

No. 39  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
100th Legislature  
REGULAR SESSION OF 2020

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House Chamber, Lansing, Thursday, May 7, 2020.

12:00 Noon.

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.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, May 7:

**Senate Bill Nos. 910 911**

The Clerk announced that the following Senate bill had been received on Thursday, May 7:

**Senate Bill No. 899**

**Reports of Standing Committees**

The Committee on Judiciary, by Rep. Filler, Chair, reported

**House Bill No. 5368, entitled**

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

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Filler, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

The Committee on Judiciary, by Rep. Filler, Chair, reported

**House Bill No. 5369, entitled**

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Filler, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

The Committee on Judiciary, by Rep. Filler, Chair, reported

**House Bill No. 5417, entitled**

A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending sections 2, 3a, 4, 8, 9, 10, and 11 (MCL 333.1052, 333.1053a, 333.1054, 333.1058, 333.1059, 333.1060, and 333.1061), sections 2 and 11 as amended by 2017 PA 157 and section 3a as added and sections 4, 8, 9, and 10 as amended by 2013 PA 155, and by adding section 3b.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Filler, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

The Committee on Judiciary, by Rep. Filler, Chair, reported

**House Bill No. 5418, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1180 and 1181.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Filler, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Nays: None

The Committee on Judiciary, by Rep. Filler, Chair, reported

**House Bill No. 5419, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5215 (MCL 700.5215), as amended by 2000 PA 469.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Filler, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden  
 Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 2020

Present: Reps. Filler, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey and Bolden

Absent: Rep. LaFave

Excused: Rep. LaFave

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5412, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden  
 Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5413, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden  
 Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5414, entitled**

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden  
 Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5415, entitled**

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden

Nays: None

The Committee on Ways and Means, by Rep. Iden, Chair, reported

**House Bill No. 5416, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Iden, Chair, of the Committee on Ways and Means, was received and read:

Meeting held on: Wednesday, May 6, 2020

Present: Reps. Iden, Lilly, Leutheuser, Griffin, Hauck, Kahle, Meerman, Warren, Byrd, Hertel and Bolden

**Messages from the Governor**

The following message from the Governor was received May 6, 2020 and read:

**EXECUTIVE ORDER**

**No. 2020-75**

**Temporary authorization of remote participation in public meetings  
and hearings and temporary relief from monthly meeting  
requirements for school boards**

**Rescission of Executive Order 2020-48**

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

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

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

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is crucial that all Michiganders take steps to limit in-person contact. These critical mitigation measures include social distancing and limiting the number of people interacting at public gatherings.

To that end, it is reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to conduct public business during this emergency, including actions to respond to COVID-19, and the general public must be able to continue to participate in government decision-making without unduly compromising public health, safety, and welfare.

Executive Order 2020-15 provided this limited and temporary relief from certain rules and procedures. Executive Order 2020-48 clarified and extended the duration of that relief. This order extends the duration of that relief further, as it remains reasonable and necessary to suppress the spread of COVID-19 and protect the public health and safety of this state and its residents. With this order, Executive Order 2020-48 is rescinded.

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

1. To the extent that the Open Meetings Act (“OMA”), 1976 PA 267, as amended, MCL 15.261 to 15.272, requires that a meeting of a public body be held in a physical place available to the general public or requires the physical presence of one or more members of a public body, strict compliance with section 3 of the OMA, MCL 15.263, is temporarily suspended in order to alleviate any such physical-place or physical-presence requirements, as follows:
  - (a) A meeting of a public body may be held electronically, including by telephonic conferencing or video conferencing, in a manner in which both the general public and the members of the public body may participate by electronic means.
  - (b) A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. The public body may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants to satisfy the requirement that members of the public can be heard by others during the meeting.
  - (c) Members of a public body and of the general public participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting.
  - (d) All persons must be permitted to participate in any meeting of a public body held electronically, except as otherwise provided in the OMA.
  - (e) If a public body directly or indirectly maintains an official internet presence, the public body must, consistent with and in addition to any other applicable notice requirements under the OMA, post advance notice of a meeting held electronically on a portion of the public body's website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public

notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include all of the following:

- (i) An explanation of the reason why the public body is meeting electronically.
  - (ii) Detailed procedures by which the public may participate in the meeting remotely, including a telephone number, internet address, or both.
  - (iii) Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
  - (iv) Procedures by which persons with disabilities may participate in the meeting.
- (f) The right of a person to participate in a meeting of a public body held electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations to minimize the possibility of disrupting the meeting.
  - (g) A public body may not require a person as a condition of participating in a meeting of the public body held electronically to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms necessary to permit the person to participate in a public comment period of the meeting.
  - (h) A person must be permitted to address a meeting of a public body held electronically under rules established and recorded by the public body. A person must not be excluded from a meeting held electronically otherwise open to the public except for a breach of the peace actually committed during the meeting.
  - (i) During a meeting of a public body held electronically, members of the public body are urged to take all votes by roll call to avoid any questions about how each member of the public body votes.
  - (j) If a public body holding a meeting electronically directly or indirectly maintains an official internet presence, the public body is encouraged to make available to the general public through the public body's website homepage an agenda and other materials relating to the meeting.
  - (k) Members of the general public otherwise participating in a meeting of a public body held electronically may be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.
2. A public body holding a meeting electronically as provided under this order is encouraged to do so in a manner that effectuates as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making. Discussions or deliberations at an open meeting that cannot at a minimum be heard by the general public participating in the meeting are contrary to these purposes. Accordingly, members of a public body must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision, and must avoid "round-the-horn" decision-making in a manner not accessible to the public at an open meeting.
  3. If a decision or other action of a public body is in compliance with the requirements of this order and the other requirements of the OMA, it is in compliance with the OMA.
  4. If a statute or rule other than the OMA requires that public comments be permitted or a public hearing be held, including in conjunction with the issuance of a permit or a hearing required under the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a, a public body or department or agency may provide a means for remote public comment or participation through the use of any technology that would facilitate a member of the general public's ability to participate remotely to the same extent as if the member of the general public appeared in person. If not expressly authorized by statute or rule, written comment, including by electronic means, also is permitted.
  5. Strict compliance with subsection 6 of section 11a, subsection 7 of section 384, and subsection 1 of section 418a of the Revised School Code, 1976 PA 451, as amended, MCL 380.11a(6), MCL 380.384(7), and MCL 380.418a(1), is temporarily suspended so as not to require school district boards to hold meetings at least once each month.
  6. Nothing in this order permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of the press and other news media both to meetings held electronically and to members of public bodies.
  7. As used in this order, the terms "decision," "meeting," and "public body" mean those terms as defined under section 2 of the OMA, MCL 15.262, except this order does not apply to state legislative bodies.

- 8. A provision of this order will prevail over any conflicting provision of a local charter, ordinance, or rule.
- 9. This order supersedes sections 2 and 3 of Executive Directive 2020-2.
- 10. This order is effective immediately and continues through June 30, 2020.
- 11. Executive Order 2020-48 is rescinded.

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

Date: May 6, 2020

Time: 7:25 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 May 6, 2020 and read:

**EXECUTIVE ORDER**

**No. 2020-76**

**Temporary expansions in unemployment eligibility and cost-sharing**

**Rescission of Executive Order 2020-57**

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

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

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

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is reasonable and necessary to temporarily suspend rules and procedures to expand eligibility for unemployment benefits and cost-sharing with employers.

Executive Order 2020-10 took such action. Executive Order 2020-24 reaffirmed that action and clarified and strengthened its expansion of eligibility for unemployment benefits and cost-sharing with employers. Executive Order 2020-57 continued those provisions and added additional provisions to make it easier for employers and workers to implement and use shared-work plans, in order to avoid layoffs, and to allow certain retired state employees to return to service without losing access to pension payments. This order

continues those provisions and relaxes certain other requirements in order to allow the Unemployment Insurance Agency to more quickly process unemployment claims. With this order, Executive Order 2020-57 is rescinded.

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

1. Strict compliance with subdivision (a) of subsection (1) of section 29 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, as amended (“Employment Security Act”), MCL 421.29(1)(a), is temporarily suspended as follows:
  - (a) An individual must be considered to have left work involuntarily for medical reasons if that individual leaves work for any of the following reasons:
    - (1) The individual is under self-isolation or self-quarantine in response to elevated risk from COVID-19 due to being immuno-compromised.
    - (2) The individual has displayed at least one of the principal symptoms of COVID-19, which are a fever, atypical cough, and atypical shortness of breath.
    - (3) The individual has had contact in the last 14 days with someone with a confirmed diagnosis of COVID-19. Contact for the purposes of healthcare exposures is defined as follows: a) being within approximately 6 feet (2 meters) of a person with COVID-19 for a prolonged period of time, without appropriate personal protective equipment consistent with Department of Health and Human Services recommendations; or b) having unprotected direct contact with infectious secretions or excretions of the patient (e.g., being coughed on, touching used tissues with a bare hand).
    - (4) The individual is required to care for someone with a confirmed diagnosis of COVID-19.
    - (5) The individual has a family care responsibility as a result of a government directive.
  - (b) An individual may be deemed laid off if that individual became unemployed for any of the reasons identified in section 1(a)(1)-(5) of this order.
2. Strict compliance with subsection (3) of section 48 of the Employment Security Act, MCL 421.48(3), is temporarily suspended to allow an individual who is on a leave of absence for any of the reasons identified in paragraph 1(a)1–5 of this order to be considered to be unemployed unless that individual is already on sick leave or receives a disability benefit.
3. Strict compliance with subsections (4) through (7) of Rule 421.210 of the Michigan Administrative Code is temporarily suspended to allow a new or additional claim for unemployment benefits filed within 28 days of the last day the claimant worked to be considered to have been filed on time, and a continued claim filed within 28 days of the last day of the period for which the claimant is instructed to report and has continued to report in a claim series to be considered to have been filed on time.
4. Strict compliance with subsection (d) of section 27 of the Employment Security Act, MCL 421.27(d), is temporarily suspended such that each eligible individual who files a claim or has an active claim as of the effective date of this order will receive not more than 26 weeks of benefits payable in a benefit year.
5. In order to allow employers and workers more flexibility in the use of shared-work plans, strict compliance with several sections of the Employment Security Act are temporarily suspended, as follows:
  - (a) Strict compliance with subsections (1) and (2)(b) of section 28c, MCL 421.28c(1) and (2)(b), is temporarily suspended to the extent necessary to allow the Unemployment Insurance Agency to approve an employer’s participation in a shared-work plan upon application by the employer, regardless of whether the employer has met the requirements of MCL 421.28c(1) and (2)(b).
  - (b) Strict compliance with subsection (2)(f) of section 28c, MCL 421.28c(2)(f), is temporarily suspended to allow an application for a shared-work plan to be approved without the employer’s certification that implementation is in lieu of layoffs that would affect at least 15% of the employees in the affected unit and would result in an equivalent reduction in workers, provided that the application must contain a certification that it is in lieu of layoffs that would affect at least 10% of the employees and result in an equivalent reduction in work hours.
  - (c) Strict compliance with subsection (1)(b)(i) of section 28d, MCL 421.28d(1)(b)(i), is temporarily suspended to allow a shared-work plan to be approved whether or not it includes as a participating employee an employee who has been employed in the affected unit for less than three months before the date the employer applies for approval of the shared-work plan.
  - (d) Strict compliance with subsection (2)(a) of section 28d, MCL 421.28d(2)(a), is temporarily suspended to allow the reduction percentage of a shared-work plan to be less than 15% and more than 45%, provided that it shall be no less than 10% and no more than 60%



- 6. Any benefit paid to a claimant who is laid off or placed on a leave of absence must not be charged to the account of the employer or employers that otherwise would have been charged but instead must be charged to the Unemployment Insurance Agency’s non-chargeable account. Effective March 25, 2020 at 11:59 pm, the benefits conferred on employers by this section are not available to employers determined to have misclassified workers.
- 7. Strict compliance with subdivision (a) of subsection (1) of section 28 of the Employment Security Act, MCL 421.28(1)(a), is temporarily suspended to the extent necessary to allow an unemployed individual to be eligible to receive benefits without a finding by the Unemployment Insurance Agency that the individual is actively engaged in seeking work.
- 8. Strict compliance with section 68c of the State Employees’ Retirement Act, 1943 PA 240, as amended, MCL 38.68c, is temporarily suspended to the extent necessary to provide that the provisions of that section do not apply to a retirant who becomes employed by the Unemployment Insurance Agency or by the Michigan Occupational Safety and Health Administration on or after the date of this order. If such retirant remains employed by either of these agencies after the expiration of this order, section 68c will again apply.
- 9. Strict compliance with subsection (5) of section 29 of the Employment Security Act, MCL 421.29(5), is temporarily suspended to the extent necessary to allow an individual to be considered to have met the requirements of MCL 421.29(5) regardless of whether the individual performed services for the new employer and regardless of whether the new employment was for permanent, full-time work. That individual is not disqualified from receiving unemployment benefits and any benefits payable are charged to the Unemployment Insurance Agency’s non-chargeable benefits account.
- 10. Strict compliance with subsection (c) of section 32 of the Employment Security Act, MCL 421.32(c), is temporarily suspended as follows: in determining an individual’s nonmonetary eligibility to qualify for benefits, the Unemployment Insurance Agency shall not issue a determination with respect to an individual’s separation from a base period employer other than the separating employer, and the individual shall not be required to have satisfied the requirements of subsections (2) and (3) of section 29 of the Employment Security Act, MCL 421.29, as it relates to base period employer separations other than the most recent separation from the separating employer.
- 11. Unless otherwise specified in this order, this order is effective retroactive to March 16, 2020. This order is effective immediately upon issuance and remains in effect during the declared states of emergency and disaster.
- 12. Executive Order 2020-57 is rescinded.
- 13. Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

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

Date: May 6, 2020

Time: 7:26 pm

[SEAL]

GRETCHEN WHITMER  
GOVERNOR

By the Governor:  
JOCELYN BENSON  
SECRETARY OF STATE

The message was referred to the Clerk.

**Introduction of Bills**

Reps. Hauck and Lower introduced

**House Bill No. 5766, entitled**

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” (MCL 205.701 to 205.779) by adding section 37a. The bill was read a first time by its title and referred to the Committee on Local Government and Municipal Finance.

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 5496, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11503 and 11504 (MCL 324.11503 and 324.11504), as amended by 2018 PA 640.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**Senate Bill No. 899, entitled**

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 11 (MCL 30.411), as amended by 2005 PA 321.

The Senate has passed the bill.

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

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The Clerk declared the House adjourned until Tuesday, May 12, at 1:30 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives