

No. 56
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
100th Legislature
REGULAR SESSION OF 2020

House Chamber, Lansing, Thursday, June 18, 2020.

9:30 a.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Afendoulis—present	Filler—present	Jones—e/d/s	Rabhi—present
Albert—present	Frederick—present	Kahle—present	Reilly—present
Alexander—present	Garrett—excused	Kennedy—present	Rendon—present
Allor—present	Garza—present	Koleszar—present	Sabo—present
Anthony—present	Gay-Dagnogo—e/d/s	Kuppa—present	Schroeder—present
Bellino—present	Glenn—present	LaFave—present	Shannon—present
Berman—present	Green—present	LaGrand—present	Sheppard—present
Bolden—present	Greig—present	Lasinski—present	Slagh—present
Bollin—present	Griffin—present	Leutheuser—present	Sneller—present
Brann—present	Guerra—present	Liberati—present	Sowerby—present
Brixie—present	Haadsma—present	Lightner—present	Stone—present
Byrd—present	Hall—present	Lilly—present	Tate—present
Calley—present	Hammoud—present	Love—excused	VanSingel—present
Cambensy—present	Hauck—present	Lower—present	VanWoerkom—present
Camilleri—present	Hernandez—present	Maddock—present	Vaupel—present
Carter, B.—present	Hertel—present	Manoogian—present	Wakeman—present
Carter, T.—present	Hoadley—present	Marino—present	Warren—present
Chatfield—present	Hoitenga—present	Markkanen—present	Webber—present
Cherry—present	Hood—present	Meerman—present	Wenzel—present
Chirkun—present	Hope—present	Miller—present	Wentworth—present
Clemente—present	Hornberger—present	Mueller—present	Whiteford—present
Cole—present	Howell—present	Neeley, C.—present	Whitsett—excused
Coleman—present	Huizenga—present	O'Malley—present	Wittenberg—present
Crawford—present	Iden—present	Pagan—present	Witwer—present
Eisen—present	Inman—present	Paquette—present	Wozniak—present
Elder—present	Johnson, C.—present	Peterson—present	Yancey—present
Ellison—present	Johnson, S.—present	Pohutsky—present	Yaroch—present
Farrington—present			

e/d/s = entered during session

Rep. Tyrone Carter, from the 6th District, offered the following invocation:

“During these very uncertain times, times when..people are facing crisis upon crisis, illnesses, disasters, death of loved ones, systemic injustice, and financial hardships-

It is hard to keep focus and see the good that remains in each day. All of these perils are thieves of our joy and I would like to call on you today to pray with me- a familiar prayer..

One that I believe transcends religions and one that heals and reminds us that above all of these hard times, when nothing seems right that GOD is right, and a source of everlasting Joy Who can be counted on to protect and renew us even in the darkest of days..

Would you please pray with me while I read **Psalm 23: verses 1-6:**

‘The Lord is my shepherd; I shall not want.

He makes me lie down in green pastures.

He leads me beside still waters.

He restores my soul.

He leads me in paths of righteousness

for his name’s sake.

Even though I walk through the valley of the shadow of death,

I will fear no evil,

for You are with me;

Your rod and Your staff,

they comfort me.

You prepare a table before me

in the presence of my enemies;

You anoint my head with oil;

my cup overflows.

Surely goodness and mercy shall follow me

all the days of my life,

and I shall dwell in the house of the Lord

forever.’

Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Cole moved that Reps. Garrett, Love and Whitsett be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 276.

A resolution to oppose the Governor’s policies regarding the placement of COVID-19 patients into nursing homes.

(For text of resolution, see House Journal No. 53, p. 1035.)

(The resolution was reported by the Committee on Health Policy on June 17, with substitute (H-1).)

(For substitute, see House Journal No. 55, p. 1064.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

The substitute (H-1) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the resolution,

Rep. Cole demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 249

Yeas—71

Afendoulis	Frederick	Koleszar	Schroeder
Albert	Glenn	Kuppa	Shannon
Alexander	Green	LaFave	Sheppard
Allor	Griffin	Leutheuser	Slagh
Bellino	Haadsma	Lightner	Sneller
Berman	Hall	Lilly	VanSingel
Bollin	Hauck	Lower	VanWoerkom
Brann	Hernandez	Maddock	Vaupel
Calley	Hertel	Manoogian	Wakeman
Cambensy	Hoitenga	Marino	Webber
Camilleri	Hornberger	Markkanen	Wendzel
Chatfield	Howell	Meerman	Wentworth
Cole	Huizenga	Miller	Whiteford
Crawford	Iden	Mueller	Witwer
Eisen	Inman	O'Malley	Wozniak
Elder	Johnson, C.	Paquette	Yancey
Farrington	Johnson, S.	Reilly	Yaroch
Filler	Kahle	Rendon	

Nays—33

Anthony	Coleman	Hope	Pohutsky
Bolden	Ellison	Kennedy	Rabhi
Brixie	Garza	LaGrand	Sabo
Byrd	Greig	Lasinski	Sowerby
Carter, B.	Guerra	Liberati	Stone
Carter, T.	Hammoud	Neeley, C.	Tate
Cherry	Hoadley	Pagan	Warren
Chirkun	Hood	Peterson	Wittenberg
Clemente			

In The Chair: Wentworth

Rep. Wittenberg, having reserved the right to explain his nay vote, made the following statement:
 “Mr. Speaker and members of the House:

While I agree with the basic arguments in the resolution, regarding the lack of data and the policy on placement of Covid-19 nursing home patients, this is not an issue that should be politicized. The resolution is very harsh, accusatory in nature and amounts to political grandstanding. Most of the language is hyperbole. The Governor has admitted that the policy may not have been the best. Rather than rehash or second-guess the Governor’s actions (actions that were suggested by Republican leadership at the Federal level) in dealing with this deadly pandemic, the state needs the Legislature to collaborate with the Governor on a long-term solution to keep nursing home patients safe from the current pandemic and future ones. After 5 1/2 years of serving in the State House, I am still hopeful that majority leadership will stop playing political games and start working to help people, but obviously that day is not today.”

Rep. Pohutsky, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I am voting against HR 276 because while I do not necessarily support the original Executive Order that placed senior COVID-positive patients in nursing homes and, more specifically, regional hubs, I and other legislators have worked with the Governor’s administration and the departments to find solutions that are suitable for elderly populations and take into account the health complications they face. The Executive Orders surrounding nursing homes have been revised to give health care providers more discretion when discharging COVID-positive seniors from hospitals, including transferring them to Alternate Care Facilities, often called field hospitals, when a patient can be adequately cared for there, or swing beds in hospitals. It is important to note that in my conversations with administrators at these field hospitals, they have communicated to me that they cannot properly care for patients who have dementia or memory challenges. Additionally, the resolution does not force nursing homes to take COVID patients if they are not equipped to do so. While not a perfect solution and while also being very much a work in progress, it is at least a solution. This resolution does nothing to offer suggestions as to what should be done. It merely assigns blame and seeks to score political points.”

Reps. Jones and Gay-Dagnogo entered the House Chambers.

The Speaker laid before the House

House Concurrent Resolution No. 24.

A concurrent resolution to demand that the Governor compile and make publicly available certain data, to encourage medical professionals to provide elective medical procedures, and to encourage the people of Michigan to continue to practice safe social distancing.

(For text of concurrent resolution, see House Journal No. 46, p. 907.)

(The concurrent resolution was reported by the Committee on Health Policy on June 17, with substitute (H-1).)

(For substitute, see House Journal No. 55, p. 1066.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

The substitute (H-1) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

Rep. Cole demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 250

Yeas—69

Afendoulis	Green	Kuppa	Rendon
Albert	Griffin	LaFave	Schroeder
Alexander	Haadsma	LaGrand	Sheppard
Allor	Hall	Leutheuser	Slagh
Bellino	Hauck	Lightner	Sneller
Berman	Hernandez	Lilly	VanSingel
Bollin	Hoitenga	Lower	VanWoerkom
Brann	Hornberger	Maddock	Vaupel
Calley	Howell	Marino	Wakeman
Chatfield	Huizenga	Markkanen	Webber
Cole	Iden	Meerman	Wendzel
Coleman	Inman	Miller	Wentworth
Crawford	Johnson, C.	Mueller	Whiteford
Eisen	Johnson, S.	O’Malley	Witwer

Farrington	Kahle	Paquette	Wozniak
Filler	Kennedy	Pohutsky	Yancey
Frederick	Koleszar	Reilly	Yaroch
Glenn			

Nays—37

Anthony	Clemente	Hoadley	Peterson
Bolden	Elder	Hood	Rabhi
Brixie	Ellison	Hope	Sabo
Byrd	Garza	Jones	Shannon
Cambensy	Gay-Dagnogo	Lasinski	Sowerby
Camilleri	Greig	Liberati	Stone
Carter, B.	Guerra	Manoogian	Tate
Carter, T.	Hammoud	Neeley, C.	Warren
Cherry	Hertel	Pagan	Wittenberg
Chirkun			

In The Chair: Wentworth

The Speaker Pro Tempore called Associate Speaker Pro Tempore Lilly to the Chair.

Third Reading of Bills**House Bill No. 5761, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding sections 44e and 78t.

(The bill was read a third time and postponed for the day on June 17, see House Journal No. 55, p. 1087.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 251**Yeas—106**

Afendoulis	Farrington	Jones	Rabhi
Albert	Filler	Kahle	Reilly
Alexander	Frederick	Kennedy	Rendon
Allor	Garza	Koleszar	Sabo
Anthony	Gay-Dagnogo	Kuppa	Schroeder
Bellino	Glenn	LaFave	Shannon
Berman	Green	LaGrand	Sheppard
Bolden	Greig	Lasinski	Slagh
Bollin	Griffin	Leutheuser	Sneller
Brann	Guerra	Liberati	Sowerby
Brixie	Haadsma	Lightner	Stone
Byrd	Hall	Lilly	Tate
Calley	Hammoud	Lower	VanSingel
Cambensy	Hauck	Maddock	VanWoerkom
Camilleri	Hernandez	Manoogian	Vaupel

Carter, B.	Hertel	Marino	Wakeman
Carter, T.	Hoadley	Markkanen	Warren
Chatfield	Hoitenga	Meerman	Webber
Cherry	Hood	Miller	Wendzel
Chirkun	Hope	Mueller	Wentworth
Clemente	Hornberger	Neeley, C.	Whiteford
Cole	Howell	O'Malley	Wittenberg
Coleman	Huizenga	Pagan	Witwer
Crawford	Iden	Paquette	Wozniak
Eisen	Inman	Peterson	Yancey
Elder	Johnson, C.	Pohutsky	Yaroch
Ellison	Johnson, S.		

Nays—0

In The Chair: Lilly

The question being on agreeing to the title of the bill,

Rep. Cole moved to amend the title to read as follows:

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78a (MCL 211.78a), as amended by 2014 PA 499, and by adding section 44e.

The motion prevailed.

The House agreed to the title as amended.

Rep. Cole moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5810, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78a (MCL 211.78a), as amended by 2014 PA 499, and by adding section 44e.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 252

Yeas—106

Afendoulis	Farrington	Jones	Rabhi
Albert	Filler	Kahle	Reilly
Alexander	Frederick	Kennedy	Rendon
Allor	Garza	Koleszar	Sabo
Anthony	Gay-Dagnogo	Kuppa	Schroeder
Bellino	Glenn	LaFave	Shannon
Berman	Green	LaGrand	Sheppard
Bolden	Greig	Lasinski	Slagh
Bollin	Griffin	Leutheuser	Sneller
Brann	Guerra	Liberati	Sowerby
Brixie	Haadsma	Lightner	Stone
Byrd	Hall	Lilly	Tate
Calley	Hammoud	Lower	VanSingel
Cambensy	Hauck	Maddock	VanWoerkom
Camilleri	Hernandez	Manoogian	Vaupel
Carter, B.	Hertel	Marino	Wakeman
Carter, T.	Hoadley	Markkanen	Warren
Chatfield	Hoitenga	Meerman	Webber
Cherry	Hood	Miller	Wendzel

Chirkun	Hope	Mueller	Wentworth
Clemente	Hornberger	Neeley, C.	Whiteford
Cole	Howell	O'Malley	Wittenberg
Coleman	Huizenga	Pagan	Witwer
Crawford	Iden	Paquette	Wozniak
Eisen	Inman	Peterson	Yancey
Elder	Johnson, C.	Pohutsky	Yaroch
Ellison	Johnson, S.		

Nays—0

In The Chair: Lilly

The question being on agreeing to the title of the bill,

Rep. Cole moved to amend the title to read as follows:

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 44f.

The motion prevailed.

The House agreed to the title as amended.

Rep. Cole moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5811, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 537a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 253

Yeas—104

Afendoulis	Ellison	Johnson, S.	Rabhi
Albert	Farrington	Jones	Reilly
Alexander	Filler	Kahle	Rendon
Allor	Frederick	Kennedy	Sabo
Anthony	Garza	Koleszar	Schroeder
Bellino	Gay-Dagnogo	Kuppa	Shannon
Berman	Glenn	LaFave	Sheppard
Bolden	Greig	Lasinski	Slagh
Bollin	Griffin	Leutheuser	Sneller
Brann	Guerra	Liberati	Sowerby
Brixie	Haadsma	Lightner	Stone
Byrd	Hall	Lilly	Tate
Calley	Hammoud	Lower	VanSingel
Cambensy	Hauck	Maddock	VanWoerkom
Camilleri	Hernandez	Manoogian	Vaupel
Carter, B.	Hertel	Marino	Wakeman
Carter, T.	Hoadley	Markkanen	Warren
Chatfield	Hoitenga	Meerman	Webber
Cherry	Hood	Miller	Wendzel
Chirkun	Hope	Mueller	Wentworth
Clemente	Hornberger	Neeley, C.	Whiteford
Cole	Howell	O'Malley	Wittenberg
Coleman	Huizenga	Pagan	Witwer

Crawford	Iden	Paquette	Wozniak
Eisen	Inman	Peterson	Yancey
Elder	Johnson, C.	Pohutsky	Yaroch

Nays—1

Green

In The Chair: Lilly

The House agreed to the title of the bill.
Rep. Cole moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. LaGrand, under Rule 31, made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 253 because of a possible conflict of interest.”

House Bill No. 5827, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16651 (MCL 333.16651), as added by 2018 PA 463.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 254

Yeas—105

Afendoulis	Farrington	Johnson, S.	Pohutsky
Albert	Filler	Jones	Rabhi
Alexander	Frederick	Kahle	Reilly
Allor	Garza	Kennedy	Rendon
Anthony	Gay-Dagnogo	Koleszar	Sabo
Bellino	Glenn	Kuppa	Schroeder
Berman	Green	LaFave	Shannon
Bolden	Greig	LaGrand	Sheppard
Bollin	Griffin	Lasinski	Slagh
Brann	Guerra	Leutheuser	Sneller
Brixie	Haadsma	Liberati	Stone
Byrd	Hall	Lightner	Tate
Calley	Hammoud	Lilly	VanSingel
Cambensy	Hauck	Lower	VanWoerkom
Camilleri	Hernandez	Maddock	Vaupel
Carter, B.	Hertel	Manoogian	Wakeman
Carter, T.	Hoadley	Marino	Warren
Chatfield	Hoitenga	Markkanen	Webber
Cherry	Hood	Meerman	Wendzel
Chirkun	Hope	Miller	Wentworth
Clemente	Hornberger	Mueller	Whiteford
Cole	Howell	Neeley, C.	Wittenberg

Coleman
Crawford
Eisen
Elder
Ellison

Huizenga
Iden
Inman
Johnson, C.

O'Malley
Pagan
Paquette
Peterson

Witwer
Wozniak
Yancey
Yaroch

Nays—1

Sowerby

In The Chair: Lilly

The House agreed to the title of the bill.
Rep. Cole moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5482, entitled

A bill to provide for certain requirements regarding suicide prevention for schools; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for and prescribe the powers and duties of certain state departments; and to provide for the regulation of certain school employees.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Ways and Means,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Schroeder moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Cole moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5482, entitled

A bill to provide for certain requirements regarding suicide prevention for schools; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for and prescribe the powers and duties of certain state departments; and to provide for the regulation of certain school employees.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 255

Yeas—106

Afendoulis
Albert
Alexander
Allor
Anthony
Bellino

Farrington
Filler
Frederick
Garza
Gay-Dagnogo
Glenn

Jones
Kahle
Kennedy
Koleszar
Kuppa
LaFave

Rabhi
Reilly
Rendon
Sabo
Schroeder
Shannon

Berman	Green	LaGrand	Sheppard
Bolden	Greig	Lasinski	Slagh
Bollin	Griffin	Leutheuser	Sneller
Brann	Guerra	Liberati	Sowerby
Brixie	Haadsma	Lightner	Stone
Byrd	Hall	Lilly	Tate
Calley	Hammoud	Lower	VanSingel
Cambensy	Hauck	Maddock	VanWoerkom
Camilleri	Hernandez	Manoogian	Vaupel
Carter, B.	Hertel	Marino	Wakeman
Carter, T.	Hoadley	Markkanen	Warren
Chatfield	Hoitenga	Meerman	Webber
Cherry	Hood	Miller	Wendzel
Chirkun	Hope	Mueller	Wentworth
Clemente	Hornberger	Neeley, C.	Whiteford
Cole	Howell	O'Malley	Wittenberg
Coleman	Huizenga	Pagan	Witwer
Crawford	Iden	Paquette	Wozniak
Eisen	Inman	Peterson	Yancey
Elder	Johnson, C.	Pohutsky	Yaroch
Ellison	Johnson, S.		

Nays—0

In The Chair: Lilly

The House agreed to the title of the bill.

Rep. Cole moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Alexander, Allor, Anthony, Bellino, Bolden, Brann, Brixie, Chirkun, Coleman, Eisen, Elder, Garza, Gay-Dagnogo, Griffin, Guerra, Haadsma, Hammoud, Hood, Hope, Howell, Huizenga, Cynthia Johnson, Jones, Kahle, Kennedy, Kuppa, LaFave, Lasinski, Leutheuser, Lilly, Lower, Manoogian, Marino, Meerman, Miller, Neeley, Pagan, Peterson, Rendon, Sabo, Shannon, Sneller, Tate, Webber, Wentworth, Wittenberg, and Yaroch were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5046, entitled

A bill to allow local governments and certain authorities to withhold payment under certain conditions to contractors on an asbestos abatement project; to provide for mandatory contract conditions on certain asbestos abatement projects; to provide for certain disclosures; and to prescribe the powers and duties of certain local officials.

The bill was read a second time.

Rep. Howell moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5047, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 5519 and 5519a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Ways and Means,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Cole moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5048, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 5519b.

The bill was read a second time.

Rep. VanSingel moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5050, entitled

A bill to prohibit certain public entities from entering into certain contracts with certain entities that remove or abate asbestos; to require certain entities to disclose certain information when bidding on certain contracts with public entities; and to impose certain duties and responsibilities on certain public entities.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Ways and Means,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Howell moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Koleszar, Rabhi, Greig, Hood, Clemente, Sowerby, Witwer, Ellison, Manoogian, Sabo, Hammoud, Anthony, Brixie, Pohutsky, Wittenberg, Brenda Carter, Shannon, Yancey, Kennedy, Hertel, Elder, Cambensy, Cynthia Neeley, Lasinski, Camilleri, Kuppa, Tyrone Carter, Cherry, Garza, Gay-Dagnogo, Haadsma, Hoadley, Hope, Liberati, Pagan, Sneller and Stone offered the following resolution:

House Resolution No. 278.

A resolution to memorialize the Congress of the United States to take action to support small businesses and create the COVID-19 Business and Employee Continuity and Recovery Fund.

Whereas, The COVID-19 Pandemic has had a profound impact on American life. Since the virus first arrived in the United States in January, more than 2 million Americans have been infected and more than 110,000 have succumbed to the virus. In Michigan, nearly 60,000 cases have been confirmed and more than 5,500 have died; and

Whereas, The virus has also brought unprecedented economic disruption. In order to contain the Pandemic, public health officials, including Governor Gretchen Whitmer and the White House Coronavirus Task Force, have recommended or ordered the closure of nonessential businesses. These closures have contributed to the most severe economic downturn since the Great Depression; and

Whereas, While there is hope of a swift recovery as many businesses begin to reopen, the full economic effect of the Pandemic remains to be determined. While many businesses have been closed or faced reduced revenue as a result of the Pandemic, they were still required to pay essential costs such as mortgages, rent, and utilities. A recent survey found that more than half of all small businesses are at risk of permanently closing in the next six months. In Michigan, about 14 percent of businesses have reported that they may not be able to survive the Pandemic; and

Whereas, The government has a responsibility to help small businesses weather the Pandemic’s effects. The temporary closure of nonessential businesses, while necessary to protect public health, was government-ordered. It would be unjust to allow these businesses to fail because they complied with the orders; and

Whereas, Failing to support small businesses will magnify the economic devastation already wrought by the virus. Small businesses are a major source of employment and economic activity in Michigan and the United States. Allowing millions of small businesses to fail will leave tens of millions of Americans out of work and hinder the entire economy’s recovery; and

Whereas, The small business aid already enacted by Congress has not been enough to meet the size of the crisis. The Paycheck Protection Program (PPP), created by the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide low-interest loans to small businesses, has been insufficient to provide relief to the millions of small businesses affected by the crisis. Specifically, the Small Business Administration Inspector General found that the program may have failed to provide loans to rural and minority- and women-owned businesses. In addition, many business owners have complained the program’s rules on the use of funds are too restrictive, and that aid cannot be used for critical expenses, including rent and utilities; and

Whereas, Creating the COVID-19 Business and Employee Continuity and Recovery Fund would address the shortfalls of the PPP and provide much needed relief to small businesses. The recovery fund would provide grants to businesses to be used for essential operating expenses. The program would give priority to businesses in rural communities and those owned by women or minorities; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to take action to support small businesses and create the COVID-19 Business and Employee Continuity and Recovery Fund; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Commerce and Tourism.

Reps. Yancey, Cynthia Johnson, Tyrone Carter, Pohutsky, Ellison, Cynthia Neeley, Witwer, Liberati, Peterson, Cherry, Sneller, Anthony, Tate, Hammoud, Camilleri, Guerra, Manoogian, Gay-Dagnogo, Clemente, Koleszar, Bolden, Kuppa, Hood, Rabhi, Brenda Carter, Hoadley, Wittenberg, Stone, Sabo, Lasinski, Warren, Jones, Brixie, Sowerby, Chirkun, Hertel, Elder, Garrett, Schroeder, Yaroch, Haadsma, Love, VanSingel, Hope, Cambensy, Coleman, Byrd, Garza, Calley, Crawford, Greig, Liberati and Pagan offered the following resolution:

House Resolution No. 279.

A resolution to declare June 19, 2020, as Juneteenth Independence Day in the state of Michigan in recognition of June 19, 1865, the date on which the end of slavery was finally announced in every slave-holding state in the United States.

Whereas, News of the end of slavery did not reach the frontier areas of the United States, in particular the state of Texas and the other Southwestern states, until months after the conclusion of the Civil War. This was nearly 2 1/2 years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863; and

Whereas, On June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free; and

Whereas, African-Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, as inspiration and encouragement for future generations; and

Whereas, African-Americans from the Southwest have continued the tradition of observing Juneteenth Independence Day for over 150 years; and

Whereas, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas, The faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race; and

Whereas, Slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

Whereas, Over the course of its history, the United States has grown into a symbol of democracy and freedom around the world: now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 19, 2020, as Juneteenth Independence Day in the state of Michigan in recognition of June 19, 1865, the date on which the end of slavery was finally announced in every slave-holding state in the United States.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Peterson, Brenda Carter, Bolden, Cynthia Johnson, Yancey, Garrett, Rabhi, Love, Cherry, Crawford, Garza, Gay-Dagnogo, Greig, Haadsma, Hoadley, Hope, Kuppa, Liberati, Pagan, Sneller, Sowerby, Stone and Witwer offered the following resolution:

House Resolution No. 280.

A resolution to declare June 19, 2020, as World Sickle Cell Awareness Day in the state of Michigan.

Whereas, June 19th has been officially designated as World Sickle Cell Awareness Day by the Sickle Cell Disease Association of America; and

Whereas, The international awareness day is observed annually with the goal to increase public knowledge and an understanding of sickle cell disease and the challenges experienced by patients and their families and caregivers; and

Whereas, Sickle cell disease (SCD) is one of the most common inherited blood disorders affecting approximately 100,000 children and adults in the nation. One in 365 African Americans and 1 in 16,300 Hispanics have sickle cell disease; and

Whereas, There are more than 2,800 patients with sickle cell disease in Michigan; and

Whereas, Sickle cell disease is a complex genetic disease involving multicellular adhesion between red blood cells, white blood cells, platelets, and endothelial cells, resulting in vaso-occlusive crises (VOCs); and

Whereas, VOCs are the hallmark of sickle cell disease. These recurrent episodes induce severe pain, decrease quality of life, can cause life-threatening complications, including stroke, and are the primary cause of hospitalizations in sickle cell disease, and are associated with increased mortality; and

Whereas, VOC is the number one reason that patients with SCD visit the emergency room or are hospitalized; and

Whereas, The estimated annual medical costs for SCD exceed \$1.1 billion in the United States. Eighty percent of overall treatment costs are attributable to inpatient costs and \$356 million in estimated annual costs for emergency room visits; and

Whereas, High Medicaid costs stem from “super utilizers”, patients with more than four hospital visits per year. SCD was the fifth most common diagnosis among Medicaid “super utilizers”; and

Whereas, Access to care may be challenging for patients with sickle cell disease. Due to a lack of physicians experienced in treating sickle cell disease, many young adults transitioning from pediatric care seek treatment in emergency settings; and

Whereas, Sickle cell was medically recognized in 1910, but the first disease-modifying treatment was not approved for use until 1998 and only three additional treatments have been approved in the last four years, two of those in late 2019; and

Whereas, More needs to be done to improve the quality of care for patients with SCD; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 19, 2020, as World Sickle Cell Disease Awareness Day in the state of Michigan. We urge increased awareness to the problems caused by sickle cell disease.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hoadley, Brenda Carter, Anthony, Clemente, Stone, Pohutsky, Yancey, Wittenberg, Witwer, Guerra, Warren, Lasinski, Ellison, Hood, Brixie, Hertel, Elder, Cherry, Chirkun, Liberati, Tyrone Carter, Manoojian, Tate, Hope, Hammoud, Koleszar, Byrd, LaGrand, Kuppa, Pagan, Haadsma, Cambensy, Kennedy, Cynthia Neeley, Sabo, Coleman, Bolden, Greig, Garza, Camilleri, Love, Cynthia Johnson, Sowerby, Garrett, Shannon, Brann, Gay-Dagnogo, Rabhi and Sneller offered the following resolution:

House Resolution No. 281.

A resolution to recognize June 2020 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month in the state of Michigan.

Whereas, Pride began 50 years ago in 1970 with the one-year anniversary of the Stonewall Riots. In 1969, a black trans woman named Marsha P. Johnson, along with other LGBTQ individuals, risked their lives to protest the over-policing of the LGBTQ community and the injustice that threatened their existence on a daily basis. This multi-day protest became known as the Stonewall Riots and is credited by many for starting the modern-day LGBTQ equality movement; and

Whereas, That movement has marked by tragedy, especially the slow and insufficient government response to assist those with HIV/AIDS; by celebration, including the historic Obergefell Supreme Court decision in 2015 which affirmed marriage equality nationwide; and by struggle, notably the ongoing effort to include discrimination protections for the LGBTQ community in state and federal law; and

Whereas, Michigan’s LGBTQ community is not protected from discrimination in housing, employment, or public accommodation. The decades-old push to include sexual orientation, gender identity, and gender expression among the existing protected classes in the Elliott-Larsen Civil Rights Act has never been put up for a vote in the Legislature; and

Whereas, Everyone in Michigan benefits from the multiple talents, viewpoints, and cultural backgrounds of all of its residents. Expanding the Elliott-Larsen Civil Rights Act would preserve the freedom, worth, and dignity of those in the LGBTQ community from people who seek to do them harm; and

Whereas, Michigan should expend all efforts to attract and retain talent. Amending the Elliott-Larsen Civil Rights Act would signal to the nation we are welcoming to those who wish to contribute to the economic vitality of our state; and

Whereas, The people of Michigan understand, appreciate, and value the cultural, civic, and economic contributions of the LGBTQ communities to the greater community of the state, and affirm a celebration of love, living authentically, and accepting ourselves; and

Whereas, June is recognized and celebrated as LGBTQ Pride Month throughout the country and worldwide; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize June 2020 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month in the state of Michigan.

The resolution was referred to the Committee on Government Operations.

Rep. Cole moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, June 17:

House Bill Nos. 5861 5862 5863 5864

The Clerk announced that the following Senate bills had been received on Thursday, June 18:

Senate Bill Nos. 659 850 852 935 936 937

Reports of Select Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hall, Chair, of the Joint Select Committee on the COVID-19 Pandemic, was received and read:

Meeting held on: Thursday, June 18, 2020

Present: Reps. Hall, Calley, O'Malley, Guerra, Tyrone Carter.

Sens. Nesbitt, LaSata, Schmidt, Hertel and Hollier.

Messages from the Senate

Senate Bill No. 659, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248I (MCL 257.248I), as added by 2018 PA 420.

The Senate has passed the bill.

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

Senate Bill No. 850, entitled

A bill to create an industrial hemp program; to authorize certain activities involving industrial hemp to require the registration of persons engaged in certain activities; to provide for the sampling and testing of industrial hemp; to provide for the collection of fees; to create certain funds; to provide for the powers and duties of certain state departments and officers and state agencies and officials; to prohibit certain acts; and to prescribe civil sanctions.

The Senate has passed the bill.

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

Senate Bill No. 852, entitled

A bill to create an industrial hemp program; to authorize certain activities involving industrial hemp to require the registration of persons engaged in certain activities; to provide for the sampling and testing of

industrial hemp; to provide for the collection of fees; to create certain funds; to provide for the powers and duties of certain state departments and officers and state agencies and officials; to prohibit certain acts; and to prescribe civil sanctions.

The Senate has passed the bill.

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

Senate Bill No. 935, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2014 PA 426, and by adding section 6d.

The Senate has passed the bill.

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

Senate Bill No. 936, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2014 PA 425, and by adding section 6d.

The Senate has passed the bill.

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

Senate Bill No. 937, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 703 and 705 (MCL 206.703 and 206.705), section 703 as amended by 2016 PA 158 and section 705 as amended by 2011 PA 192.

The Senate has passed the bill.

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

Messages from the Governor

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

EXECUTIVE ORDER

No. 2020-125

Clarifying WDCA Eligibility for Workplace Exposure to COVID-19

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

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

These 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 being challenged on appeal.

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 had 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 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[er] 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.

Michigan’s COVID-19-response workers face regular exposure to a deadly and highly contagious virus. They do so to ensure that Michiganders have access to emergency medical care; that Michigan’s laws are enforced; that prisoners and pretrial detainees in state and local custody receive their constitutionally guaranteed rights; and that the safety and security of the State and its citizens remains protected.

The Workers’ Disability Compensation Act of 1969 (WDCA), MCL 418.101 et seq., affords important protections to Michigan’s workers and employers. In effectuating these protections, section 418.401 of the WDCA requires an employee seeking entitlement to wage-loss benefits to demonstrate, in part, the existence of a work-related injury that prevents the employee from performing his or her job duties. But due to the possibility of asymptomatic transfer of COVID-19, requiring a COVID-19-response employee to affirmatively demonstrate that they contracted COVID-19 in the course of their employment unduly shifts risk to the worker, and may therefore hinder Michigan’s emergency response by undermining confidence in the worker’s compensation system among the most critical members of the workforce.

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

1. “COVID-19-response employee” means an employee whose job responsibilities require them to have regular or prolonged contact with COVID-19 in the course of their employment. For purposes of this order, the following individuals are COVID-19-response employees:
 - (a) A person who is required to report to work in one of the following workplaces:
 - (1) An ambulance operation, as that term is defined in section 20902(5) of the Public Health Code, 1978 PA 368, as amended, MCL 333.20902(5), including advanced mobile emergency care services;
 - (2) A county medical care facility, as that term is defined in section 20104(3) of the Public Health Code, MCL 333.20104(3);
 - (3) An emergency response service, as that term is defined in section 102(m) of the Emergency 9-1-1 Service Enabling Act, 1986 PA 32, as amended, MCL 484.1102(m);
 - (4) A home for the aged, as that term is defined in section 20106(3) of the Public Health Code, MCL 333.20106(3);
 - (5) A hospice, as that term is defined in section 20106(4) of the Public Health Code, MCL 333.20106(4);
 - (6) A hospital, as that term is defined in section 20106(5) of the Public Health Code, MCL 333.20106(5); or
 - (7) A nursing home, as that term is defined in section 20109(1) of the Public Health Code, MCL 333.20109(1).

- (b) A person working in a home health agency, as that term is defined in section 20173a(15)(f) of the Public Health Code, MCL 333.20173a(15)(f), or a visiting nurse association, who is required to provide in-person medical care to patients.
 - (c) In addition to those persons identified in section 3(a) and (b) of this order, any person working as a physician, physician assistant, licensed practical nurse, registered professional nurse, medical first responder, nurse, emergency medical technician, emergency medical technician specialist, paramedic, or respiratory therapist who is required to provide in-person medical care to patients.
 - (d) A law enforcement officer, as that term is defined in section 2(f) of the Michigan Commission on Law Enforcement Standards Act, 1965 PA 203, as amended, MCL 28.602(f), to the extent the law enforcement officer is required to report to work and interact with the general public.
 - (e) A motor carrier officer within the Michigan Department of State Police as described in section 6d of the Michigan State Police Act, 1935 PA 59, as amended, MCL 28.6d.
 - (f) A firefighter, as that term is defined in section 1(n) of the Fire Prevention Code, 1941 PA 207, as amended, MCL 29.1(n).
 - (g) A member of an emergency rescue team, as described in section 161(j) of the WDCA, MCL 418.161(j), to the extent that the member is required to report to work and interact with the general public.
 - (h) A volunteer civil defense worker, as described in section 161(g) of the WDCA, MCL 418.161(g), to the extent that the worker is required to report to work.
 - (i) An on-call member of a life support agency, as described in section 161(h) and (i) of the WDCA, MCL 418.161(h) and (i), to the extent the member is required to report to work.
 - (j) A state or local government employee that is required to work within the secured perimeter of a penal institution, including but not limited to correctional facilities, jails, and detention centers.
2. For purposes of the WDCA, and subject to rebuttal by specific facts to the contrary, a first-response employee who is confirmed as COVID-19 positive on or after March 18, 2020, either by physician or by test, shall be presumed to have suffered a "personal injury," as that term is defined by section 401(2)(b) of the WDCA, MCL 418.401(2)(b).
 3. The Director of the Department of Labor and Economic Opportunity (LEO) is authorized to issue orders and directives necessary to implement this executive order.
 4. This order replaces the emergency rules that LEO filed with the Secretary of State on March 30, 2020; those rules are hereby suspended.
 5. If any portion of this order is finally adjudicated invalid, section 4 is void.
 6. This order is effective immediately and does 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.

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

Date: June 17, 2020

Time: 7:44 pm

[SEAL]

GRETCHEN WHITMER
GOVERNOR

By the Governor:
JOCELYN BENSON
SECRETARY OF STATE

The message was referred to the Clerk.

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

EXECUTIVE ORDER

No. 2020-126

Temporary safety measures for food-selling establishments and pharmacies and temporary relief from requirements applicable to the renewal of licenses for the food-service industry

Rescission of Executive Order 2020-109

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[er] 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, it too provide a sufficient legal basis for this order.

The COVID-19 pandemic has created the risk of COVID-19 exposure in food-selling establishments and pharmacies. Given the need to protect employees and the public from exposure to COVID-19, it is necessary and reasonable to impose standards for food-selling establishments and pharmacies to reduce the risk of COVID-19 exposure and disease transmission. In addition, the COVID-19 pandemic has placed an immediate and unprecedented strain on Michigan's food service industries, local health departments, and the Michigan Department of Agriculture and Rural Development (MDARD). Given the additional workload of local health departments and MDARD due to the COVID-19 pandemic, and given these agencies' statutorily defined role in the renewal of licenses for the food service industry, it is also necessary and reasonable to provide limited and temporary relief from certain licensing requirements and regulations.

Executive Order 2020-109 provided the protections and relief described above. Because it remains necessary and reasonable to limit exposure to COVID-19 in food-selling establishments and pharmacies, this order extends those protections and that relief with narrow modifications.

With this order, Executive Order 2020-109 is rescinded.

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

1. Any individual who enters a food-selling establishment or pharmacy who is 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.
2. Grocery stores and pharmacies must 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 people, and those with chronic conditions, including heart disease, diabetes, and lung disease.

3. Food-selling establishments and pharmacies must deploy strategies to reduce COVID-19 exposure for their customers and employees consistent with the strategies described in Executive Order 2020-114 or any order that follows from it, as well as the following:
 - (a) Provide access to handwashing facilities, including those available in public restrooms;
 - (b) Require checkout employees to wear coverings over their noses and mouths, such as homemade masks, scarves, bandanas, or handkerchiefs;
 - (c) Allow employees sufficient break time to wash hands as needed;
 - (d) Use best efforts to ensure checkout employees to disinfect their hands between orders to prevent cross-contamination;
 - (e) Use best efforts to provide employees and customers access to an alcohol-based hand sanitizer that contains at least 60% alcohol, as recommended by the Centers for Disease Control and Prevention (CDC);
 - (f) Use best efforts to provide disinfecting wipes at cash registers and entrance points for customers to disinfect carts and baskets, as well as at other appropriate locations;
 - (g) Ensure that both employees and customers remain at least six feet apart to the maximum extent possible, including during employee breaks, for example by reviewing floor plans, creating temporary barriers, designating aisles as one-way only, and demarcating queueing distances;
 - (h) Close self-serve prepared food stations such as salad bars;
 - (i) Eliminate free samples and tasting stations;
 - (j) Adopt procedures to meet the environmental cleaning guidelines set by the CDC, including by cleaning and disinfecting frequent touchpoints throughout the day such as point of sale terminals at registers, shopping carts, and shopping baskets;
 - (k) Prohibit employees who are sick from reporting to work and send employees home if they display symptoms of COVID-19. Employees who test positive for COVID-19 or who display one or more of the principal symptoms of COVID-19 should follow the procedures of Executive Order 2020-36 or any order that follows from it;
 - (l) Accommodate employees who fall within a vulnerable population by providing lower-exposure work assignments or giving them the option to take an unpaid leave of absence with a return date coinciding with the end of the declared states of emergency and disaster, or July 15, 2020, whichever is later. Nothing in this executive order abrogates any right to disability benefits. Employees who take an unpaid leave of absence as described in this subsection are encouraged to apply for unemployment benefits;
 - (m) Close to the public for sufficient time each night to allow stores to be properly sanitized;
 - (n) Encourage cash transactions to be processed at self-checkout kiosks when possible; and
 - (o) Adhere to all applicable safeguards, including but not limited to conducting a daily self-screening protocol for all employees and contractors, that are required under Executive Order 2020-114 or any order that may follow from it.
3. Vendors moving between food-selling establishments must frequently clean and disinfect frequent touch points.
4. If an employee at a food-selling establishment tests positive for COVID-19, the establishment must notify food vendors and other employees of the positive test result as soon as possible and in no case later than 12 hours after receiving the test result, without revealing the personal health-related information of any employee.
5. Strict compliance with sections 3119, 4109, 4113, and 4115 of the Food Law, 92 PA 2000, as amended, MCL 289.3119, MCL 289.4109, MCL 289.4113, and MCL 289.4115, is temporarily suspended to the extent necessary to extend the deadline for local health departments to submit fees under section 3119, and to extend the license and registration expiration dates under sections 4109 and 4115, 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. Furthermore, late fees shall not be assessed under sections 4113 or 4115 during the 2020–2021 license year.
6. Strict compliance with subsection 6137 of the Food Law, MCL 289.6137, is suspended to the extent necessary to make a license holder eligible for a special transitory temporary food unit for the 2020–2021 licensing year, even if the license holder received only 1 evaluation during the 2019–2020 licensing year.
7. For the purposes of this order, “food-selling establishments” means grocery stores, convenience stores, restaurants that sell groceries or food available for takeout, and any other business that sells food.

8. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order, excepting section 1 of this order, is a misdemeanor.
9. This order is effective immediately and continues through July 15, 2020.
10. Executive Order 2020-109 is rescinded.

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

Date: June 17, 2020

Time: 7:47 pm

[SEAL]

GRETCHEN WHITMER

GOVERNOR

By the Governor:

JOCELYN BENSON

SECRETARY OF STATE

The message was referred to the Clerk.

Introduction of Bills

Reps. Hope, Hood, Cherry, Kennedy, Kuppa, Koleszar, Stone, Sowerby, Brixie, Sabo, Rabhi, Greig and Hoadley introduced

House Bill No. 5865, entitled

A bill to amend 2013 PA 240, entitled "Michigan state capitol historic site act," by amending section 6 (MCL 4.1946).

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

Reps. Eisen, Wakeman, O'Malley, Markkanen, Hornberger, Paquette, Bollin and Slagh introduced

House Bill No. 5866, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 5a and 5b (MCL 28.425a and 28.425b), as amended by 2017 PA 95.

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

Reps. Hammoud, Camilleri, Hood, Pagan, Cynthia Johnson, Peterson, Cherry, Sneller, Brenda Carter, Guerra, Sowerby, Yancey, Gay-Dagnogo, Hope, Kennedy, Pohutsky, Tyrone Carter, Ellison, Bolden and Stone introduced

House Bill No. 5867, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 16.

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

Reps. Hammoud, Camilleri, Hood, Pagan, Peterson, Cynthia Johnson, Cherry, Sneller, Brenda Carter, Guerra, Sowerby, Yancey, Manoogian, Gay-Dagnogo, Hope, Kennedy, Pohutsky, Tyrone Carter and Ellison introduced

House Bill No. 5868, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 15.

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

Reps. Camilleri, Sowerby, Pohutsky, Pagan, Wittenberg, Rabhi, Gay-Dagnogo, Hammoud, Cynthia Neeley, Kennedy, Stone, Cynthia Johnson, Peterson, Cherry, Sneller, Hood, Brenda Carter, Guerra, Manoogian, Yancey, Hope, Haadsma, Tyrone Carter, Ellison and Bolden introduced

House Bill No. 5869, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2017 PA 215.

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

Reps. Camilleri, Sowerby, Pohutsky, Pagan, Wittenberg, Rabhi, Gay-Dagnogo, Hammoud, Cynthia Neeley, Kennedy, Stone, Cynthia Johnson, Peterson, Cherry, Sneller, Hood, Brenda Carter, Guerra, Manoogian, Yancey, Hope, Haadsma, Garza, Tyrone Carter, Ellison and Bolden introduced

House Bill No. 5870, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 16.

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

Reps. Sowerby, Hammoud, Camilleri, Pagan, Cynthia Johnson, Peterson, Cherry, Sneller, Hood, Brenda Carter, Yancey, Manoogian, Gay-Dagnogo, Hope, Kennedy, Pohutsky, Garza, Tyrone Carter, Ellison and Stone introduced

House Bill No. 5871, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 15.

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

Reps. Pagan, Hammoud, Camilleri, Cynthia Johnson, Peterson, Cherry, Sneller, Hood, Brenda Carter, Guerra, Sowerby, Yancey, Gay-Dagnogo, Hope, Kennedy, Pohutsky, Tyrone Carter, Ellison, Bolden and Stone introduced

House Bill No. 5872, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 15.

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

Reps. Hammoud, Hertel, Kuppa, Hood, Cynthia Johnson, Peterson, Manoogian, Gay-Dagnogo, Camilleri, Garza, Tyrone Carter, Bolden and Stone introduced

House Bill No. 5873, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3406o (MCL 500.3406o), as amended by 2016 PA 276, and by adding section 3406v.

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

Reps. Hertel, Hammoud, Kuppa, Hood, Cynthia Johnson, Peterson, Manoogian, Gay-Dagnogo, Camilleri, Garza, Tyrone Carter, Bolden and Stone introduced

House Bill No. 5874, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17751 (MCL 333.17751), as amended by 2020 PA 4, and by adding section 17751a.

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

Rep. Glenn introduced

House Bill No. 5875, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16307a.

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

Rep. Steven Johnson moved that the House adjourn.

The motion prevailed, the time being 12:00 Noon.

Associate Speaker Pro Tempore Lilly declared the House adjourned until Tuesday, June 23, at 1:30 p.m.

GARY L. RANDALL

Clerk of the House of Representatives