

No. 45
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Wednesday, May 27, 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—excused
Runestad—present
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Senator Stephanie Chang of the 1st District offered the following invocation:

The road that lies ahead of us is a long one, and the pace of progress will sometimes feel glacially slow. Never forget that glaciers over time can carve out grand canyons and great lakes. Moving tectonic plates can rise up mountains over millennia, or they can explode awe-inspiring volcanoes in milliseconds. Our commitment to compassion and justice can do the same.

In a world so filled with brokenness, sickness, division, and sorrow, it would be easy to lose ourselves in never-ending grief, to be choked by our outrage, to be paralyzed by the enormity of suffering, to feel our hearts squeeze tight with hopelessness.

Instead, this morning, let us simply breathe together as we hold our hearts open. Breathing in as our hearts fill with compassion; breathing out as we pray for healing in our world and in our lives. Breathing in, opening ourselves to the transforming power of love; breathing out as we pray for peace in our world and in our lives. Breathing in as we hold hope in our hearts; breathing out as we pray for justice in our world and in our lives. Breathing in as we yearn for truth; breathing out as we move toward unity and action.

May we know our strength; may we be filled with courage; may our love flow from us into this world.

Breathing in, we are the prayer; breathing out, we are the healing. Breathing in, we are the love; breathing out, we are the peace. Breathing in, we are the hope; breathing out, we are the justice. Breathing in, we are the truth; breathing out, we are unity.

May we know our strength; may we be filled with courage; may our love flow from us into this world.

Blessed be, may it be so. 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 Lauwers 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 Lauwers entered the Senate Chamber.

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

Senator Chang moved that Senator Polehanki be 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.

Messages from the Governor

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

EXECUTIVE ORDER
No. 2020-96

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

Rescission of Executive Orders 2020-17, 2020-34, and 2020-92

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, 2020-77, and 2020-92, 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 20, 2020, Michigan reported 53,009 confirmed cases and 5,060 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.

With this order, I find it reasonable and necessary to reaffirm the measures set forth in Executive Order 2020-92, while also allowing gatherings of no more than ten people statewide, effective immediately, and permitting retailers and motor vehicle dealerships to see customers by appointment, beginning on May 26, 2020. In addition, because our health-care capacity has improved with respect to personal protective equipment, available beds, personnel, ventilators, and necessary supplies, I find it reasonable to rescind Executive Orders 2020-17 and 2020-34, which required health-care and veterinary facilities to implement plans to postpone some medical and dental procedures. Those rescissions will take effect on May 29.

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 2020-97 and any orders that may follow from 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 2020-97 and any orders that may follow from 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 2020-97 and any orders that may follow from 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 for themselves or a household or family member.
 - (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 go to a motor vehicle dealership showroom by appointment, as permitted under section 11(p) of this order.
 - (C) Individuals may leave the home to have a bicycle repaired or maintained.
 - (D) 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.
 - (20) To go to a retail store by appointment, as permitted under section 11(q) of this order.
 - (21) To attend a social gathering of no more than 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 until May 26, 2020 at 12:01 a.m.

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 2020-97 and any orders that may follow from 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, 2020, workers necessary to perform retail activities. For purposes of this order, retail activities are defined:

(1) As the selling of goods and the rendering of services incidental to the sale of the goods (e.g., any packaging and processing to allow for or facilitate the sale and delivery of the goods).

(2) To exclude those places of public accommodation that are closed under Executive Order 2020-69 and any orders that may follow from it.

(m) For Regions 6 and 8, beginning at 12:01 a.m. on May 22, 2020, 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, 2020, workers in restaurants or bars, subject to the capacity constraints and workplace standards described in Executive Order 2020-97. 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. For restaurants and bars subject to this subsection, this subsection supersedes the limitations placed on those restaurants and bars by Executive Order 2020-69 and any order that may follow from it.

(o) Workers necessary to prepare a workplace to follow the workplace standards described in Executive Order 2020-97 and to otherwise ready the workplace for reopening.

(p) Beginning at 12:01 a.m. on May 26, 2020, workers at motor vehicle dealerships, provided that showrooms are open only by appointment.

(q) Beginning at 12:01 a.m. on May 26, 2020, workers necessary to perform retail activities by appointment, provided that the store is limited to 10 customers at any one time. For purposes of this order, retail activities are defined:

(1) As the selling of goods and the rendering of services incidental to the sale of the goods (e.g., any packaging and processing to allow for or facilitate the sale and delivery of the goods).

(2) To exclude those places of public accommodation that are closed under Executive Order 2020-69 and any orders that may follow from it.

(r) 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), section 11(c), or section 11(q) 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. An individual may also remove a face covering 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. Except as otherwise expressly stated in this order, 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 22 of this order for allowing religious worship at such place. No individual is subject to penalty under section 22 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.

19. Executive Order 2020-17, which imposed temporary requirements regarding the postponement of non-essential medical and dental procedures, is rescinded as of May 28, 2020 at 11:59 p.m. Executive Order 2020-34, which imposed temporary requirements regarding the postponement of veterinary services, is rescinded as of May 28, 2020 at 11:59 p.m. Outpatient health-care facilities, including veterinary offices, are subject to the workplace safety rules described in Executive Order 2020-97.

20. Executive Orders 2020-92 is rescinded. All references to that order in other executive orders, agency rules, letters of understanding, or other legal authorities shall be taken to refer to this order.

21. 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.

22. 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 21, 2020

Time: 9:49 a.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

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

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

EXECUTIVE ORDER
No. 2020-97

Safeguards to protect Michigan’s workers from COVID-19

Rescission of Executive Order 2020-91

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, 2020-77, and 2020-92, 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 20, 2020, Michigan reported 53,009 confirmed cases and 5,060 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 Executive Order 2020-91, I created an enforceable set of workplace standards that apply to all businesses across the state. I am now amending those standards to include new provisions governing outpatient health-care facilities.

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) An employer will allow employees with a confirmed or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the Centers for Disease Control and Prevention ("CDC").

(m) 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.

(n) 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.

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

- (p) Encourage employees to use personal protective equipment and hand sanitizer on public transportation.
 - (q) Promote remote work to the fullest extent possible.
 - (r) 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 work 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 the FDA and the CDC. Such cleaning may occur overnight.

(o) 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.

(p) 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. Outpatient health-care facilities, including clinics, primary care physician offices, or dental offices, and also including veterinary clinics, must:

(a) Post signs at entrance(s) instructing patients to wear a face covering when inside.

(b) Limit waiting-area occupancy to the number of individuals who can be present while staying six feet away from one another and ask patients, if possible, to wait in cars for their appointment to be called.

(c) Mark waiting rooms to enable six feet of social distancing (e.g., by placing X's on the ground and/or removing seats in the waiting room).

(d) Enable contactless sign-in (e.g., sign in on phone app) as soon as practicable.

(e) Add special hours for highly vulnerable patients, including the elderly and those with chronic conditions.

(f) Conduct a common screening protocol for all patients, including a temperature check and questions about COVID-19 symptoms.

(g) Place hand sanitizer and face coverings at patient entrance(s).

(h) Require employees to make proper use of personal protective equipment in accordance with guidance from the CDC and the U.S. Occupational Health and Safety Administration.

(i) Require patients to wear a face covering when in the facility, except as necessary for identification or to facilitate an examination or procedure.

(j) Install physical barriers at sign-in, temperature screening, or other service points that normally require personal interaction (e.g., plexiglass, cardboard, tables).

(k) Employ telehealth and telemedicine to the greatest extent possible.

(l) Limit the number of appointments to maintain social distancing and allow adequate time between appointments for cleaning.

(m) Employ specialized procedures for patients with high temperatures or respiratory symptoms (e.g., special entrances, having them wait in their car) to avoid exposing other patients in the waiting room.

(n) Deep clean examination rooms after patients with respiratory symptoms and clean rooms between all patients.

(o) Establish procedures for building disinfection in accordance with CDC guidance if it is suspected that an employee or patient has COVID-19 or if there is a confirmed case.

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

11. The rules described in sections 1 through 10 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 10 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.

12. Any business or operation that violates the rules in sections 1 through 10 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.

13. 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 21, 2020

Time: 9:49 a.m.

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

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

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

EXECUTIVE ORDER
No. 2020-98

Declaration of State of Emergency

On May 19, 2020, I issued Executive Order 2020-94 declaring a state of emergency for the city of Midland and the county of Midland due to severe flooding as a result of the failure of the Edenville and Sanford Dam structures along the Tittabawassee River. This event has also caused severe flooding in Arenac, Gladwin, and Saginaw counties.

In response, the counties of Arenac, Gladwin, and Saginaw have taken several actions that include declaring a local state of emergency; activating disaster response and recovery operations; evacuating and providing shelter to affected residents; and issuing emergency public information. The assistance of voluntary organizations and the state are required to protect public health, safety, and property, and to lessen or avert more severe and lasting harm to the community.

Despite these measures, local resources are insufficient to respond to the extreme flooding under the current conditions. State assistance and other outside resources are necessary to effectively respond to, and recover from, the impacts of flooding.

Under the Emergency Management Act, 1976 PA 390, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.” Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, I find it reasonable and necessary to amend and expand Executive Order 2020-94, and order the following:

1. In addition to the city of Midland and the county of Midland, a state of emergency is also declared for the counties of Arenac, Gladwin, and Saginaw.

2. Any emergency order issued in response to the COVID-19 crisis is temporarily suspended in these counties to the extent such order impedes the emergency response effort under this declaration.

3. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and augment all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.

The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than June 16, 2020, unless extended as provided by 1976 Public Act 390, as amended.

Date: May 22, 2020

Time: 3:42 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 26, 2020, and read:

EXECUTIVE ORDER
No. 2020-99

Declaration of state of emergency and state of disaster related to the COVID-19 pandemic

On March 10, 2020, I issued Executive Order 2020-4, which declared a state of emergency in Michigan to address the COVID-19 pandemic. This new disease, caused by a novel coronavirus not previously identified in humans, can easily spread from person to person and can result in serious illness or death. There is currently no approved vaccine or antiviral treatment.

Scarcely three weeks later, the virus had spread across Michigan. As of April 1, 2020, the state had 9,334 confirmed cases of COVID-19 and 337 deaths from the disease, with many thousands more infected

but not yet tested. Exactly one month later, this number had ballooned to 42,356 confirmed cases and 3,866 deaths from the disease—a tenfold increase in deaths. The virus’s rapid and relentless spread threatened to overwhelm the state’s health care system: hospitals in multiple counties were reportedly at or near capacity; medical personnel, supplies, and resources necessary to treat COVID-19 patients were in high demand but short supply; dormitories and a convention center were being converted to temporary field hospitals.

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. Like Executive Order 2020-4, this declaration was based on multiple independent authorities: 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.* On April 7, 2020, the Michigan legislature adopted a concurrent resolution to extend the states of emergency and disaster declared under the Emergency Management Act until April 30, 2020.

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.

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

Since I first declared an emergency in response to this pandemic, my administration has taken aggressive measures to fight the spread of COVID-19, prevent the rapid depletion of this state’s critical health care resources, and avoid needless deaths. The best way to slow the spread of the virus is for people to stay home and keep their distance from others. To that end, and in keeping with the recommendations of public health experts, I have issued orders restricting access to places of public accommodation and school buildings, limiting gatherings and travel, and requiring workers who are not necessary to sustain or protect life to remain at home. I have also issued orders enhancing the operational capacity and efficiency of health care facilities and operations, allowing health care professionals to practice to the full extent of their training regardless of licensure, and facilitating the delivery of goods, supplies, equipment, and personnel that are needed to combat this pandemic. And I have taken steps to begin building the public health infrastructure in this state that is necessary to contain the infection.

My administration has also moved quickly to mitigate the economic and social harms of this pandemic. Through my orders, we have placed strict rules on businesses to prevent price gouging, put a temporary hold on evictions for families that cannot make their rent, expanded eligibility for unemployment benefits, provided protections to workers who stay home when they or their close contacts are sick, and created a structure through which our schools can continue to provide their students with the highest level of educational opportunities possible under the difficult circumstances now before us.

These statewide measures have been effective, but the need for them—like the unprecedented crisis posed by this global pandemic—is far from over. Though its pace of growth has showed signs of slowing, the virus remains aggressive and persistent: to date, there have been 53,510 confirmed cases of COVID-19 in Michigan, and 5,129 deaths from the disease. There remains no treatment for the virus; it remains easy to transmit, passing from asymptomatic individuals and surviving on surfaces for days; and we still lack adequate means to fully test for it and trace its spread. COVID-19 remains present and pervasive in Michigan, and it stands ready to quickly undo our recent progress in slowing its spread. Indeed, while COVID-19 initially hit southeast Michigan hardest, the disease is now spreading more quickly in other parts of the state. For instance, cases in some counties in western and mid-Michigan are now doubling approximately every 10 days.

Michigan’s Safer at Home orders have aimed to reduce the spread of COVID-19 within the state. As summer approaches, Michigan’s more rural counties are beginning to see more out-of-town visitors. The residents of these rural counties are among the most vulnerable to COVID-19, with older populations and rates of chronic illness among the highest in the state. Twenty-one of Michigan’s eighty-three counties—all rural—have a median age over 50, and nearly 30% of Michigan’s rural population is 65 or older. These rural areas tend to be miles away from larger hospitals with the personnel, beds, and equipment to fight this virus.

The economic and social harms from this pandemic likewise persist. Michigan has experienced an uptick in individuals reaching out to domestic violence hotlines and many shelters across Michigan are already over capacity. Due to the pandemic and the responsive measures necessary to address it, businesses and government agencies have had to quickly and dramatically adjust how they work. Where working from home is not possible, businesses have closed or significantly restricted their normal operations.

The economic damage—already severe—will continue to compound with time. Between March 15 and May 13, Michigan had 1.8 million initial unemployment claims—the fifth-highest nationally, amounting to nearly 36% of the Michigan workforce. During this crisis, Michigan has often processed more unemployment claims in a single day than in the most painful week of the Great Recession, and the state has already reached its highest unemployment rate since the Great Depression (22.7% in April). Between March 15 and May 21, Michigan paid out over \$7 billion in benefits to eligible Michiganders. The Michigan Department of Treasury predicts that this year the state will lose between \$1 and \$3 billion in revenue. As a result, local governments will struggle to provide essential services to their communities and many families in Michigan will struggle to pay their bills or even put food on the table.

So too will the pandemic continue to disrupt our homes and our educational, civic, social, and religious institutions. Transitioning almost overnight to a distance-learning environment has placed strain on educators, students, and parents alike. The closure of museums and theaters limits people's ability to enrich themselves through the arts. And curtailing gatherings has left many seeking new ways to connect with their community during these challenging times.

A second wave of COVID-19 cases continues to pose a deadly threat to the people of this state. As various sectors of Michigan's economy begin to reopen, we must be able to respond nimbly to new data about transmission and health risks of the virus. Over the past months, researchers have discovered that COVID-19 can attack not only the lungs, but also the heart, brain, kidneys, liver, and blood. While older individuals are at higher risk of contracting and dying from COVID-19, studies have shown that the disease may increase the severity of strokes in younger people.

The health, economic, and social harms of the COVID-19 pandemic thus remain widespread and severe, and they continue to constitute a statewide emergency and disaster. While the virus has afflicted some regions of the state more severely than others, the extent of the virus's spread, coupled with its elusiveness and its ease of transmission, render the virus difficult to contain and threaten the entirety of this state. Michigan's fatality rate from COVID-19 remains the highest among neighboring states and sits around three percentage points higher than the national average. The underlying health factors that contribute to the severity of COVID-19 in Michigan remain present, as does the disease.

Although local health departments have some limited capacity to respond to cases as they arise within their jurisdictions, state emergency operations are necessary to bring this pandemic under control in Michigan and to build and maintain infrastructure to stop the spread of COVID-19, trace infections, and quickly direct additional resources to hot-spots as they emerge. State assistance to bolster health care capacity and flexibility also has been, and will continue to be, critical to saving lives, protecting public health and safety, and averting catastrophe. Moreover, state disaster and emergency recovery efforts remain necessary not only to support Michiganders in need due to the economic effects of this pandemic, but also to ensure that the prospect of lost income does not impel workers who may be infected to report to work.

Statewide coordination of these efforts is crucial to creating a stable path to recovery. Until that recovery is underway, the economic and fiscal harms from this pandemic have been contained, and the threats posed by COVID-19 to life and the public health, safety, and welfare of this state have been neutralized, statewide disaster and emergency conditions will exist.

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

1. The COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan.
2. This order constitutes a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. Subject to the ongoing litigation, and the possibility that current rulings may be overturned or otherwise altered on appeal, and to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act of 1976 when emergency and disaster conditions exist yet the legislature has not granted an extension request, this order constitutes a state of emergency and state of disaster declaration under that act.
3. This order is effective immediately and continues through June 19, 2020 at 11:59 p.m. I will evaluate the continuing need for this order prior to its expiration.
4. Executive Orders 2020-67 and 2020-68 are rescinded. All previous orders that rested on those orders now rest on this order.

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

Date: May 22, 2020

Time: 4:49 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 26, 2020, and read:

EXECUTIVE ORDER
No. 2020-100

**Amending certain previously issued executive orders
to clarify their duration**

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.*

Acting under the state of emergency declared in Executive Order 2020-4, I issued several executive orders to make reasonable and necessary adjustments to various laws and procedures to help mitigate the effects of the COVID-19 pandemic. In particular, 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, I adopted Executive Orders 2020-9 on March 16, 2020, which closed places of public accommodation, and Executive Order 2020-21 on March 23, 2020, which directed residents to remain at home or in their place of residence to the maximum extent feasible.

Since then, the virus has 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 growing 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.

Following the declarations of emergency and disaster in Executive Order 2020-33, I issued and amended a number of executive orders that also made reasonable and necessary adjustments to various laws and procedures. In particular, in Executive Orders 2020-20 and 2020-43, I extended the order closing places of public accommodation. And in Executive Orders 2020-42 and 2020-59, I extended the order directing residents to stay home and stay safe.

On April 30, 2020, although the emergency and disaster caused by the COVID-19 pandemic was still ongoing, the Legislature refused to extend the states of emergency and disaster. For that reason, as required by statute, I issued Executive Order 2020-66, terminating the states of emergency and disaster. The same day, because the COVID-19 pandemic still presented a threat to human life and the public health, safety, and welfare of this state, I issued Executive Order 2020-67, which declared a state of emergency under the Emergency Powers of the Governor Act, and Executive Order 2020-68, which declared a state of emergency and a state of disaster under the Emergency Management Act.

The measures put in place by my executive orders have been effective: the number of new confirmed cases each day is slowly dropping. Although the virus remains aggressive and persistent—on May 21, 2020, Michigan reported 53,510 confirmed cases and 5,129 deaths—the strain on our health care system has begun to relent, even as our testing capacity has increased. With Executive Orders 2020-70, 2020-77, 2020-92, and 2020-96, we have begun the process of gradually resuming in-person work and activities that were temporarily suspended under my prior orders. At the same time, with Executive Order 2020-69, I retained and extended the order closing places of public accommodation. 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.

Executive Orders 2020-67 and 2020-68 have been challenged, however, in *Michigan House of Representatives and Michigan Senate v Whitmer*. On May 21, 2020, the Court of Claims ruled that Executive Order 2020-67 is a valid exercise of authority under the Emergency Powers of the Governor Act but that Executive Order 2020-68 is not a valid exercise of authority under the Emergency Management Act. Both of those rulings are likely to be appealed.

Today, I issued Executive Order 2020-99, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has not granted an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

With this order, I find it reasonable and necessary to extend Executive Orders 2020-62, 2020-69, and 2020-96 for three weeks from the date of this order. I also find it reasonable and necessary to clarify and, as necessary, amend the duration of certain executive orders that followed Executive Order 2020-04 and Executive Order 2020-33 given that they have been superseded by later emergency and disaster declarations.

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

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

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

1. The following executive orders remain in effect and do not terminate until the end of the states of emergency and disaster declared in Executive Order 2020-99 or the end of any subsequently declared states of disaster or emergency arising out of the COVID-19 pandemic, whichever comes later.

- (a) Executive Order 2020-26.
- (b) Executive Order 2020-28.
- (c) Executive Order 2020-36.
- (d) Executive Order 2020-39.
- (e) Executive Order 2020-58.
- (f) Executive Order 2020-61.
- (g) Executive Order 2020-64.
- (h) Executive Order 2020-76.

2. The following executive orders are amended as follows:

(a) Under Executive Order 2020-46, the Michigan Liquor Control Commission may take physical possession of any spirits held by any licensee to which the Commission holds legal title at any time later than 90 days after the end of the states of emergency and disaster declared in Executive Order 2020-99 or the end of any subsequently declared states of disaster or emergency arising out of the COVID-19 pandemic, whichever comes later.

(b) Under Executive Order 2020-52, any three-year certificates that were set to expire on December 31, 2019 and were deemed unexpired will not expire until 60 days after the end of the states of emergency and disaster declared in Executive Order 2020-99 or the end of any subsequently declared states of disaster or emergency arising out of the COVID-19 pandemic, whichever comes later.

(c) Under Executive Order 2020-55, the Michigan Coronavirus Task Force on Racial Disparities will continue its work until 90 days after the end of the states of emergency and disaster declared in Executive Order 2020-99 or the end of any subsequently declared states of disaster or emergency arising out of the COVID-19 pandemic, whichever comes later, or such other time as the governor identifies.

(d) Under Executive Order 2020-58, all deadlines applicable to the commencement of all civil and probate actions and proceedings, including but not limited to any deadline for the filing of an initial pleading and any statutory notice provision or other prerequisite related to the deadline for filing of such a pleading, remain suspended and shall be tolled until the end of the states of emergency and disaster declared in Executive Order 2020-99 or the end of any subsequently declared states of disaster or emergency arising out of the COVID-19 pandemic, whichever comes later.

3. Executive Orders 2020-62, 2020-69, and 2020-96 will remain in effect until 11:59 p.m. on June 12, 2020.

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

Date: May 22, 2020

Time: 4:52 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 26, 2020, and read:

EXECUTIVE ORDER
No. 2020-101

Extending the expiration date for watercraft registration

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

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

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

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

On May 22, 2020, I issued Executive Order 2020-99, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

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

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

Every spring and summer, Michiganders renew their watercraft registrations so they can take to the water and enjoy the natural beauty of this state. Strict compliance with the watercraft registration requirements of state law would inevitably result in crowds flocking to the branch offices of the Secretary of State, increasing in-person interactions and putting people at risk. In order to reduce in-person work and minimize the risk of transmission, I find it reasonable and necessary to extend the validity of expiring registrations and suspend penalties for operating watercraft with expired decals.

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

1. Individuals must, to the best of their ability, complete watercraft registration renewals online at www.michigan.gov/sos/ during any state of emergency or state of disaster arising out of the COVID-19 pandemic.
2. Strict compliance with section 80124(16) of the Natural Resources and Environmental Protection Act, MCL 324.80124(16) is temporarily suspended to the extent necessary to extend until July 31, 2020 the validity of any watercraft decal that expired or is set to expire between February 1, 2020 and June 30, 2020.

3. Until July 31, 2020, operating a watercraft with a decal that expired after September 30, 2019 does not constitute a violation of the Natural Resources and Environmental Protection Act. Law enforcement officials must not issue any ticket for the sole reason that a watercraft decal expired after September 30, 2019. The Department of State must not assess a late fee for the renewal of a watercraft registration decal that expired after September 30, 2019, provided renewal occurs by July 31, 2020.

4. Strict compliance with section 80122(1) of the Natural Resources and Environmental Protection Act, MCL 324.80122(1), is temporarily suspended to allow a vessel to operate on the waters of this state on or before July 31, 2020 without displaying an identifying number and decal, provided the operator of the vessel possesses a proof of purchase or equivalent evidence that the vessel was acquired after January 1, 2020.

5. Until July 31, 2020, operating a watercraft that was purchased after January 1, 2020 without a decal does not constitute a violation of the Natural Resources and Environmental Protection Act. Law enforcement officials must not issue any ticket for the sole reason that a watercraft is operated without a decal, provided the operator possesses a proof of purchase or equivalent evidence that the vessel was acquired after January 1, 2020.

6. This order is effective immediately.
Given under my hand and the Great Seal of the State of Michigan.

Date: May 22, 2020
Time: 5:54 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 26, 2020, and read:

EXECUTIVE ORDER
No. 2020-102

Temporary Relief from Standard Vapor Pressure Restrictions on Gasoline Sales

Rescission of Executive Order 2020-31

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

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

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

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

On May 22, 2020, I issued Executive Order 2020-99, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the

governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

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

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

Due to the steep fall-off in gasoline demand as a result of the COVID-19 pandemic, gasoline storage capacity is limited and more time is needed to transition the distribution system in order to come into compliance for the summer driving season. Without a waiver of the summer gasoline requirements, parties upstream of retailers and wholesale purchasers would have been required to stop selling the winter gasoline sitting in their storage tanks on May 1, 2020, which would have prevented them from loading summer gasoline into the storage tanks, resulting in a shortage of gasoline. A gasoline shortage could result in higher prices at the pump, making it harder for families already struggling with the economic impacts of COVID-19 to put food on the table. It could also cause longer lines at service stations across Michigan, increasing in-person interactions and putting people at risk. In order to reduce economic hardship, reduce in-person work, and minimize the risk of transmission, I find it reasonable and necessary to temporarily waive the summer low volatility requirements and blending limitations for gasoline.

With this order, Executive Order 2020-31 is rescinded.

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

1. Rule 4(g) of Regulation No. 564, promulgated by the Laboratory Division of the Department of Agriculture and Rural Development, 1987 AACRS, as amended, R 285.564.4(g) of the Michigan Administrative Code, regarding vapor pressure, is temporarily suspended through May 31, 2020.

2. Gasoline received at retail on or before May 31, 2020 that does not meet the June 1 vapor pressure standard, as outlined in the Motor Fuels Quality Act of 1984, as amended, the Motor Fuels Quality Act section 10d (MCL 290.650d), Regulation No. 561 Dispensing Facility Vapor Pressure R 285.561.2 (Rule 2) and R 285.561.3 (Rule 3), or Regulation No. 564 Automotive Motor Fuel Purity, Additives, and Grading R 285.564.4 (Rule 4 Table 5) may be sold through June 30, 2020.

3. Any gasoline received at retail on or after June 1, 2020 shall at time of delivery meet the vapor pressure requirements outlined in the Motor Fuels Quality Act of 1984, as amended, the Motor Fuels Quality Act section 10d (MCL 290.650d), Regulation No. 561 Dispensing Facility Vapor Pressure R 285.561.2 (Rule 2) and R 285.561.3 (Rule 3), or Regulation No. 564 Automotive Motor Fuel Purity, Additives, and Grading, R 285.564.4 (Rule 4 Table 5).

4. Consistent with the Environmental Protection Agency’s March 27, 2020 waiver, gasoline that does not meet the low volatility requirements, as specified above, may no longer be introduced into terminal storage tanks. Any gasoline not meeting the requirements may continue to be distributed from terminal storage tanks to retailers through May 31, 2020.

5. The Department of Agriculture and Rural Development shall coordinate state compliance with this order.

6. Executive Order 2020-31 is rescinded.

7. This order is effective immediately.

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

Date: May 22, 2020

Time: 4:56 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 26, 2020, and read:

EXECUTIVE ORDER
No. 2020-103

**Providing alternative notice of public hearings under
Michigan's tax abatement statutes**

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

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

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

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

On May 22, 2020, I issued Executive Order 2020-99, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

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

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

It has long been the public policy of this state that, in certain circumstances, tax-based incentives can be properly used to bring about change that is beneficial to the public as a whole. To this end, the Legislature has enacted several statutes that operate as tax abatements. In these statutes, the Legislature has authorized certain local governmental units to create tax abatement districts within which certain properties can receive some form of property tax exemption. But before a tax abatement district can be created and before property can be approved for a tax exemption, the responsible local governmental unit is required to conduct a public hearing and provide notice of the hearing to multiple parties including individuals, public officials, and other municipalities. This provision of such notice ensures that all persons affected by the local governmental unit's decision-making have an opportunity to be heard in that decision-making process.

Strict compliance with the notice requirements of certain tax abatement statutes would require dozens of staff to work in-person to complete the hundreds of mailings required, increasing in-person interactions and putting people at risk. In order to reduce in-person work and minimize the risk of transmission, I find it reasonable and necessary to provide temporary alternative means for satisfying those statutory notice requirements.

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

1. Consistent with Executive Order 2020-75, or any order that follows it, any public hearing that is required to take place under a tax abatement statute may be held electronically, including by telephonic conferencing or video conferencing, in a manner that allows all persons and entities entitled to notice under the applicable tax abatement statute to participate by electronic means.

2. Strict compliance with any requirement under a tax abatement statute to provide notice of a public hearing is temporarily suspended to allow for the responsible local governmental units to provide notice of public hearings in the following manner:

(a) To ensure that notice is provided to any real property owners within a proposed tax abatement district that are entitled to notice, the local governmental unit must publish in three successive issues of a generally circulated newspaper serving the proposed tax abatement district where available, or if no such newspaper is available, by the posting of the notice in five conspicuous places in the proposed tax abatement district.

(b) To ensure that notice is provided to any required taxing jurisdiction, assessor, or other public official that is entitled to receive notice under the particular tax abatement statute, the local governmental unit may provide notice via email to the appropriate governmental or business email address.

(c) To ensure that notice is provided to the general public, the local governmental unit must:

(i) Post notice of the public hearing in a prominent and conspicuous place at both the public body's principal office; and

(ii) Post notice of the public hearing on a portion of the local governmental unit's website that is fully accessible to the public, if the local governmental unit directly or indirectly maintains an official internet presence. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings.

3. Section 2 of this order does not prevent a local governmental unit from providing notice in the manner prescribed by the relevant tax abatement statute if the local governmental unit is able to do so safely and consistently with workplace standards enacted in accordance with Executive Order 2020-97, or any order that follows it.

4. Without regard to whether the local governmental unit provided notice in the manner required by the relevant tax abatement statute or in the manner set forth in section 2 of this order, notice of a public hearing required by a tax abatement statute that will be conducted electronically in accordance with Executive Order 2020-75, or any order that follows it, must include each of the following:

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

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

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

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

5. This order does not change or otherwise affect the time requirements for notice of public hearings in any tax abatement statute.

6. A person is considered to have been provided the notice and opportunity to be heard required by a tax abatement statute if the local governmental unit followed the procedures set forth above in sections 2 and 3 of this order. Failure to strictly comply with the procedures set forth in sections 2 and 3 of this order does not by itself constitute grounds to invalidate an action taken by a local governmental unit under a tax abatement statute.

7. To the extent that this order creates a conflict with any requirement set by a local governmental unit's charter or ordinances, the contents of this order control.

8. As used in this order:

(a) The term "local governmental unit" means a political subdivision of this state that is authorized to create an abatement district, reduce the level of taxation on a certain property, or exempt certain property from taxation, under a tax abatement statute. Additionally, for the purposes of the Plant Rehabilitation and Industrial Development Districts Act, it also includes a Next Michigan development corporation as that term is defined in section 3 of the Next Michigan Development Act, MCL 125.2953.

(b) The term “tax abatement district” means any district that can be created by a local governmental unit in a tax abatement statute within which certain property may be eligible for a property tax exemption.

(c) The term “tax abatement statute” means one of the following statutes that allows for a reduction in, or an exemption of, the level of taxation ordinarily imposed on property in this state: the Obsolete Property Rehabilitation Act, MCL 125.2781 *et seq.*, the Neighborhood Enterprise Zone Act, MCL 207.771 *et seq.*, the Commercial Rehabilitation Act, MCL 207.841 *et seq.*, the Commercial Redevelopment Act, MCL 207.651 *et seq.*, and the Plant Rehabilitation and Industrial Development Districts Act, MCL 207.551 *et seq.*

9. This order is effective immediately and continues through June 30, 2020.

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

Date: May 22, 2020

Time: 5:00 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 26, 2020, and read:

EXECUTIVE ORDER
No. 2020-104

Increasing COVID-19 testing by expanding the scope of practice for certain professionals and encouraging the establishment of community testing locations

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

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

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

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

On May 22, 2020, I issued Executive Order 2020-99, again finding that the COVID-19 pandemic constitutes a disaster and emergency throughout the State of Michigan. That order constituted a state of emergency declaration under the Emergency Powers of the Governor Act of 1945. And, to the extent the governor may declare a state of emergency and a state of disaster under the Emergency Management Act when emergency and disaster conditions exist yet the legislature has declined to grant an extension request, that order also constituted a state of emergency and state of disaster declaration under that act.

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

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

To help prevent the further spread of COVID-19 and provide protections against the dangers to this state posed by the COVID-19 emergency, it is reasonable and necessary to enable a broader range of qualified medical professionals to order COVID-19 tests and to encourage the establishment of community testing locations by reducing barriers to siting and staffing such test sites.

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

1. It is the public policy of the State of Michigan that testing for COVID-19 should be available to any individual with reason to be tested for COVID-19 without any out-of-pocket cost to such individual.

(a) For purposes of this order, “person with reason to be tested for COVID-19” includes anyone who meets at least one of the COVID-19 testing prioritization criteria specified by the Chief Medical Executive.

(b) A person with reason to be tested for COVID-19 may receive a test at a community testing location without securing an order from a medical provider in advance. Medical providers will be available to order testing upon arrival. A person who wishes to be tested may call the coronavirus hotline at 1-888-535-6136 or visit www.michigan.gov/coronavirustest to find an appropriate testing location.

(c) DHHS may issue orders and directives to implement this section.

2. Qualifications.

(a) Nothing in this order is intended to alter any obligation of a health insurance company, pursuant to the terms of an insurance policy, to cover costs related to COVID-19 testing for any policyholder.

(b) Nothing in this order is intended to supersede the medical judgment of any health care provider.

3. A licensee holding one of the following license types may establish and administer a COVID-19 testing service without an additional state license or permit at any site, with permission from the person with the right to occupy and exclude others from the property:

(a) Physician’s assistant, licensed under Part 170 of the Public Health Code, 1978 PA 368, as amended (“Public Health Code”), MCL 333.17001 *et seq.*;

(b) Advanced practice registered nurse, licensed practical nurse, or registered professional nurse, licensed under Part 172 of the Public Health Code, MCL 17201 *et seq.*;

(c) Pharmacist, licensed under Part 177 of the Public Health Code, MCL 333.17701 *et seq.*

4. The licensees identified in section 2 must be considered to be persons authorized to order a laboratory test that has been classified by the Food and Drug Administration as moderate or high complexity, consistent with section 20521 of the Public Health Code, 1978 PA 368, as amended. MCL 333.20521.

5. Strict compliance with the scope-of-practice, supervision, and delegation provisions of the parts of the public health code identified in paragraph 1 of this order are temporarily suspended to the extent necessary to allow licensees governed by these parts to comply with section 6 of this order, provided the licensee is properly trained to perform those tasks and functions.

6. Licensees administering a COVID-19 testing service or testing laboratory shall comply with the following:

(a) Any specimen collected at a COVID-19 testing service shall be tested at a laboratory or entity in accordance with federal CLIA regulations as facilitated by the Department of Licensing and Regulatory Affairs. High-complexity tests, including PCR tests, must be tested at a laboratory that is CLIA certified. Waived tests, including rapid point-of-care diagnostic tests, must be tested at an entity that has obtained a CLIA waiver.

(b) The licensee shall provide personnel with any training necessary to operate a COVID-19 testing service.

(c) The licensee shall comply with any reporting requirements issued by DHHS.

(d) COVID-19 testing service personnel shall use proper personal protective equipment when administering and conducting specimen collection and testing.

(e) A licensee collecting specimens for testing who does not perform testing shall securely store specimens pending retrieval by the entity that will test the specimens.

(f) A licensee shall refer patients to appropriate medical providers for follow up, if not available through the entity conducting testing.

7. Unlicensed individuals may perform any of the tasks and functions of COVID-19 testing services, including screening of patients, observing self-swabbing, temporarily storing specimens pending transmittal to a laboratory, transmitting specimens to a laboratory, reporting test results to the Michigan Disease Surveillance System, and referring patients to appropriate medical providers for follow-up, provided:

(a) The unlicensed individuals have been trained to perform the tasks and functions they are performing; and

(b) The unlicensed individuals are supervised by a licensed medical provider referenced in section 2 of this order or by county or municipal health personnel who have been properly trained to supervise the performance of the tasks and functions the unlicensed individuals are performing.

8. Insofar as section 11 of the Emergency Management Act, MCL 30.411, remains in effect, anyone establishing, volunteering, or working at a community testing location constitutes personnel of a disaster relief force, and, with respect to the activities of COVID-19 testing, are entitled to the same rights and immunities as provided by law for the employees of this state under MCL 30.411(1)(c).

9. Definitions.

(a) For purpose of this order, "COVID-19 testing service" means any operation that administers the collection of samples to be tested by a CLIA certified or CLIA waived entity for COVID-19 to individuals in this state.

(b) For purposes of this order, "community testing location" means a COVID-19 testing service that (a) offers testing for any individual with reason to be tested for COVID-19; (b) does not require any out-of-pocket payment for a COVID-19 test for any individual with reason to be tested for COVID-19; (c) does not require a person with reason to be tested for COVID-19 to obtain a prescription for testing in advance of booking an appointment; and (d) has medical providers available and able to order a COVID-19 test onsite.

10. This order is effective immediately upon issuance.

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

Date: May 26, 2020

Time: 2:45 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 27, 2020, and read:

EXECUTIVE ORDER
No. 2020-105

Declaration of State of Emergency

On May 19, 2020, I issued Executive Order 2020-94 declaring a state of emergency for the city of Midland and the county of Midland due to severe flooding as a result of the failure of the Edenville and Sanford Dam structures along the Tittabawassee River. On May 22, 2020, I amended and expanded the state declaration of emergency, issuing Executive Order 2020-98 to include impacted areas of Arenac, Gladwin, and Saginaw counties. This event has also caused severe flooding in Iosco County.

In response, the county of Iosco, has taken several actions that include declaring a local state of emergency; activating disaster response and recovery operations; evacuating and providing shelter to affected residents; and issuing emergency public information. The assistance of voluntary organizations and the state are required to protect public health, safety, and property, and to lessen or avert more severe and lasting harm to the community.

Despite these measures, local resources are insufficient to respond to the extreme flooding under the current conditions. State assistance and other outside resources are necessary to effectively respond to, and recover from, the impacts of flooding.

Under the Emergency Management Act, 1976 PA 390, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.” Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, I find it reasonable and necessary to amend and expand Executive Order 2020-94, and order the following:

1. In addition to the city of Midland and the counties of Midland, Arenac, Gladwin, and Saginaw, a state of emergency is also declared for the county of Iosco.

2. Any emergency order issued in response to the COVID-19 crisis is temporarily suspended in these counties to the extent such order impedes the emergency response effort under this declaration.

3. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and augment all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.

The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than June 16, 2020, unless extended as provided by 1976 Public Act 390, as amended.

Date: May 26, 2020
Time: 8:42 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 messages from the Governor were received and read:

May 22, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 232 of 1965, MCL 290.657:

Michigan Dairy Market Program Committee

Mr. Jeremy Beebe of 6199 Miller Road, Whittemore, Michigan 48770, county of Iosco, succeeding Rodney Daniels who has resigned, appointed to represent the Michigan Milk Producers Association, for a term commencing May 22, 2020 and expiring December 31, 2020.

Mr. Eric J. Frahm of 1520 Frahm Road, Frankenmuth, Michigan 48734, county of Saginaw, reappointed to represent the Michigan Milk Producers Association, for a term commencing May 22, 2020 and expiring December 31, 2022.

Mr. Jeffrey E. Horning of 11834 E. Pleasant Lake Road, Manchester, Michigan 48158, county of Washtenaw, reappointed to represent the Michigan Milk Producers Association, for a term commencing May 22, 2020 and expiring December 31, 2022.

Mr. Corby L. Werth of 8303 Napper Road, Alpena, Michigan 49707, county of Alpena, reappointed to represent the Michigan Milk Producers Association, for a term commencing May 22, 2020 and expiring December 31, 2022.

May 22, 2020

I respectfully submit to the Senate the following appointment to office pursuant to Executive Order No. 2002-06, MCL 256.571:

Governor’s Traffic Safety Advisory Commission

Chief Ronald L. Wiles, Jr. of 5520 Chatham Lane, Grand Blanc, Michigan 48439, county of Genesee, reappointed to represent local units of government, for a term commencing May 28, 2020 and expiring May 27, 2023.

May 22, 2020

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 316 of 1986, MCL 390.1430:

Michigan Education Trust Board of Directors

Dr. Philomena V. Mantella of 1001 Monroe Avenue, N.W., Apt. 301, Grand Rapids, Michigan 49503, county of Kent, succeeding Glenn Mroz whose term has expired, appointed to represent a president of a state institution of higher education, for a term commencing May 22, 2020 and expiring December 31, 2021.

Dr. Dale K. Nesbary of 800 First Street, P.O. Box 1292, Muskegon, Michigan 49443, county of Muskegon, succeeding Robert Ferrentino whose term has expired, appointed to represent a president of a community or junior college, for a term commencing May 22, 2020 and expiring December 31, 2021.

Mrs. Marlin Williams of 100 Riverfront Drive, #109, Detroit, Michigan 48226, county of Wayne, succeeding Kristin Beltzer whose term has expired, appointed to represent members with knowledge, skill, and experience in the academic, business, or financial field, for a term commencing May 22, 2020 and expiring December 31, 2022.

Respectfully,
Gretchen Whitmer
Governor

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:08 a.m.

11:28 a.m.

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

During the recess, Senator Santana entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator MacGregor moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Moss as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 926, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Senate Bill No. 927, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 756, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 765a (MCL 168.765a), as added by 2018 PA 123.

Substitute (S-1)

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 757, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 765, 765a, and 765b (MCL 168.765, 168.765a, and 168.765b), section 765 as amended by 2018 PA 603, section 765a as added by 2018 PA 123, and section 765b as added by 2018 PA 127, and by adding sections 14b and 24k.

Substitute (S-4)

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.

Senator MacGregor moved that the rules be suspended and that the following bills, now on Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 926

Senate Bill No. 927

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 926

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 926, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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. 150

Yeas—21

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacGregor	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn
Johnson			

Nays—15

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Santana
Bayer	Geiss	McCann	Wojno
Brinks	Hertel	McMorrow	

Excused—2

MacDonald	Polehanki
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 927, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

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. 151

Yeas—21

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacGregor	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn
Johnson			

Nays—15

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Santana
Bayer	Geiss	McCann	Wojno
Brinks	Hertel	McMorrow	

Excused—2

MacDonald	Polehanki
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator MacGregor moved that Senate Bill No. 926 be given immediate effect. The motion did not prevail, 2/3 of the members serving not voting therefor.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Stamas, McMorrow, Hollier, Irwin, McBroom and Shirkey asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal. The motion prevailed.

Senator Stamas' statement is as follows:

Today I rise to reflect on what has happened and what is going on in my communities. I now have three counties under state emergency and I thank the Governor for her prompt response on those requests.

I'd like to make sure to thank my first responders, my road commissions, the volunteers, and the residents throughout the community who stepped forward to help one another. A special thank you to my emergency managers—Jennifer, Bob, and Ed—for the coordination of so much work that is underway. Only through God's grace have we not lost a single life throughout this event which is an amazing testament to the spirit of our communities and the dedication of those who face danger themselves as two dams gave way, as the floodwaters proceeded through.

There are so many individuals who have come forward to help—Dow Chemical, AT&T, Consumers, Nestle Water, Meijer, the list goes on, for me to, I'll miss, so I should probably not have even started—all of those across the state and nation who have taken time to send support, who are there on the ground today bailing mud out of basements, tearing out drywall, tearing out wet insulation, and just giving a bottle of water to those individuals who need that water throughout this heat.

I cannot say enough about United Way either. The coordination of all of these efforts has gone through United Way. 2-1-1 has been tremendous in coordinating the response. If there are those who wish to donate, all coordination should be through www.unitedwaymidland.org so we can continue to make sure we get to those individuals who are in need. We now have all of our emergency shelters closed so I will ask the Governor to please, please open our restaurants so that the families who are displaced in these four counties have a place to go. The restaurants have been amazing with the food and support. The amount of devastation is mind-boggling. I was in Lanny's Restaurant in downtown Sanford and it looked like it was a whirlpool inside it—it was coming in one door, going out the other, literally lifted up the chairs and tables and swirled it around to totally devastate and destroy. The Red Oak Lounge, again, total devastation, and the next day they were there. They were there looking at it. With COVID-19, these restaurants were already struggling. The restaurant owner at Lanny's was desperately looking for his cash register before it became missing. It's hard to describe what has been put before these counties and these residents.

I've been in the basements of homes tearing out the walls, and tearing out and carrying out family possessions. Ted's home and lawn had eight feet of water in it. It's amazing to see that where water decides to go, it's going to go. The number of bridges, the number of roads that have been washed out in these four counties, is incredible. I do also want to thank the Department of Transportation. They have been extremely responsive. The Department of Health and Human Services has been responsive. MDOT is already in works to re-open US-10 and some of the main highways as well, and I appreciate all that they do.

But, I also want to thank each of these members who are here today who reached out and offered your support. It meant so much to me that you took time to recognize and offer that, and I truly appreciate it. It wasn't a Republican, it wasn't a Democrat, it was the family members on this floor who continue to offer your support, and I say thank you.

In closing, there is still so much more to go. I will be calling on you to ask for your help as we go forward. There are investigations that need to happen, but right now the first priority is of the residents and the communities to make sure that we provide all of those things that they need at this time. Again, thank you and I look forward to working with you as we move forward with this issue.

Senator McMorrow's statement is as follows:

First off I want to say, my heart goes out to my colleague and everybody who is affected by the devastating flooding. My chief of staff is from Midland and spent all weekend cleaning out her parent's and grandparent's places, drying out photos and records, and it's just unimaginable that that happened on top of what we've been facing as a state, which brings me to what I want to talk about.

We have taken some big steps over the past few weeks in Michigan with the first crisis that we were facing and it's almost hard to believe that just a couple of months ago the situation here looked incredibly dire. Michigan's trajectory on COVID cases and fatalities put us on track to become the next New York. The stories from hospital workers at Beaumont that flooded my inbox and my email and social media feed were terrifying and heartbreaking, and the stories from constituents who lost loved ones without ever saying goodbye were even worse.

But Michiganders are tough. We see a threat and we spring into action, and thanks to the actions of 10 million people all over our state, we have dramatically changed our future. COVID-19 is still out there, but we have flattened the curve more aggressively than most other states in the entire country, giving our hospitals time to manage this attack and Michiganders have no doubt saved countless lives. And we've learned so much along the way. So this weekend I launched a social media challenge on Twitter, #MaskUpMichigan, and shared a picture of one of my masks made by Great Lakes Sewing, a small business on Etsy out of Rochester, and challenged others to show off their masks, because this was a big weekend. Finally it was safe for us to gather in small groups to start to return to our communities and to each other.

History has shown with pandemics and viruses like this that it can come back a second time, more brutal than the first time. But imagine if you learned that the simple act of you wearing socks, for example, could save someone else's life—that it would lead to reopening of your favorite places and you would strut around with your socks on thinking you were a dang superhero. It's just like that, I tweeted, except the fabric is in a different place. That's the power that we each have when we choose to mask up.

Recent studies have shown that if 80 percent of people wear masks that are 60 percent effective—yes, these homemade masks; these awesome stylish homemade masks, I might add—we can stop the spread of this virus as we get back into our lives and businesses reopen. In fact, we see this playing out in Japan, which has long had a culture of mask-wearing in public spaces which has largely controlled the COVID-19 outbreak while still keeping public spaces, businesses, and public transit open. This social media challenge took off over the weekend. It has received almost four-and-a-half thousand retweets and 20,000 likes and I spent all weekend retweeting and sharing pictures of people showing off their masks from all over the state—from Traverse City to Jackson, Grand Rapids to Detroit. A woman shared an awesome mask that was blue buffalo plaid with little Upper Peninsulas tossed in it. People shared University of Michigan and Michigan State University masks and a couple shared a picture that showed that they are a house divided and were wearing different masks, but that they are in this thing together—and they noted that they will always be a house divided.

It's so powerful and it's so simple, but it's only as effective as the number of people who participate. We are a team. And it's something we can each do to control our own destiny to get back out there safely to help our businesses and public spaces open and to keep each other safe. So I invite all of my colleagues to join me in sharing our own pictures so we can #MaskUpMichigan.

Senator Hollier's statement is as follows:

Every week, I come to this chamber with the hope that we will come together to defeat COVID-19 as a whole body, not just the southeast Michigan caucus, the northern Michigan, or the western Michigan caucus. To that end, I left Lansing last week disappointed because it seems that my colleagues on the other side of the aisle continue to look for a way to pick a fight. On Thursday, I sat through a joint committee meeting for more than four hours during which one of my colleagues in this chamber stated, I am not Detroit. This came after the same individual had previously suggested in a separate committee that we just build a wall around southeast Michigan, one of the hardest-hit regions of our state affected by the coronavirus. I just want to take a minute to talk about how dangerous, irresponsible, and offensive this rhetoric is, and draw attention to the fact that it's analogous to a larger, ongoing problem.

This past weekend, a white woman called the cops on a black man who was birdwatching in New York's Central Park, and a black man died from his injuries because of police violence—something that continues to happen. Every week, every day, we hear that. We have to share the names of people like George Floyd who died in police custody as people were watching. Every day I go out for a run and look and exercise and do any of those kind of things, someone tells me to be safe. Someone says, 'I just want to make sure you're OK.' That's what this does. It is not the idea that you are going to be the person who has your foot on someone's neck. It's not that expectation. It's that you say something or do something that makes people who have nothing but hate and intolerance in their hearts feel a little bit more comfortable doing the thing they wanted to do. That's the difference. The difference between this situation and many of those is that woman apologized. She didn't apologize because she had to; she did it because she knew if she didn't, she was going to lose her job. And she did. We live in an environment where these things are coming up much more frequently. I ask you, because I think most of you—all of you—have good-natured hearts and want to do the right thing, and if there's an issue, we can work through it. I ask that though we call different places home, that we consider ourselves all Detroiters, that we think about these things, and I bring this up in the context of Memorial Day.

Memorial Day was founded by former slaves. They did so to recognize the people who died during the Civil War. That was the beginning of Memorial Day. We didn't get to have our ceremony and our celebration this year, but it started with former slaves who were saying thank you for fighting for our freedom. That's what the Civil War was about. It was about slavery; it was about citizenship; it was about our right to belong in a world where I didn't have that opportunity. Many of the members sitting in this chamber would not have been able to do that. When we think about Memorial Day, when we think about all the people we honor for their sacrifice, I'd ask that you think about what that sacrifice really meant and how we can play into it—how we can work together to do just that.

Sometime in the next few days, the official coronavirus death count will likely exceed 100,000. The true count is even higher though when we include people who had the virus but were not diagnosed, as well as those who died for indirect reasons such as delayed medical treatment for other illnesses. Either way, the toll is greater than the combined death count from every war that the U.S. has fought in the past 60 years—Vietnam, Iraq, Iraq again, Afghanistan, and elsewhere. In Michigan alone, as of Tuesday, May 26, the total

COVID-19 death count was 5,266. In Detroit, there were 1,326 deaths. In southwest Michigan, in the 21st District, there were 51 deaths. Two different sides of the state; common theme of shared lost lives. While people want to say we are not Detroit or something like that, I sure hope folks will remember those who have died in Detroit, died in Michigan, and across this country because the bottom line is that COVID-19 is a fact. A lot like a war, every President—including this one—has said we are at war, and when we are at war we make sacrifices of our inconveniences.

Mr. President, I'd ask that my remarks be printed in the Journal and that my colleagues and I find ways to work through this situation.

Senator Irwin's statement is as follows:

I didn't expect to be standing here giving this speech after the eloquent words of my colleague from the 2nd District. I also didn't expect to be making these comments after the tragic death of Mr. Floyd in Minneapolis, or after a tragic and horrifying incident that happened in my own community in Washtenaw County this weekend. This is legislation that I've been working on for some time, and so I wanted to alert my colleagues that, today on my desk, is a bill to require enhanced police training.

My bill will require that the Michigan Commission on Law Enforcement Standards (MCOLES) include training on implicit bias, violence de-escalation, and mental health screening in the basic police training package to get certified here in the state of Michigan. Great police agencies across the state are already doing this kind of training. They're doing it internally in their departments because they know that it decreases violence and negative interactions between the police and the citizenry. They know that it enhances police work; but it's not part of our basic training package to get your MCOLES certification. I think we ought to make it so. That's why I'm introducing this legislation, and I ask for your co-sponsorship because we know that police work is difficult. We know that police officers are often out there making split-second decisions. These are high stakes decisions in life-altering scenarios. And we also know that police shootings decrease and officers report greater satisfaction and they report that this type of training increases their confidence in being able to deescalate potentially bad situations. We want our police to be equipped with the tools to diffuse potentially violent situations and to protect and serve.

Since 2015, at least 77 individuals here in the state of Michigan have been fatally shot by police officers. Since 2015, 77 of our residents in the state of Michigan have been fatally shot by police officers. 50 percent of those fatalities were people of color. One-third of those individuals had documented mental health diagnoses. That's why we need this training. So, we know right now that people are struggling financially and, otherwise, tensions are very high. We saw it this past weekend. Our people are calling out for justice. They don't want to see any more citizens shot and killed. We know we have a need in our police training regime that we can fill here in this Legislature and our citizens are calling on us to address this injustice and tell our people it's safe to go jogging. It's safe to go to the park. It's safe to drive to work. And, if you do have an interaction with the police, it's safe to have that interaction. We need to give our citizens that confidence. So I ask for your co-sponsorship today, and I hope that my colleagues will move this bill forward. It's something that we need before this summer. It's something that we've badly needed in this state for a long time and I hope that we can get some uptake on this idea of enhancing our police training standards and engaging the best practices that we know works to keep our people safe.

Senator McBroom's statement is as follows:

Mr. President, I've said here before in recent days, I've got no problem with trying to work together. I don't have a problem with identifying as a Detroiter, and trying to recognize their struggle, and answer the call for the help that they need. I've done that before when asked, and I've asked them for help with issues in my district before, and we've been able to do that work many times in the past.

But nobody denies what I stated here a month ago: that if the roles were reversed, and the current situation were in the Upper Peninsula, and Detroit had the Upper Peninsula's situation, nobody here would be tolerating the idea that we're shutting down the whole state because of a problem in the Upper Peninsula. It just would not be acceptable to anyone in this body, it wouldn't be acceptable to me, from the Upper Peninsula. We continue to need to recognize the importance of a regional approach and leadership that shows us what is being done and why it's being done. We're supposedly on this team together, but the captain is not sharing a plan. Where's the timeline? Where are the metrics? Where is the hope that doing certain actions like wearing a mask, is going to be rewarded with something? No feedback. If I tell my children again, and again, and again, 'Don't do this,' and then walk away without ever giving an explanation to them, I can really pretty much guarantee that eventually one of them is going to say, 'You know, maybe I'll go try and play in the road for a while. Never hear about why that's a bad idea.'

Right now, our citizens are not looking for understanding from the leadership about how tough it is to be cooped up at home, with kids or without kids. Or how tough it is to not go fishing, or not do the things they

want to do. What they're looking for is understanding that they are losing everything. They stand to lose everything they've worked so hard for, that they've dreamed about, that they desire for their children to have. They're looking for a leader that understands that, and that government rules and regulations, and special plans that come out, are not being tailored to fit their situation.

When the leadership says, 'Oh, well, they can just ignore these,' or 'We aren't going to do those for this,' or 'We'll suspend these until we have a better idea,' that's not giving our people assurance of what they're doing and it's not giving them assurance of what their leadership is doing. These delays that we currently have, they can't be tolerated. This is reminiscent of the intolerable acts that led our country to being formed in the first place. And I am growing more and more disturbed by how many calls I'm receiving from people in my communities, people who own businesses, people who are elected leaders at the local level, people who run our schools, our campgrounds, our businesses, even law enforcement who are calling me, significantly concerned about the possibility of retribution from this administration if they don't toe the line—if they don't walk the straight and narrow. When a community calls me up and says, 'We can't tell from this new executive order whether we can or can't do this, and we see these people are doing it,' in this case campgrounds, specifically, does it apply to state campgrounds or private campgrounds, or to city campgrounds, or to county campgrounds? And they call me to say, 'If we open up, could we potentially lose funding from MEDC, or MDOT, or DNR?' And I don't know. I can't answer that. Even when the law enforcement is concerned about possible retribution from our state's government, we need to reconsider the course of action. We need to remember the words that a government needs to fear its people, not the people fear its government.

Senator Shirkey's statement is as follows:

Trust cannot exist without honesty. At the end of last week the Governor directed her staff to reach out to my office and claim that one of the Senators in this chamber reposted a false story via social media. The Governor's staff was emphatic that the post was false and that it should be removed. The Governor's request to remove this post resulted in the calling-into-question the integrity of one of the members of this chamber. Upon further follow-up, we learned the source of the story was credible. We again reached out to the Governor and her staff, and again the Governor directed her team to deny the story. The Governor lied. Not only did she lie, but she directed her staff to lie on her behalf in order to cover up her own lies. Yesterday, the Governor went in front of cameras and admitted to the lie. She referenced the exchange as a failed joke. It would be nice if this Governor was as quick to identify failed leadership. How can we trust the Governor? How can the citizens of Michigan trust the Governor? What else is she willing to lie about if she lied about putting a boat into water?

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Thursday, May 21, and are available on the Michigan Legislature website:

Senate Bill Nos. 934 935 936 937 938 939 940 941

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on the COVID-19 Pandemic (HCR 20) submitted the following:
Meeting held on Thursday, May 21, 2020, at 2:00 p.m., Room 519, House Office Building
Present: Senators Nesbitt, LaSata, Schmidt, Hertel and Hollier

Scheduled Meetings

Education and Career Readiness - Thursday, May 28, 12:30 p.m., Room 403, 4th Floor, Capitol Building
(517) 373-5314

Finance - Thursday, May 28, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
(517) 373-5312

Regulatory Reform - Thursday, May 28, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower
(517) 373-5314

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 12:08 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, May 28, 2020,
at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate