

No. 77
STATE OF MICHIGAN
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House of Representatives
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House Chamber, Lansing, Tuesday, September 29, 2020.

1:30 p.m.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Reports of Standing Committees

The Committee on Education, by Rep. Hornberger, Chair, referred

House Bill No. 4174, entitled

A bill to amend 1943 PA 148, entitled "Proprietary schools act," by amending section 1a (MCL 395.101a), as amended by 2016 PA 146.

to the Committee on Ways and Means with the recommendation that the substitute (H-2) be adopted.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, O'Malley, Wakeman, Camilleri, Sowerby, Tyrone Carter, Koleszar and Stone

Nays: None

The bill and substitute were referred to the Committee on Ways and Means.

The Committee on Education, by Rep. Hornberger, Chair, referred

House Bill No. 6171, entitled

A bill to amend 1966 PA 313, entitled "An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor," by amending section 3 (MCL 390.993), as amended by 1980 PA 503.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, O'Malley, Wakeman, Camilleri, Sowerby, Tyrone Carter, Koleszar and Stone

Nays: None

The bill was referred to the Committee on Ways and Means.

The Committee on Education, by Rep. Hornberger, Chair, referred

House Bill No. 6172, entitled

A bill to amend 1964 PA 208, entitled “An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program,” by amending sections 3 and 4 (MCL 390.973 and 390.974), section 3 as amended by 1980 PA 500 and section 4 as amended by 1986 PA 270.

to the Committee on Ways and Means.

Favorable Roll Call

To Refer:

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, O’Malley, Wakeman, Camilleri, Sowerby, Tyrone Carter, Koleszar and Stone

Nays: None

The bill was referred to the Committee on Ways and Means.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hornberger, Chair, of the Committee on Education, was received and read:

Meeting held on: Thursday, September 24, 2020

Present: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, O’Malley, Wakeman, Camilleri, Sowerby, Tyrone Carter, Koleszar and Stone

Absent: Reps. Markkanen and Brenda Carter

Excused: Reps. Markkanen and Brenda Carter

Messages from the Governor

The following message from the Governor was received September 25, 2020 and read:

EXECUTIVE ORDER

No. 2020-183

Safe Start

Where Michigan was once among the states most heavily hit by COVID-19, our per-capita rate of new daily cases has plateaued at a level well below the national average. Despite gradually reopening our economy, Michigan’s seven-day case positivity rate has remained between 3.0% and 3.7% since early July. Over the same time period, case growth has also remained within a narrow band of 63 to 71 daily new cases per million population, by date of symptom onset. Nevertheless, flareups continue to occur in discrete geographic locations, underscoring the importance of ongoing vigilance, and vigorous enforcement at the local level.

Notwithstanding a few outlier counties, our careful approach to reopening in this emergency situation is working. Our state can therefore take another step toward reopening today. An incremental approach—where some activities reopen before others—remains essential to avoid uncontrolled spread, allow us to measure the result of changes, and keep our reopening on track. Beginning October 9, 2020, this order therefore allows for a new set of previously closed business to come back to return with safety precautions, including theaters and cinemas, other performance venues, and a wide variety of recreational facilities.

Moreover, this order relaxes the restrictions on attendance at social gatherings and organized events, which were previously fixed at 10 people indoors and 100 people outdoors for most of the state. Beginning October 9, 2020, most non-residential indoor venues can host social gatherings and organized events so long as they maintain fewer than 20 people per 1,000 square feet and require facial coverings. Performance venues and stadiums, similarly, will be permitted to operate at 20% seating capacity. Such gatherings and events must be no larger than 500 people in the largest indoor venues, in order to reduce the risk of a “superspreader”

event. Outdoor gathering and event restrictions will also be relaxed, so long as they maintain fewer than 30 people per 1,000 square feet, or 30% seating capacity, up to 1,000 people in the largest outdoor spaces.

Additional safeguards specific to the workplace can be found in Executive Order 2020-184 or any order that may follow from it.

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 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 EPA, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the EMA.

Those executive orders have been challenged in Michigan House of Representatives and Michigan Senate v. Whitmer. On August 21, 2020, the Court of Appeals ruled that the Governor's declaration of a state of emergency, her extensions of the state of emergency, and her issuance of related EOs clearly fell within the scope of the Governor's authority under the EPGA.

On September 3, 2020, I issued Executive Order 2020-177, 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[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 find it reasonable and necessary, for the reasons outlined above, to order:

1. **Remote work.** Except in Regions 6 and 8, any work capable of being performed remotely (i.e., without the worker leaving his or her home or place of residence) must be performed remotely. Although not required, in Regions 6 and 8, any work capable of being performed remotely should be performed remotely.
2. **Individual responsibility.** Any individual who leaves his or her home or place of residence must:
 - (a) Follow 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; and

- (b) Follow the rules described in Executive Order 2020-153, Masks, or any order that may follow from it.
3. **Public accommodations restrictions.** Until 12:01 am on October 9, 2020, and subject to the exceptions in section 9 (“Exceptions”), the following places are closed to entry, use, and occupancy by members of the public:
- (a) Indoor theaters, cinemas, and performance venues;
 - (b) Millionaire Parties licensed by the Michigan Gaming Control Board; and
 - (c) Except as provided in subsection (d) of this section, indoor services or facilities, or outdoor services or facilities involving close contact of persons, for amusement or other recreational or entertainment purposes, such as amusement parks, arcades, bingo halls, bowling centers, indoor climbing facilities, indoor dance areas, roller rinks, ice rinks, trampoline parks, carnival or amusement rides as defined by MCL 408.652(a), waterparks, and other similar recreational or entertainment facilities.
 - (d) While the restrictions in subsection (c) of this section are in effect, bowling centers, roller rinks, and ice rinks may nevertheless be open for the sole purpose of serving as a venue for organized sports under section 7 of this order.
4. **Bars, Restaurants, and Nightclubs.** Food service establishments, as defined in section 1107(t) of the Michigan Food Law, 2000 PA 92, as amended, MCL 289.1107(t), must close common areas in which people can congregate, dance, or otherwise mingle.
- (a) Food service establishments that hold on-premises retailer licenses to sell alcoholic beverages must close for indoor service if they earn more than 70% of their gross receipts from sales of alcoholic beverages.
 - (b) Food service establishments that are closed for indoor service under subsection (a) but open for outdoor service must prohibit patrons from entering the establishment, except to pass through in order to access the outdoor area, to pick up a carry-out order, to leave the establishment, or to use the restroom.
 - (c) For purposes of calculating its percentage of gross receipts from sales of alcoholic beverages under this section, a food service establishment must use:
 - (1) Gross receipts from 2019 (for purposes of calculating gross receipts, sales of lottery tickets do not count because they are remitted to the state, although commissions, incentives, bonuses and other payments from the Michigan Lottery do count); or
 - (2) If the establishment was not in operation in 2019, gross receipts from the date the establishment opened in 2020 until the present date.
5. **Liquor license restrictions.** Dance and topless activity permits issued under subsections 2 or 3 of section 916 of the Michigan Liquor Control Code, 1998 PA 58, as amended, MCL 436.1916(2) and (3), are temporarily suspended. Combination dance–entertainment permits and topless activity–entertainment permits issued under subsection 4 of section 916 of the Michigan Liquor Control Code, MCL 436.1916(4), are suspended to the extent they allow dancing and topless activity, but remain valid to the extent they allow other entertainment.
- (a) In enforcing the Michigan Liquor Control Code, the Michigan Liquor Control Commission will consider whether the public health, safety or welfare requires summary, temporary suspension of a license under section 92(2) of the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.292(2).
 - (b) Nothing in this order or in Executive Order 2020-184, Workplace Safeguards, prevents food service establishments from selling alcoholic beverages for off-premises consumption to patrons who are not seated at a table, or requires such patrons to remain seated when ordering such beverages.
 - (c) Nothing in this order or in Executive Order 2020-184, Workplace Safeguards prevents the holder of a social district license under section 551 of the Michigan Liquor Control Code, MCL 436.1551, from selling alcoholic beverages for consumption in a commons area within a designated social district to patrons who are not seated at a table, or requires such patrons to remain seated when ordering such beverages.
6. **Gatherings and events.** Social gatherings and organized events among persons not part of the same household are permitted only to the extent provided in this section. In all cases, organizers and venues must ensure that the gathering or event complies with this section, and that persons not part of the same household maintain six feet of distance from one another, including by designing the gathering or event to encourage and maintain social distancing. This section does not apply to an incidental gathering of persons in a shared space, including an airport, bus station, factory floor, restaurant, shopping mall, public pool, or workplace (although it does apply to social gatherings and organized events held in such places).

- (a) An indoor social gathering or indoor organized event of 10 people or fewer is permitted.
 - (b) An indoor social gathering or indoor organized event of more than 10 and fewer than 500 people occurring at a non-residential venue is permitted only to the extent that the organizers and venue:
 - (1) In cases where the gathering or event occurs in a venue with fixed seating, limit attendance to 20% of seating capacity (or 25% of seating capacity in Regions 6 and 8);
 - (2) Otherwise, limit attendance to 20 people per 1,000 square feet of venue space, including no more than 20 people per 1,000 square feet in each room (or 25 people per 1,000 square feet in Regions 6 and 8);
 - (3) Consistent with Executive Order 2020-153, Masks, require individuals at the venue to wear a facial covering.
 - (c) An outdoor social gathering or outdoor organized event of 100 people or fewer is permitted.
 - (d) An outdoor social gathering or outdoor organized event of more than 100 and fewer than 1,000 people occurring at a non-residential venue is permitted only to the extent that the organizers and venue:
 - (1) In cases where the gathering or event occurs in a venue with fixed seating, limit attendance to 30% of seating capacity;
 - (2) Otherwise, limit attendance to 30 people per 1,000 square feet of event space, including no more than 30 people per 1,000 square feet in any distinct area within the event space.
7. **Organized sports.**
- (a) For purposes of this order, “organized sports” means competitive athletic activity requiring skill or physical prowess and organized by an institution or by an association that sets and enforces rules to ensure the physical health and safety of all participants (“sports organizer” or “sports organizers”).
 - (b) Notwithstanding sections 2(b) and 2(d) of Executive Order 2020-153, Masks, section 13(c) of Executive Order 2020-184, Workplace Safeguards, or sections 2(a), 2(b), and 6(b)(3) of this order, athletes training for, practicing for, or competing in an organized sport must wear a facial covering (except when swimming) or consistently maintain 6 feet of social distance (except for occasional and fleeting moments). For example, an athlete participating in a football, soccer, or volleyball game would not be able to consistently maintain 6 feet of distance, and therefore would need to wear a facial covering. Sports organizers shall ensure that athletes comply with this section for each organized sporting event.
 - (c) Sports organizers should follow the guidance of the Michigan Department of Health and Human Services regarding whether and how a sport can be played safely.
 - (d) For organized sports competitions, sports organizers must ensure either that the live audience is limited to the guests of the athletes with each athlete designating up to two guests, or that the event complies with section 6 of this order.
 - (e) For indoor organized sports, sports organizers must ensure that no concessions are sold at the venue.
 - (f) Notwithstanding any other provision of this order, professional sports leagues and teams, including professional athletes engaged in individual sports, may engage in professional sports operations, provided that:
 - (1) The activities are conducted pursuant to a COVID-19 safety plan that is consistent with any guidance from the CDC and the Michigan Department of Health and Human Services; and
 - (2) Participants maintain six feet of distance from one another to the extent compatible with the sporting activity.
8. **<Reserved>.**
9. **Exceptions.**
- (a) The public accommodations restrictions imposed by section 3 of this order do not apply to any of the following:
 - (1) Services necessary for medical treatment as determined by a licensed medical provider;
 - (2) Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
 - (3) Crisis shelters or similar institutions;
 - (4) Food courts inside the secured zones of airports; and
 - (5) Employees, contractors, vendors, or suppliers who enter, use, or occupy the places described in section 3 of this order in their professional capacity.

- (b) The indoor gathering and event limitations imposed by sections 6(a) and 6(b) of this order do not apply to any of the following:
 - (1) Aspects of training of law enforcement, correctional, medical, or first responder personnel not capable of being performed remotely;
 - (2) Polling places.
- 10. **Parks.** Unless otherwise prohibited by local regulation, outdoor parks and recreational facilities may be open, provided that they make any reasonable modifications necessary to enable employees and patrons not part of the same household to maintain six feet of distance from one another, and provided that areas in which social distancing cannot be maintained are closed, subject to guidance issued by the Michigan Department of Health and Human Services.
- 11. **<Reserved>.**
- 12. **Region definitions.** 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.
- 13. **Separation of powers.** 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.
- 14. **Religious worship.** Consistent with prior guidance, neither a place of religious worship nor its owner is subject to penalty under section 18 of this order for allowing religious worship at such place. No individual is subject to penalty under section 18 of this order for engaging in religious worship at a place of religious worship.
- 15. **Consistency with state and federal law.** Nothing in this order, or any other executive order, should be taken to modify, limit, or abridge protections provided by state or federal law for a person with a disability.
- 16. **Effective date and effect on prior orders.** Except as otherwise specified, this order takes effect at 12:01 a.m. on October 9, 2020. At that time, Executive Orders 2020-176, 2020-180, and 2020-181 are rescinded, except that nothing in this order shall be construed to affect any prosecution based on conduct that occurred before the effective date of this order. Except as otherwise specified, nothing in this order supersedes any other executive order.
- 17. **Future orders.** In determining whether to maintain, intensify, or relax the restrictions in this order, I will consider, among other factors, (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.
- 18. **Penalty.** Consistent with MCL 10.33 and MCL 30.405(3), willful violation of this order is a misdemeanor.

Given under my hand and the Great Seal of the State of Michigan.
 Date: September 25, 2020
 Time: 3:45 pm

[SEAL]

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

The message was referred to the clerk.

The following message from the Governor was received September 25, 2020 and read:

EXECUTIVE ORDER

No. 2020-184

Safeguards to protect Michigan's workers from COVID-19

Rescission of Executive Order 2020-175

Businesses must continue to 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 a series of prior executive orders, I created workplace standards that apply to all businesses across the state. I am now rescinding and reissuing an amended version of those standards to reflect recent changes in the Safe Start order.

The safeguards in this order are in addition to any other requirements provided by law, including the Safe Start order and any other relevant emergency orders.

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 EPA, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the EMA.

Those executive orders have been challenged in *Michigan House of Representatives and Michigan Senate v. Whitmer*. On August 21, 2020, the Court of Appeals ruled that the Governor's declaration of a state of emergency, her extensions of the state of emergency, and her issuance of related EOs clearly fell within the scope of the Governor's authority under the EPGA.

On September 3, 2020, I issued Executive Order 2020-177, 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[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 find it reasonable and necessary, for the reasons outlined above, to order:

1. **Workplace safeguards for all businesses.** All businesses or operations that require their employees to leave the homes or residences for work 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 (“OSHA”) and available [here](#). Within two weeks of resuming in-person activities, 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) of this section. 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) Provide any communication and training on COVID-19 infection control practices in the primary languages common in the employee population.
 - (e) Place posters in the languages common in the employee population that encourage staying home when sick, cough and sneeze etiquette, and proper hand-hygiene practices.
 - (f) 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.
 - (g) 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.
 - (h) 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.
 - (i) 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.
 - (j) Require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.
 - (k) 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).
 - (l) Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case in the workplace.
 - (m) 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.
 - (n) When an employee or known patron is identified with a confirmed case of COVID-19:
 - (1) Immediately notify the local public health department, and
 - (2) Within 24 hours, notify any co-workers, contractors, or suppliers who may have come into contact with the person with a confirmed case of COVID-19.
 - (o) 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”) and they are released from any quarantine or isolation by the local public health department.
 - (p) Follow Executive Order 2020-172, 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.

- (q) 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 workplace to allow for deep cleaning.
 - (r) Restrict business-related travel for employees to essential travel only.
 - (s) Encourage employees to use personal protective equipment and hand sanitizer on public transportation.
 - (t) Promote remote work to the fullest extent possible.
 - (u) 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. **Outdoor work.** 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. **Construction.** 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 subsection (a) 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.** 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.
 - (b) Create dedicated entry point(s) at every facility for daily screening as provided in subsection (a) of this section, and ensure physical barriers are in place to prevent anyone from bypassing the screening.
 - (c) 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.
 - (d) 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.
- (e) 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.
 - (f) Stagger meal and break times, as well as start times at each entrance, where possible.
 - (g) Install temporary physical barriers, where practicable, between workstations and cafeteria tables.
 - (h) Create protocols for minimizing personal contact upon delivery of materials to the facility.
 - (i) Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible.
 - (j) 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.
 - (k) Notify plant leaders and potentially exposed individuals upon identification of a positive case of COVID-19 in the facility, and maintain a central log for symptomatic employees or employees who received a positive test for COVID-19.
 - (l) Send potentially exposed individuals home upon identification of a positive case of COVID-19 in the facility.
 - (m) Require employees to self-report to plant leaders as soon as possible after developing symptoms of COVID-19.
 - (n) 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 labs.** Research laboratories, other than laboratories that perform diagnostic testing, must:
- (a) Assign dedicated entry point(s) 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 or checklists as necessary to conform to the facility's COVID-19 preparedness and response plan.
 - (d) Establish and implement a plan for distributing face coverings.
 - (e) Limit the number of people per square feet of floor space permitted in a particular laboratory at one time.
 - (f) Close open workspaces, cafeterias, and conference rooms.
 - (g) As necessary, use tape on the floor to demarcate socially distanced workspaces and to create one-way traffic flow.
 - (h) Require all office and dry lab work to be conducted remotely.
 - (i) Minimize the use of shared lab equipment and shared lab tools and create protocols for disinfecting lab equipment and lab tools.
 - (j) Provide disinfecting supplies and require employees to wipe down their work stations at least twice daily.
 - (k) Implement an audit and compliance procedure to ensure that cleaning criteria are followed.
 - (l) 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.
 - (m) Clean and disinfect the work site when an employee is sent home with symptoms or with a confirmed case of COVID-19.
 - (n) Send any potentially exposed co-workers home if there is a positive case in the facility.
 - (o) Restrict all non-essential work travel, including in-person conference events.
6. **Retail, libraries, and museums.** Retail stores that are open for in-store sales, as well as libraries and museums, 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 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) Except in Regions 6 and 8, adhere to the following restrictions:
 - (1) Stores of less than 50,000 square feet of customer floor space must limit the number of people in the store (including employees) to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.
 - (2) Stores of 50,000 square feet or more must:
 - (A) Limit the number of customers in the store at one time (excluding employees) to 20 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 such as heart disease, diabetes, and lung disease.
 - (3) The director of the Michigan 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 entrances instructing customers of their legal obligation to wear a face covering when inside the store.
 - (e) Post signs at store entrances 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.
7. **Offices.** 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 which only half of employees are in the office at a particular time).
 - (d) 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).
 - (e) Prohibit social gatherings and meetings that do not allow for social distancing or that create unnecessary movement through the office. Use virtual meetings whenever possible.
 - (f) Provide disinfecting supplies and require employees wipe down their workstations at least twice daily.
 - (g) Post signs about the importance of personal hygiene.
 - (h) Disinfect high-touch surfaces in offices (e.g., whiteboard markers, restrooms, handles) and minimize shared items when possible (e.g., pens, remotes, whiteboards).
 - (i) Institute cleaning and communications protocols when employees are sent home with symptoms.
 - (j) 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.
 - (k) Restrict all non-essential travel, including in-person conference events.
8. **Restaurants and bars.** 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) Require patrons to wear a face covering except when seated at their table or bar top (unless the patron is unable medically to tolerate a face covering).

- (d) Require patrons to remain seated at their tables or bar tops, except to enter or exit the premises, to order food, or to use the restroom.
 - (e) Sell alcoholic beverages only via table service, not via orders at the bar except to patrons seated at the bar.
 - (f) Prohibit access to common areas in which people can congregate, dance, or otherwise mingle.
 - (g) 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.
 - (h) Close waiting areas and ask customers to wait in cars whenever possible, or else outside the restaurant or bar, for a notification when their table is ready. Restaurants and bars should take measures to encourage social distancing among those customers waiting for tables who are not waiting in their cars.
 - (i) Close self-serve food or drink options, such as buffets, salad bars, and drink stations.
 - (j) 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.
 - (k) Post signs at store entrances informing customers not to enter if they are or have recently been sick.
 - (l) Post signs instructing customers to wear face coverings until they are seated at their table.
 - (m) Require hosts, servers, and staff to wear face coverings in the dining area.
 - (n) 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”).
 - (o) Limit shared items for customers (e.g., condiments, menus) and clean high-contact areas after each customer (e.g., tables, chairs, menus, payment tools).
 - (p) 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.
 - (q) 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.
 - (r) Close restaurant immediately if an employee shows symptoms of COVID-19, defined as either the new onset of cough or new onset of chest tightness or two of the following: fever (measured or subjective), chills, myalgia, headache, sore throat, or disorders of taste or smell, and perform a deep clean, consistent with guidance from the FDA and the CDC. Such cleaning may occur overnight.
 - (s) 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.
 - (t) To the maximum extent possible, limit the number of employees in shared spaces, including kitchens, host stands, break rooms, and offices, to maintain at least a six-foot distance between employees.
9. **Health care.** Outpatient health-care facilities, including clinics, primary care physician offices, dental offices, and 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 entrances.
 - (h) Require employees to make proper use of personal protective equipment in accordance with guidance from the CDC and OSHA.
 - (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. **In-home services.** All businesses or operations that provide in-home services, including cleaners, repair persons, painters, and the like, must:
- (a) Require their employees (or, if a sole-owned business, the business owner) to perform a daily health screening prior to going to the job site.
 - (b) Maintain accurate appointment record, including date and time of service, name of client, and contact information, to aid with contact tracing.
 - (c) Limit direct interaction with customers by using electronic means of communication whenever possible.
 - (d) Prior to entering the home, inquire with the customer whether anyone in the household has been diagnosed with COVID-19, is experiencing symptoms of COVID-19, or has had close contact with someone who has been diagnosed with COVID-19. If so, the business or operation must reschedule for a different time.
 - (e) Limit the number of employees inside a home to the minimum number necessary to perform the work in a timely fashion.
 - (f) Ensure that gloves are worn when practical and disposed of in accordance with guidance from the CDC.
11. **Personal-care services.** All businesses or operations that provide barbering, cosmetology services, body art services (including tattooing and body piercing), tanning services, massage services, or similar personal-care services must:
- (a) Maintain accurate appointment and walk-in records, including date and time of service, name of client, and contact information, to aid with contact tracing.
 - (b) Post signs at store entrances informing customers not to enter if they are or have recently been sick.
 - (c) Restrict entry to customers, to a caregiver of those customers, or to the minor dependents of those customers.
 - (d) Require in-use workstations to be separated by at least six feet from one another and, if feasible, separate workstations with physical barriers (e.g., plexiglass, strip curtains).
 - (e) Limit waiting-area occupancy to the number of individuals who can be present while staying six feet away from one another and ask customers, if possible, to wait in cars for their appointment to be called.
 - (f) Discontinue all self-service refreshments.
 - (g) Discard magazines in waiting areas and other non-essential, shared items that cannot be disinfected.
 - (h) Mark waiting areas to enable six feet of social distancing (e.g., by placing X's on the ground and/or removing seats in the waiting room).
 - (i) Require employees to make proper use of personal protective equipment in accordance with guidance from the CDC and OSHA.
 - (j) Require employees and customers to wear a face covering at all times, except that customers may temporarily remove a face covering when receiving a service that requires its removal. During services that require a customer to remove their face covering, an employee must wear a face shield or goggles in addition to the face covering.
 - (k) Install physical barriers, such as sneeze guards and partitions at cash registers, where maintaining physical distance of six feet is difficult.
12. **Public accommodations.** Sports and entertainment facilities, including arenas, cinemas, concert halls, performance venues, sporting venues, stadiums and theaters, as well as places of public amusement, such as amusement parks, arcades, bingo halls, bowling centers, skating rinks, and trampoline parks, must:
- (a) Post signs outside of entrances informing customers not to enter if they are or have recently been sick.

- (b) Maintain accurate records, including date and time of entry, names of patrons, and contact information, to aid with contact tracing; and deny entry to any visitor who does not provide at a minimum their name and phone number.
 - (c) Mandate wearing of facial coverings at all times while in the facility.
 - (d) Establish crowd-limiting measures to meter the flow of patrons (e.g., digital queuing, delineated waiting areas, parking instructions, social distance markings on ground or cones to designate social distancing, etc.).
 - (e) Use physical dividers, marked floors, signs, and other physical and visual cues to maintain six feet of distance between persons.
 - (f) Limit seating occupancy to the extent necessary to enable patrons not of the same household to maintain six feet of distance from others (e.g., stagger group seating upon reservation, close off every other row, etc.).
 - (g) For sports and entertainment facilities, establish safe exit procedures for patrons (e.g., dismiss groups based on ticket number, row, etc.).
 - (h) For sports and entertainment facilities, to the extent feasible, adopt specified entry and exit times for vulnerable populations, as well as specified entrances and exits.
 - (i) Train employees who interact with patrons (e.g., ushers) on how to:
 - (1) Monitor and enforce compliance with the facility's COVID-19 protocols.
 - (2) Help patrons who become symptomatic.
 - (j) Frequently disinfect high-touch surfaces during events or, as necessary, throughout the day.
 - (k) Disinfect and deep clean the facility after each event or, as necessary, throughout the day.
 - (l) Close self-serve food or drink options, such as buffets, salad bars, and drink stations.
13. **Sports and exercise facilities.** Gymnasiums, fitness centers, recreation centers, exercise facilities, exercise studios, bowling centers, roller rinks, ice rinks, and like facilities must:
- (a) Use best efforts to provide opportunities for patrons to exercise outdoors.
 - (b) Maintain accurate records, including date and time of entry and exit, names of patrons, and contact information, to aid with contact tracing; and deny entry to any visitor who does not provide at a minimum their name and phone number.
 - (c) Mandate wearing of facial coverings at all times except when swimming.
 - (d) Limit capacity in the facility to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.
 - (e) Configure workout stations or implement protocols to enable six feet of distance between individuals during exercise sessions.
 - (f) Reduce class sizes, as necessary, to enable at least six feet of separation between individuals, and comply with relevant restrictions on social gatherings and organized events in Executive Order 2020-183, Safe Start, or any order that follows from it.
 - (g) Provide equipment-cleaning products throughout the facility for use on equipment.
 - (h) Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available.
 - (i) Regularly disinfect exercise equipment, including immediately after use. If patrons are expected to disinfect, post signs encouraging patrons to disinfect equipment.
 - (j) Ensure that ventilation systems operate properly.
 - (k) Increase introduction and circulation of outdoor air as much as possible by opening windows and doors, using fans, or other methods.
 - (l) Regularly clean and disinfect public areas, locker rooms, and restrooms.
 - (m) Close steam rooms, saunas, hot tubs, and cold plunge pools.
 - (n) Post signs outside of entrances instructing individuals not to enter if they are or have recently been sick.
14. **Pools.** Swimming pools must:
- (a) If they are outdoors, limit capacity to 50% of the bather capacity limits described in Rule 325.2193 of the Michigan Administrative Code.
 - (b) If they are indoors, limit capacity to 25% of the bather capacity limits described in Rule 325.2193 of the Michigan Administrative Code.
 - (c) Limit capacity on the pool deck to ensure that persons not part of the same household maintain six feet of distance from one another.
15. **Meat and poultry processing.** Meat and poultry processing plants 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.

- (b) Create at least one dedicated entry point at every facility for daily screening as provided in subsection (a) of this section, and ensure physical barriers are in place to prevent anyone from bypassing the screening.
- (c) Configure communal work environments so that employees are spaced at least six feet apart in all directions (e.g., side-to-side and when facing one another).
- (d) Require employees to wear a face covering whenever present at the facility, except when removal is necessary to eat or drink.
- (e) Provide clean cloth face coverings or disposable mask options for employees to use when the coverings become wet, soiled, or otherwise visibly contaminated over the course of a workday.
- (f) Use face shields in addition to face coverings as necessary when engineering and administrative controls are difficult to maintain and there may be exposure to other workplace hazards, such as splashes or sprays of liquids on processing lines.
- (g) Install physical barriers, such as strip curtains, plexiglass, or other impermeable dividers or partitions, to separate meat and poultry processing employees from each other.
- (h) Take measures to ensure adequate ventilation in work areas to help minimize employees' potential exposures.
- (i) Encourage single-file movement with a six-foot distance between each employee through the facility.
- (j) Stagger employees' arrival, departure, break, and lunch times to avoid congregations of employees in parking areas, locker rooms, lunch areas, and near time clocks.
- (k) Provide visual cues (e.g., floor markings, signs) as a reminder to employees to maintain social distancing.
- (l) Designate employees to monitor and facilitate social distancing on the processing floor.
- (m) Reduce processing capacity or modify the processing or production lines or stagger workers across shifts to minimize the number of employees in the facility at any one time.
- (n) Adopt sick leave policies that discourage employees from entering the workplace while sick and modify any incentive programs that penalize employees for taking sick leave.
- (o) Group employees together in cohorts, if feasible, in a manner that allows a group of employees to be assigned to the same shifts with the same coworkers, so as to minimize contacts between employees in each cohort.
- (p) If an employee becomes or reports being sick, disinfect the workstation used and any tools handled by the employee.
- (q) Provide personal protective equipment that is disposable if possible or else, if reusable equipment is provided, ensure proper disinfection and storage in a clean location when not in use.

16. Casinos. Casinos must:

- (a) Conduct a daily entry screening protocol for customers, 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.
- (b) Limit and enforce patron occupancy of 15% of total occupancy limits established by the State Fire Marshal or a local fire marshal.
- (c) Designate entry points and exit points with extensive signage of the directional flow of patrons.
- (d) Place signs at each entrance point, cage, and throughout the casino reminding patrons of CDC guidelines for social distancing practices, proper washing of hands, wearing face coverings, and to stay at home if feeling ill or sick.
- (e) Require patrons to wear a face covering, except while eating or drinking or for identification purposes.
- (f) Prohibit smoking indoors.
- (g) Designate a Liaison Officer (or Officers), identify such Officer (or Officers) to all casino employees, and require any employee who believes they may have contracted COVID-19 or been exposed to COVID-19 to report this to an Officer.
- (h) Stagger break schedules and employee starting and ending times to the extent possible to avoid congregation of individuals in back-of-house areas.
- (i) Provide frequent opportunities for employees to wash and/or sanitize their hands to reduce the risk of surface transmission.
- (j) In addition to the cleaning required under subsection 1(k), clean and disinfect all high-touch objects that are accessible to the public (e.g., ATMs, counters, door handles, elevator panels and buttons, restrooms, dining tables, employee break rooms, carts, chairs, table rails, trash bins, light switches, phones, kiosks, time clocks, etc.). (k) Provide disinfecting wipes throughout the casino to enable patrons to disinfect frequently touched surfaces.

- (l) Place hand sanitizer stations in high traffic areas, including throughout the casino floor and employee break rooms.
 - (m) Regularly maintain HVAC systems and maximize the delivery of fresh air into the facility.
 - (n) Frequently disinfect slot machines, provide wipe dispensaries for slot machines, and post signs encouraging patrons to wipe down slot machines before and after use.
 - (o) Enable social distancing between slot machines by either:
 - (1) Installing a plexiglass barrier between slot machines.
 - (2) Disabling machines or removing chairs from machines as necessary to maintain six feet of distance between machines in operation.
 - (p) Require employees and customers to wear face coverings while in the casino.
 - (q) Require casino employees who provide food and drink service on the casino floor to follow the rules described in section 8 of this order, which governs servers at restaurants, including but not limited to, the wearing of face coverings.
 - (r) Close the following services or offerings:
 - (1) Nightclubs.
 - (2) Valet service.
 - (3) Coat check.
 - (4) Self-serve buffets and self-serve soda and coffee stations.
 - (s) Follow any infection-control guidance provided by the Michigan Gaming Control Board, including, but not limited to, any guidance on the conduct of table games.
17. **Racetracks.** In addition to following any other applicable rules, including the restrictions of Executive Order 2020-183, Safe Start, or any order that may follow from it, racetracks licensed by the Executive Director of the Michigan Gaming Control Board must follow all orders issued by the Executive Director for reopening and operation consistent with this order or any order that follows from it.
18. **Recordkeeping.** Employers must maintain a record of the requirements set forth in subsections 1(c) (training), 1(f) (screening protocol), and 1(n) (required notifications).
19. **Effective date and effect on other orders.** This order is effective immediately upon issuance. Executive Order 2020-175 is rescinded, except that nothing in this order shall be construed to affect any prosecution based on conduct that occurred before the effective date of this order. Section 2(d) of Executive Order 2020-153, Masks, is rescinded. Except as otherwise specified, nothing in this order supersedes any other executive order.
20. **Non-exclusivity.** Nothing in this order shall be taken to limit or affect any rights or remedies otherwise available under law.
21. **Penalty.** 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: September 25, 2020

Time: 3:45 pm

[SEAL]

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

The message was referred to the clerk.

The following message from the Governor was received September 25, 2020 and read:

EXECUTIVE ORDER

No. 2020-185

**Amendment to the Provision of preK–12 education
for the 2020–2021 school year order**

This order expands the requirement to wear a mask in the classroom to all students kindergarten and up. It is now crystal clear that COVID-19 can be deadly to younger children, and that children who become infected at school can pass the virus to their parents, leading to community spread. In the absence of a

widespread vaccine, wearing a covering over the nose and mouth remains the most effective tool to combat the spread of COVID-19, both in schools and the wider community.

Given the higher incidence of cases among children in recent months, and the clear effectiveness of masking as a mitigation strategy, requiring the use of masks in the classroom even for younger students is a reasonable and necessary requirement in Regions at Phase 4 of the MI Safe Start Plan.

Acting under the Michigan Constitution of 1963 and Michigan law, I find it reasonable and necessary, for the reasons outlined above, to order the following amendments to the Provision of preK–12 education for the 2020–2021 school year order, Executive Order 2020-142:

1. Section 2(b)(1)(D) is amended to provide: “All students in grades kindergarten and up when in classrooms.”
2. Section 2(b)(1)(E) is rescinded.
3. Subsection (e) is added to section 3 and provides: “School districts and nonpublic schools must publish information about any cases of a probable or confirmed COVID-19 positive individual present on school property or at a school function during the period of infection, in the manner prescribed by the Michigan Department of Health and Human Services (MDHHS). MDHHS is authorized to issue orders and directives to implement this section.”
4. This order is effective October 5, 2020 at 12:01 am.

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

Date: September 25, 2020

Time: 3:47 pm

[SEAL]

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

The message was referred to the clerk.

Introduction of Bills

Reps. Tyrone Carter, Sabo, Ellison, Brixie, Chirkun, Hood, Tate, Peterson, Anthony, Hope, Stone, Sowerby, Pohutsky, Brenda Carter, Garrett and Jones introduced

House Bill No. 6264, entitled

A bill to provide for the uniform compilation of reports of certain actions by law enforcement officers; to require law enforcement agencies to create the offices of the use of force inspector generals; to require the use of force inspector generals to compile certain reports received about law enforcement officers and submit the reports to the department of state police; to require the department of state police to compile certain reports received from the use of force inspector generals and publish them annually, to prescribe penalties and civil sanctions; and to provide for the powers and duties of certain state agencies and departments.

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

Reps. Tyrone Carter, Sabo, Ellison, Brixie, Chirkun, Hood, Tate, Peterson, Anthony, Hope, Stone, Sowerby, Pohutsky, Brenda Carter, Garrett and Jones introduced

House Bill No. 6265, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2018 PA 68.

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

Reps. Eisen, Lightner, Slagh, Mueller, Huizenga, Brann, Wozniak, Lower, Green, Hoitenga, Hornberger and Meerman introduced

House Bill No. 6266, 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 1, 5b, and 5o (MCL 28.421, 28.425b, and 28.425o), as amended by 2017 PA 95.

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

Rep. Iden introduced

House Bill No. 6267, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding sections 279 and 679.

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

Rep. Iden introduced

House Bill No. 6268, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78g, 78i, 78l, and 78m (MCL 211.78g, 211.78i, 211.78l, and 211.78m), section 78g as amended by 2020 PA 33, section 78i as amended by 2015 PA 190, section 78l as amended by 2003 PA 263, and section 78m as amended by 2014 PA 501, and by adding section 78t.

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

Rep. LaFave introduced

House Bill No. 6269, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 57aa.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Rep. Garza introduced

House Bill No. 6270, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts,” by amending section 10 (MCL 41.810), as amended by 2020 PA 64.

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

Rep. Garza introduced

House Bill No. 6271, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 3 (MCL 207.803), as amended by 2010 PA 272.

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

Rep. Garza introduced

House Bill No. 6272, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 27 and 34d (MCL 211.27 and 211.34d), section 27 as amended by 2019 PA 116 and section 34d as amended by 2019 PA 117.

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

Rep. Garza introduced

House Bill No. 6273, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1182.

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

Rep. Garza introduced

House Bill No. 6274, entitled

A bill to amend 2008 IL 1, entitled “Michigan Medical Marihuana Act,” by amending sections 4 and 7 (MCL 333.26424 and 333.26427), section 4 as amended by 2016 PA 283 and section 7 as amended by 2016 PA 546.

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

Reps. Garza, Manoogian, Camilleri, Coleman, Stone, Hood, Witwer, Shannon, Brenda Carter, Anthony, Whitsett, Rabhi, Clemente, Haadsma, Sowerby, Kuppa, Pohutsky, Warren, Tyrone Carter, Bolden and Lasinski introduced

House Bill No. 6275, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2091) by adding section 103.

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

Reps. LaFave, Markkanen, Glenn, Howell, Afendoulis and Berman introduced

House Bill No. 6276, entitled

A bill to provide for civilian state awards; and to prescribe the powers and duties for certain state officers and entities.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Markkanen, LaFave, Glenn, Howell, Afendoulis and Berman introduced

House Bill No. 6277, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” (MCL 32.501 to 32.851) by adding section 183.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Glenn, LaFave, Markkanen, Howell, Afendoulis and Berman introduced

House Bill No. 6278, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” (MCL 32.501 to 32.851) by adding section 184.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Afendoulis, LaFave, Markkanen, Glenn, Howell, Rendon and Berman introduced

House Bill No. 6279, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending sections 105 and 182 (MCL 32.505 and 32.582), section 105 as amended by 2013 PA 99, and by adding section 185.

The bill was read a first time by its title and referred to the Committee on Military, Veterans and Homeland Security.

Reps. Alexander, Whitsett and Wozniak introduced

House Bill No. 6280, entitled

A bill to amend 2000 PA 92, entitled "Food law," by amending section 1111 (MCL 289.1111), as amended by 2018 PA 92, and by adding sections 6171, 6173, and 6175.

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

Reps. Alexander, Yaroch, Leutheuser, Kahle, Wozniak and Whitsett introduced

House Bill No. 6281, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 32c.

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

Reps. Elder, Greig, Sabo, Lasinski, Cherry, Cynthia Johnson, Coleman, Garrett, Sowerby, Brenda Carter, Sneller, Bolden, Pohutsky, Wittenberg, Brixie, Kuppa, Hope, Tyrone Carter, Tate, Hertel, Hoadley, Anthony, Stone, Hood, Koleszar, Warren, Shannon, Garza, Haadsma, Guerra, Chirkun, Kennedy, Pagan and Jones introduced

House Bill No. 6282, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2016 PA 522.

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

Reps. Chirkun, Sabo, Kuppa, Cherry, Tyrone Carter and Yaroch introduced

House Bill No. 6283, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2016 PA 491.

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Reps. Huizenga and Warren introduced

House Bill No. 6284, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9p.

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

Reps. Warren and Huizenga introduced

House Bill No. 6285, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4hh.

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

Reps. Filler and Huizenga introduced

House Bill No. 6286, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4hh.

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

Reps. Yancey, Tyrone Carter, Rabhi, Whitsett, Peterson, Garrett, Cynthia Johnson, Brenda Carter, Gay-Dagnogo, Hope, Stone, Guerra and Jones introduced

House Bill No. 6287, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability

insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” by amending section 7 (MCL 691.1407), as amended by 2013 PA 173.

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

Reps. Rabhi, Yancey, Tyrone Carter, Whitsett, Peterson, Cynthia Johnson, Brenda Carter, Gay-Dagnogo, Hope, Stone, Guerra and Jones introduced

House Bill No. 6288, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” (MCL 691.1401 to 691.1419) by adding section 7e.

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

Reps. Tyrone Carter, Yancey, Rabhi, Whitsett, Peterson, Garrett, Cynthia Johnson, Brenda Carter, Gay-Dagnogo, Hope, Stone, Guerra and Jones introduced

House Bill No. 6289, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” (MCL 691.1401 to 691.1419) by adding section 7d.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, September 24:

House Bill Nos. 6260 6261 6262 6263

The Clerk announced the enrollment printing and presentation to the Governor on Monday, September 28, for her approval of the following bill:

Enrolled House Bill No. 5396 at 10:20 a.m.

Messages from the Senate

Senate Concurrent Resolution No. 31.

A concurrent resolution to support the duly enacted election laws that ensure the integrity and efficient administration of our elections.

Whereas, Election laws must provide access to voting while also ensuring sound election administration and mitigating the risk of fraud. This is paramount to uphold the integrity of the electoral system; and

Whereas, The Constitution of the United States, in Article I, Section 4 and Article II, Section 1, vests state legislatures with the authority to prescribe election procedures for presidential and congressional elections; and

Whereas, The Constitution of the State of Michigan of 1963 charges the Legislature with enacting laws on elections. Article II, Section 4 of the constitution states, in part:

Except as otherwise provided in this constitution or in the constitution or laws of the United States the legislature shall enact laws to regulate the time, place and manner of all nominations and elections, to preserve the purity of elections, to preserve the secrecy of the ballot, to guard against abuses of the elective franchise, and to provide for a system of voter registration and absentee voting.

; and

Whereas, In accordance with the United States and Michigan constitutions, the Legislature enacted prudent laws aimed to produce organized, fair elections by prohibiting the paid transportation of able-bodied voters to the polls; limiting who may assist an absentee voter with their ballot; and setting the ballot receipt deadline on election day; and

Whereas, Two court rulings have declared that these laws cannot be enforced. On September 17, 2020, a U.S. District Court granted a preliminary injunction that will permit the paid transportation of voters to an election. On September 18, 2020, the Michigan Court of Claims granted preliminary injunctive relief broadly opening up who may assist an absent voter with their ballot and set the receipt deadline for absentee ballots postmarked no later than one day before election day to 14 days after election day; and

Whereas, Permitting the paid transportation of voters to the polls creates opportunities for political groups to engage in quid pro quo crimes that affect votes; and

Whereas, Failing to limit who may assist citizens with their absentee ballots, especially in mass quantities, can increase fraud and diminish public confidence in election results. Through such ballot harvesting, political operatives entrusted with voters' ballots could tamper with them or discard them; and

Whereas, Extending the absentee ballot receipt deadline past election day delays election results and causes severe and serious problems with election administration. It invites court battles and undermines confidence in the outcome of the election; now, therefore, be it

Resolved, That the Michigan Senate commits to the selection of electors to the Electoral College that will be faithful to voting for the candidate with the most votes for President in Michigan as certified by Michigan election officials; and be it further

Resolved by the Senate (the House of Representatives concurring), That we support the duly enacted election laws that ensure the integrity and efficient administration of our elections; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the Secretary of State, and the Attorney General.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Elections and Ethics.

Announcements by the Clerk

September 29, 2020

Received from the Auditor General a copy of the:

- Preliminary survey summary of Statewide Data Classification Management, Department of Technology, Management, and Budget (071-0514-20), September 2020.

Gary L. Randall
Clerk of the House

The Clerk declared the House adjourned until Wednesday, September 30, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives