders and potentially exposed individuals upon identification of a positive case of COVID-19 in the facility, as well as maintain a central log for symptomatic employees or employees who received a positive test for COVID-19.

(m) Send potentially exposed individuals home upon identification of a positive case of COVID-19 in the facility.

(n) Require employees to self-report to plant leaders as soon as possible after developing symptoms of COVID-19.

(o) Shut areas of the manufacturing facility for cleaning and disinfection, as necessary, if an employee goes home because he or she is displaying symptoms of COVID-19.

5. Research laboratories, but not laboratories that perform diagnostic testing, must:

(a) Assign dedicated entry point(s) and/or times into lab buildings.

(b) Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering a worksite, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with, if possible, a temperature screening.

(c) Create protocols and/or checklists as necessary to conform to the facility's COVID-19 preparedness and response plan under section 1(a).

(d) Suspend all non-essential in-person visitors (including visiting scholars and undergraduate students) until further notice.

(e) Establish and implement a plan for distributing face coverings.

(f) Limit the number of people per square feet of floor space permitted in a particular laboratory at one time.

(g) Close open workspaces, cafeterias, and conference rooms.

(h) As necessary, use tape on the floor to demarcate socially distanced workspaces and to create one-way traffic flow.

(i) Require all office and dry lab work to be conducted remotely.

(j) Minimize the use of shared lab equipment and shared lab tools and create protocols for disinfecting lab equipment and lab tools.

(k) Provide disinfecting supplies and require employees to wipe down their work stations at least twice daily.

(l) Implement an audit and compliance procedure to ensure that cleaning criteria are followed.

(m) Establish a clear reporting process for any symptomatic individual or any individual with a confirmed case of COVID-19, including the notification of lab leaders and the maintenance of a central log.

(n) Clean and disinfect the work site when an employee is sent home with symptoms or with a confirmed case of COVID-19.

(o) Send any potentially exposed co-workers home if there is a positive case in the facility.

(p) Restrict all non-essential travel, including in-person conference events.

6. Retail stores that are open for in-store sales must:

(a) Create communications material for customers (e.g., signs or pamphlets) to inform them of changes to store practices and to explain the precautions the store is taking to prevent infection.



(b) Establish lines to regulate entry in accordance with subsection (c) 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.

(c) 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. 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.

(2) 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.

(d) Post signs at store entrance(s) instructing customers of their legal obligation to wear a face covering when inside the store.

(e) Post signs at store entrance(s) informing customers not to enter if they are or have recently been sick.

(f) Design spaces and store activities in a manner that encourages employees and customers to maintain six feet of distance from one another.

(g) Install physical barriers at checkout or other service points that require interaction, including plexiglass barriers, tape markers, or tables, as appropriate.

(h) Establish an enhanced cleaning and sanitizing protocol for high-touch areas like restrooms, credit-card machines, keypads, counters, shopping carts, and other surfaces.

(i) Train employees on:

(1) Appropriate cleaning procedures, including training for cashiers on cleaning between customers.

(2) How to manage symptomatic customers upon entry or in the store.

(j) Notify employees if the employer learns that an individual (including a customer or supplier) with a confirmed case of COVID-19 has visited the store.

(k) Limit staffing to the minimum number necessary to operate.

7. Offices must:

(a) Assign dedicated entry point(s) for all employees to reduce congestion at the main entrance.

(b) Provide visual indicators of appropriate spacing for employees outside the building in case of congestion.

(c) Take steps to reduce entry congestion and to ensure the effectiveness of screening (e.g., by staggering start times, adopting a rotational schedule in only half of employees are in the office at a particular time).

(d) Require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.

(e) Increase distancing between employees by spreading out workspaces, staggering workspace usage, restricting non-essential common space (e.g., cafeterias), providing visual cues to guide movement and activity (e.g., restricting elevator capacity with markings, locking conference rooms).

(f) Turn off water fountains.

(g) Prohibit social gatherings and meetings that do not allow for social distancing or that create unnecessary movement through the office.

(h) Provide disinfecting supplies and require employees wipe down their work stations at least twice daily.

(i) Post signs about the importance of personal hygiene.

(j) Disinfect high-touch surfaces in offices (e.g., whiteboard markers, restrooms, handles) and minimize shared items when possible (e.g., pens, remotes, whiteboards).

(k) Institute cleaning and communications protocols when employees are sent home with symptoms.

(l) Notify employees if the employer learns that an individual (including a customer, supplier, or visitor) with a confirmed case of COVID-19 has visited the office.

(m) Suspend all nonessential visitors.

(n) Restrict all non-essential travel, including in-person conference events.

8. Restaurants and bars must:

(a) Limit capacity to 50% of normal seating.

(b) Require six feet of separation between parties or groups at different tables or bar tops (e.g., spread tables out, use every other table, remove or put up chairs or barstools that are not in use).

(c) Create communications material for customers (e.g., signs, pamphlets) to inform them of changes to restaurant or bar practices and to explain the precautions that are being taken to prevent infection.

(d) Close waiting areas and ask customers to wait in cars for a call when their table is ready.

(e) Close self-serve food or drink options, such as buffets, salad bars, and drink stations.

(f) Provide physical guides, such as tape on floors or sidewalks and signage on walls to ensure that customers remain at least six feet apart in any lines.

- (g) Post sign(s) at store entrance(s) informing customers not to enter if they are or have recently been sick.
- (h) Post sign(s) instructing customers to wear face coverings until they get to their table.
- (i) Require hosts and servers to wear face coverings in the dining area.
- (j) Require employees to wear face coverings and gloves in the kitchen area when handling food, consistent with guidelines from the Food and Drug Administration (“FDA”).
- (k) Limit shared items for customers (e.g., condiments, menus) and clean high-contact areas after each customer (e.g., tables, chairs, menus, payment tools, condiments).
- (l) Train employees on:
  - (1) Appropriate use of personal protective equipment in conjunction with food safety guidelines.
  - (2) Food safety health protocols (e.g., cleaning between customers, especially shared condiments).
  - (3) How to manage symptomatic customers upon entry or in the restaurant.
- (m) Notify employees if the employer learns that an individual (including an employee, customer, or supplier) with a confirmed case of COVID-19 has visited the store.
- (n) Close restaurant immediately if an employee shows multiple symptoms of COVID-19 (fever, atypical shortness of breath, atypical cough) and perform a deep clean, consistent with guidance from FDA and the Center for Disease Control. Such cleaning may occur overnight.
- (o) Require a doctor’s written release to return to work if an employee has a confirmed case of COVID-19.
- (p) Install physical barriers, such as sneeze guards and partitions at cash registers, bars, host stands, and other areas where maintaining physical distance of six feet is difficult.
- (q) To the maximum extent possible, limit the number of employees in shared spaces, including kitchens, break rooms, and offices, to maintain at least a six-foot distance between employees.

9. Employers must maintain a record of the requirements set forth in Sections 1(c), (d), and (k).

10. The rules described in sections 1 through 9 have the force and effect of regulations adopted by the departments and agencies with responsibility for overseeing compliance with workplace health-and-safety standards and are fully enforceable by such agencies. Any challenge to penalties imposed by a department or agency for violating any of the rules described in sections 1 through 9 of this order will proceed through the same administrative review process as any challenge to a penalty imposed by the department or agency for a violation of its rules.

11. Any business or operation that violates the rules in sections 1 through 9 has failed to provide a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to an employee, within the meaning of the Michigan Occupational Safety and Health Act, MCL 408.1011.

12. Nothing in this order shall be taken to limit or affect any rights or remedies otherwise available under law.

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

Date: May 18, 2020

Time: 1:15 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

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

EXECUTIVE ORDER  
No. 2020-92

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

**Rescission of Executive Orders 2020-77 and 2020-90**

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.*

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

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. In Executive Orders 2020-42, 2020-59, 2020-70, and 2020-77, I extended that initial order, modifying its scope as needed and appropriate to match the ever-changing circumstances presented by this pandemic.

The measures put in place by Executive Orders 2020-21, 2020-42, 2020-59, 2020-70, and 2020-77 have been effective: the number of new confirmed cases each day has started to drop. Although the virus remains aggressive and persistent—on May 17, 2020, Michigan reported 51,142 confirmed cases and 4,891 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. In so doing, however, 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 2020-77. The order is being reissued to omit worker safeguards that were included in prior versions of this order but which have now been adopted in Executive Order 2020-91, a standalone order on worker protection. It has also been amended to allow, in two regions, social gatherings of up to 10 people and to permit the reopening of retail stores, offices, and restaurants and bars with limited seating. Finally, the order incorporates and replaces Executive Order 2020-90, which allowed research laboratories to resume activities.

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. For purposes of this order, Michigan comprises eight separate regions:

(a) Region 1 includes the following counties: Monroe, Washtenaw, Livingston, Genesee, Lapeer, Saint Clair, Oakland, Macomb, and Wayne.

(b) Region 2 includes the following counties: Mason, Lake, Osceola, Clare, Oceana, Newaygo, Mecosta, Isabella, Muskegon, Montcalm, Ottawa, Kent, and Ionia.

(c) Region 3 includes the following counties: Allegan, Barry, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, Saint Joseph, and Branch.

(d) Region 4 includes the following counties: Oscoda, Alcona, Ogemaw, Iosco, Gladwin, Arenac, Midland, Bay, Saginaw, Tuscola, Sanilac, and Huron.

(e) Region 5 includes the following counties: Gratiot, Clinton, Shiawassee, Eaton, and Ingham.

(f) Region 6 includes the following counties: Manistee, Wexford, Missaukee, Roscommon, Benzie, Grand Traverse, Kalkaska, Crawford, Leelanau, Antrim, Otsego, Montmorency, Alpena, Charlevoix, Cheboygan, Presque Isle, and Emmet.

(g) Region 7 includes the following counties: Hillsdale, Lenawee, and Jackson.

(h) Region 8 includes the following counties: Gogebic, Ontonagon, Houghton, Keweenaw, Iron, Baraga, Dickinson, Marquette, Menominee, Delta, Alger, Schoolcraft, Luce, Mackinac, and Chippewa.

3. Subject to the exceptions in section 8 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.

4. 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.

5. 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 9 and 10 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 Executive Order 2020-91 and any orders that follow or replace it.

(c) Workers who perform resumed activities are defined in section 11 of this order.

6. 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 9, 10, and 11 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 7 of this order.

(3) Workers and volunteers described in section 10(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 Executive Order 2020-91 and any orders that follow or replace it.

(d) Any business or operation that employs workers who perform resumed activities under section 11(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.

7. All in-person government activities at whatever level (state, county, or local) are suspended unless:

(a) They are performed by critical infrastructure workers, including workers in law enforcement, public safety, and first responders, as defined in sections 9 and 10 of this order.

(b) They are performed by workers who are permitted to resume work under section 11 of this order.

(c) They are necessary to support the activities of workers described in sections 9, 10, and 11 of this order, or to enable transactions that support businesses or operations that employ such workers.

(d) They involve public transit, trash pick-up and disposal (including recycling and composting), the management and oversight of elections, and the maintenance of safe and sanitary public parks so as to allow for outdoor activity permitted under this order.

(e) For purposes of this order, necessary government activities include minimum basic operations, as described in 5(b) of this order. Workers performing such activities need not be designated.

(f) 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 Executive Order 2020-91 and any orders that follow or replace it.

8. 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 6(a) of this order may leave their home for work without being designated.)
  - (3) To conduct minimum basic operations, as described in section 5(b) of this order, after being designated to perform such work by their employers.
  - (4) To perform resumed activities, as described in section 11 of this order, after being designated to perform such work by their employers.
  - (5) To perform necessary government activities, as described in section 7 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 10(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, or to facilitate a visit between a parent and 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.
  - (17) To view a real-estate listing by appointment, as permitted under section 11(g) of this order.
  - (18) To participate in training, credentialing, or licensing activities permitted under section 11(i) of this order.
  - (19) For individuals in Regions 6 or 8, to go to a restaurant or a retail store or to attend a social gathering of up to 10 people.
- (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.

9. 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 [<https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>]). 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.

10. 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 sub-provision (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 sub-provision (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.

11. 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.

(d) Workers for moving or storage operations.

(e) Workers who perform work that is traditionally and primarily performed outdoors, including but not limited to forestry workers, outdoor power equipment technicians, parking enforcement workers, and outdoor workers at places of outdoor recreation not otherwise closed under Executive Order 2020-69 or any order that may follow from it.

(f) Workers in the construction industry, including workers in the building trades (plumbers, electricians, HVAC technicians, and similar workers).

(g) Workers in the real-estate industry, including agents, appraisers, brokers, inspectors, surveyors, and registers of deeds, provided that:

(1) Any showings, inspections, appraisals, photography or videography, or final walk-throughs must be performed by appointment and must be limited to no more than four people on the premises at any one time. No in-person open houses are permitted.

(2) Private showings may only be arranged for owner-occupied homes, vacant homes, vacant land, commercial property, and industrial property.

(h) Workers necessary to the manufacture of goods that support workplace modification to forestall the spread of COVID-19 infections.

(i) Workers necessary to train, credential, and license first responders (e.g., police officers, fire fighters, paramedics) and health-care workers, including certified nursing assistants, provided that as much instruction as possible is provided remotely.

(j) Workers necessary to perform manufacturing activities. Manufacturing work may not commence under this subsection until the facility at which the work will be performed has been prepared to follow the workplace safeguards described in section 4 of Executive Order 2020-91 and any orders that follow or replace it.

(k) Workers necessary to conduct research activities in a laboratory setting.

(l) For Regions 6 and 8, beginning at 12:01 a.m. on May 22, workers necessary to perform retail activities. For purposes of this order, retail activities are defined to exclude those places of public accommodation that are closed under Executive Order 2020-69 and any orders that follow or replace it.

(m) For Regions 6 and 8, beginning at 12:01 a.m. on May 22, workers who work in an office setting, but only to the extent that such work is not capable of being performed remotely.

(n) For Regions 6 and 8, beginning at 12:01 a.m. on May 22, workers in restaurants or bars, subject to the capacity constraints and workplace standards described in Executive Order 2020-91. Nothing in this subsection should be taken to abridge or otherwise modify the existing power of a local government to impose further restrictions on restaurants or bars.

(o) Workers necessary to prepare a workplace to follow the workplace standards described in Executive Order 2020-91.

(p) Consistent with section 10(b) of this order, workers at suppliers, distribution centers, or service providers whose in-person presence is necessary to enable, support, or facilitate another business's or operation's resumed activities, including workers at suppliers, distribution centers, or service providers along the supply chain whose in-person presence is necessary to enable, support, or facilitate the necessary work of another supplier, distribution center, or service provider in enabling, supporting, or facilitating another business's or operation's resumed activities. 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.

12. Any store that is open for in-store sales under section 10(f) or section 11(c) of this executive order:

(a) May continue to sell goods other than necessary supplies if the sale of such goods is in the ordinary course of business.

(b) 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. Rules governing face coverings.

(a) Except as provided in subsection (b) of this section, 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) An individual may be required to temporarily remove a face covering upon entering an enclosed public space for identification purposes or while seated at a restaurant or bar.

(c) All businesses and operations whose workers perform in-person work must, at a minimum, provide non-medical grade face coverings to their workers.

(d) 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.

(e) 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 individuals who wear a face covering 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 engaging in or traveling to engage in religious worship at a place of religious worship, or 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. Similarly, nothing in this order shall be taken to abridge protections guaranteed by the state or federal constitution under these emergency circumstances.

18. This order takes effect immediately, unless otherwise specified in this order, and continues through May 28, 2020 at 11:59 p.m. Executive Orders 2020-77 and 2020-90 are rescinded. All references to those orders 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: May 18, 2020

Time: 1:15 p.m.

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

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

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

Senator MacGregor moved that the Senate proceed to consideration of the following bill:

**Senate Bill No. 876**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 876, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 216, 226, 255, 301, 309, and 314 (MCL 257.216, 257.226, 257.255, 257.301, 257.309, and 257.314), section 216 as amended by 2009 PA 32, section 226 as amended by 2018 PA 342, section 255 as amended by 2018 PA 64, sections 301 and 314 as amended by 2011 PA 159, and section 309 as amended by 2016 PA 23, and by adding sections 312k and 801k.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 146**

**Yeas—35**

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Alexander | Daley     | McBroom   | Schmidt    |
| Ananich   | Hertel    | McCann    | Shirkey    |
| Barrett   | Horn      | McMorrow  | Stamas     |
| Bayer     | Irwin     | Moss      | Theis      |
| Bizon     | Johnson   | Nesbitt   | VanderWall |
| Brinks    | LaSata    | Outman    | Victory    |
| Bullock   | Lauwers   | Polehanki | Wojno      |
| Bumstead  | Lucido    | Runestad  | Zorn       |
| Chang     | MacGregor | Santana   |            |

**Nays—2**

|       |         |
|-------|---------|
| Geiss | Hollier |
|-------|---------|

**Excused—1**

MacDonald

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Moss asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Moss’ statement is as follows:

I want to make some remarks on these bills and I know that extending drivers licenses that expire is not the sexiest topic in the world, but I’ve done a lot of research on this issue and I get five minutes to talk about it, so I’m going to take advantage of that.

These bills are actually really important to a lot of people in Michigan so I just wanted to talk about what we’re doing here today. The bills before us put the Governor’s executive order into law that extends the deadline of licenses and IDs that are going to expire during this COVID crisis.

This was an issue that was brought forward by the Secretary of State at the top of this crisis when all 131 of her branch offices were closed and there was no mechanism for someone whose ID was going to expire to renew it while the offices were closed. Her recommendation was either an executive order or to just ask the State Police not to enforce penalties against folks who have expiring deadlines.



I actually called all ten cities that I represent and asked their police departments to not enforce penalties against people who may be driving with an expired license. I also called the Secretary of State and the Secretary of State tipped me off that the Republican Representative over in the House from the 51st District in Genesee and Oakland counties also had the same concern, wanted to know what we could do about it, and what solution could be offered. So the three of us put our heads together and brought forward a bipartisan and bicameral solution to this problem. If the branch office systems go down—be it due to a health pandemic, a cyber-attack, or any other emergency—allow the Secretary of State to intervene and extend licenses and ID renewals. So we introduced Senate Bill Nos. 902 through 904 and House Bill Nos. 5755 through 5757.

Our bills make sure that we don't have to address this issue continuously and continuously. These bills here today are important. They solve the problem right now. But for a future crisis that shuts down branch offices, we're looking for a long-term solution. So I am pleased to support these bills today to get the process moving along, but as the majority has said many times throughout this crisis, we're looking for bipartisan, deliberative solutions that all of us can embrace to get us out of this pandemic together and I think the remaining bills that we could tackle—Senate Bill Nos. 902 through 904—are worthy of consideration as well. So I extend my hand to the other side of the aisle with support for this package and looking forward to continuing to solve this issue with a bipartisan, bicameral solution that we have forthcoming as well.

The following bill was read a third time:

**Senate Bill No. 877, 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 sections 2 and 9a (MCL 28.292 and 28.299a), section 2 as amended by 2018 PA 669 and section 9a as added by 2008 PA 32.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 147**

**Yeas—35**

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Alexander | Daley     | McBroom   | Schmidt    |
| Ananich   | Hertel    | McCann    | Shirkey    |
| Barrett   | Horn      | McMorrow  | Stamas     |
| Bayer     | Irwin     | Moss      | Theis      |
| Bizon     | Johnson   | Nesbitt   | VanderWall |
| Brinks    | LaSata    | Outman    | Victory    |
| Bullock   | Lauwers   | Polehanki | Wojno      |
| Bumstead  | Lucido    | Runestad  | Zorn       |
| Chang     | MacGregor | Santana   |            |

**Nays—2**

|       |         |
|-------|---------|
| Geiss | Hollier |
|-------|---------|

**Excused—1**

MacDonald

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.





**Substitute (S-3)**

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate proceeded to the order of  
**Introduction and Referral of Bills**

Senator Zorn introduced

**Senate Bill No. 924, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 280.

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

Senator Theis introduced

**Senate Bill No. 925, entitled**

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 3a of article II and section 3 of article III (MCL 38.83a and 38.93), as amended by 2011 PA 101, and by adding section 2a to article III and adding article XI.

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

**House Bill No. 5368, entitled**

A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 2016 PA 289.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5369, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42, 46, 48, 49, 63, 69, 618a, 634, 660, 660a, 660d, 673, 674, 675d, and 676b (MCL 257.42, 257.46, 257.48, 257.49, 257.63, 257.69, 257.618a, 257.634, 257.660, 257.660a, 257.660d, 257.673, 257.674, 257.675d, and 257.676b), section 42 as amended by 2016 PA 304, section 618a as amended by 2014 PA 303, section 634 as amended by 1988 PA 346, sections 660 and 660d as amended by 2018 PA 394, section 660a as added by 2006 PA 339, section 674 as amended by 2000 PA 268, section 675d as amended by 2010 PA 211, and section 676b as amended by 2018 PA 75, and by adding sections 63a, 64a, 64b, and chapter VIA.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5412, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3476 (MCL 500.3476), as amended by 2017 PA 223.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5413, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401k (MCL 550.1401k), as added by 2012 PA 214.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5414, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100c and 100d (MCL 330.1100c and 330.1100d), section 100c as amended by 2016 PA 320 and section 100d as amended by 2015 PA 59.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5415, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 105g.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5416, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 105h.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

### Statements

Senators Horn and McBroom asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Horn’s statement is as follows:

I’ve known the Weber family for most of my time in Frankenmuth. The Senate got to know them when I invited them to our annual Senate Memorial Day service. Both parents worked for Star of the West Milling Company. The Weber family was a three-time Blue Star Family with sons Chris in the Army, Daniel in the Army, and Thomas in the Navy—all volunteering to serve our country.

When I got notice of Dan’s accidental death in April of 2011, I visited the home carrying a folded American flag. I was welcomed by Chris and Tom and found Heidi, Dan’s mom, curled up under a crocheted blanket in a recliner in the living room. She never said a word because she could hardly breathe. She only whispered a ‘thank you’ when I laid the flag next to her.

The Weber family was in our community’s thoughts the following month during the Memorial Day parade and at the ceremony at the high school auditorium. During the keynote address, there was a moment of silence for Dan. He was all we talked about at the Legion hall for the hot dog reception. I remember Dan and Dan’s service when we see the flags planted at our local cemetery.

A year later, almost to the day, we lost Tom. Tom was still serving in the U.S. Navy but was killed in a motorcycle accident just outside the base. This time when I visited the family, Heidi was nowhere to be found. She couldn’t even leave her bedroom because of her grief. I spent some time with the oldest son, Chris, who was also shaking with grief.

The Weber family was in our community’s thoughts the following month during Memorial Day at the parade and at the ceremony at the high school auditorium. They were in our thoughts during the keynote address and there was a moment of silence for Tom. He was all we talked about at the Legion hall for the hot dog reception. We remember Tom and his service when we see flags planted at our local cemetery.

This year, Mr. President, I learned that Chris Weber, the oldest, has stage 4 cancer. The one thing that has gotten Heidi through all these years was a big Mother’s Day hug from her only remaining son. Because of Executive Order Nos. 2020-69 and 2020-92, Heidi could not visit her son this Mother’s Day for her big hug.

Memorial Day is right around the corner. We will not remember Dan and Tom during Memorial Day activities in Frankenmuth, but we will remember them. We will not have a moment of silence during the keynote address because there will not be one, but we will remember. Volunteers will not participate in the

traditional practice of laying wreaths and putting out flags at cemeteries across the state, but we will remember. There will be no ceremony in this chamber to remember our fallen heroes, but we will remember.

However, we can make these decisions all as adults and as Michiganders by ourselves, and we are Michigan strong. We will find a way to honor our veterans on Memorial Day, one way or another.

Senator McBroom’s statement is as follows:

I’d like to continue the remarks I was making last week. First off, I need to recognize that there’s been a change over the weekend. There’s been movement for the benefit of the Upper Peninsula and the northern Lower Peninsula and I’m grateful. I’m grateful and I’m hopeful that it’s the first, and a big step, of a rapid run towards liberating all of the state as quickly as possible.

But despite my gratitude and hope, my points that I made last week about a lack of leadership were only further validated over the weekend. There weren’t any calls to me—to any of the U.P. legislators of either party—in developing this plan. Yesterday morning I get an astounded text message from one of my U.P. colleagues saying “There’s something about to happen. I’m hearing rumors.” Next thing you know we’re getting calls from local officials, we’re getting calls from citizens, we’re getting calls from business owners, “What’s going on? What’s about to happen?” Then the media is calling. It’s like “You guys know more than we do.” Finally about two minutes before the Governor goes on stage to announce things, I get a courtesy call. This is not leadership and this simply prefaced the same implementation of clunky orders that now need dozens of clarifying statements and dozens of answers for citizens about what they can and can’t do. And now I’m supposed to answer these, which means I’ve got to make calls to people who didn’t have the courtesy to call me.

Some of you will remember back to 2011 and then—more of you probably remember in 2016 when I gave a speech about 2011—what happened in the House of Representatives and in this state with the issue of the sporting swine and how this state perpetrated one of the greatest injustices that I can ever imagine by stealing the property—the legitimately held and owned property—of citizens of this state without compensation, without justice; just ripped it away and went on their farms and forced them to slaughter animals because somebody had some score to settle with somebody else and this state stole their property. And I thought I would never see this state go down a road of great injustice to the property owners and the people of this state as a mass like that again. Hey, it was only about 13 guys, right? Now it’s the whole state. We’re perpetrating a huge injustice in this crisis as we are taking from people. The lack of certainty in these orders is so egregious. They are ill-prepared. The phases that were announced aren’t followed. What phase are we in? Are we in five, are we in six, three or four? I mean bars and restaurants were over here but we say we’re over here. We skipped some of the things that were here. Who knows? And it’s stealing from people. The fact that we didn’t put these business owners, farmers—we didn’t put people north of Lansing on the panel. It’s affecting them. It’s stealing their livelihoods, their homes, their prosperity, their futures, and most of all, their hope.

The Governor claims to understand, and I still believe in the sincerity of her motivations, but where is the evidence of this understanding? The fact that the panels are vacant of important representation demonstrates a lack of leadership and a lack of willingness to understand. The fact that they won’t take input from people they disagree with demonstrates an unwillingness to understand. And just because you have teenage daughters who complain is not evidence that you understand. Teenage daughters complain all the time. She says she gets it but I don’t see the evidence of that. We need empathy for these people—people who are losing everything—people who are watching their loved ones die over a Zoom call because they can’t go into a nursing home. Mr. President, thank you for this opportunity to plead for the people—not just of the U.P., but the whole state of Michigan.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 13:

**House Bill Nos. 5368 5369 5412 5413 5414 5415 5416**

The Secretary announced that the following bills were printed and filed on Wednesday, May 13, and are available on the Michigan Legislature website:

**Senate Bill Nos. 918 919 920 921 922 923**

**House Bill Nos. 5768 5769**

### Committee Reports

#### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Wednesday, May 13, 2020, at 8:30 a.m., Room S-403, 4th Floor, Capitol Building

Present: Senators McBroom (C), Lucido, Theis and Irwin

Excused: Senator MacDonald

#### COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on the COVID-19 Pandemic (HCR 20) submitted the following:

Meeting held on Wednesday, May 13, 2020, at 2:30 p.m., Room 519, House Office Building

Present: Senators Nesbitt, LaSata, Schmidt, Hertel and Hollier

### Scheduled Meetings

**COVID-19 Pandemic, Joint Select** - Thursday, May 21, 2:00 p.m. or after committees are given leave by the House to meet, whichever time is later., Room 519, Anderson House Office Building (517) 373-5795

**Education and Career Readiness** - Wednesday, May 20, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5314

**Health Policy and Human Services** - Wednesday, May 20, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

**Oversight** - Wednesday, May 20, 8:30 a.m., Room 403, 4th Floor, Capitol Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:42 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, May 20, 2020, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

