GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

SECRETARY OF SENATE
2020 AUG 7 PM 4:08

EXECUTIVE ORDER

No. 2020-167

Food Security Council

Department of Health and Human Services

Food insecurity is a pressing and persistent problem in Michigan. Despite the tireless work of numerous individuals and groups, many Michigan residents continue to live without reliable, daily access to an adequate amount of affordable, nutritious food.

The effects of food insecurity are significant and far-reaching. The problem impacts the educational outcomes of our children, the costs of our health care, the development and stability of our workforce, and the rates of crime in our communities.

COVID-19 has only exacerbated this problem. The pandemic has deeply disrupted the well-being of this state's residents and the stability of its economy. As a result, more Michiganders have found themselves dependent on assistance programs and emergency food resources in their communities to meet their daily needs.

The health of Michigan's economy, residents, and communities would benefit from a body focused on formulating a cohesive, collaborative, and actionable plan for achieving food security for all of Michigan's residents, both during this pandemic and thereafter.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

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

1. Creating the Food Security Council

(a) The Food Security Council ("Council") is created as an advisory body within the Department of Health and Human Services ("Department").

(b) The Council must consist of the following voting members:

(1) The director of the Department, or the director's designee from within the Department.

(2) The director of the Department of Agriculture and Rural Development, or the director's designee from within that department.

(3) The director of the Department of Labor and Economic Opportunity, or the director's designee from within that department.

(4) The superintendent of public instruction, or the superintendent's designee from within the Department of Education.

(5) 16 individuals appointed by the governor representing various sectors affected by, and/or working towards, a solution for food insecurity in Michigan, such as the health care, agriculture, education, business, and nonprofit sectors.

(c) The Council may also consist of the following non-voting members:

(1) One member of the Michigan House of Representatives, appointed by the governor, from a list of three candidates submitted by the house speaker.

(2) One member of the Michigan House of Representatives, appointed by the governor, from a list of three candidates submitted by the house minority leader.

(3) One member of the Michigan Senate, appointed by the governor, from a list of three candidates submitted by the senate majority leader.

(4) One member of the Michigan Senate, appointed by the governor, from a list of three candidates submitted by the senate minority leader.

(d) A vacancy on the Council must be filled in the same manner as the original appointment as described in section 1 of this order.

2. Charge to the Council

(a) The Council must act in an advisory capacity to the governor and must perform the following acts:

(1) Identify and analyze the nature, scope, and causes of food insecurity in Michigan.

(2) Identify and assess evidence-based policies to decrease food insecurity, both during and after the COVID-19 pandemic. This should include consideration of innovative efforts and proposals, as well as solutions adopted by other

states to address food insecurity and their potential applicability to the problem as it exists in Michigan.

(3) Analyze the return on investment to policies that decrease food insecurity, including, where appropriate, cost-benefit analysis of these policies' impacts on economic growth, educational outcomes, health outcomes, and other areas.

(4) Review and make recommendations regarding how the resources and efforts currently devoted to address food insecurity can be best coordinated and implemented, and how those resources and efforts can be most effectively supplemented.

(5) Review and make recommendations regarding legislation potentially relevant to the causes of, and/or potential solutions for, food insecurity in Michigan.

(6) Provide other information, advice, or take other actions as requested by the governor.

(b) The Council must prepare a final report and submit it to the governor. This report must include, but is not limited to, the findings and recommendations described in section 2(a) of this order.

(c) The Council must complete its final report in two stages:

(1) First, the Council must prepare and submit an initial report with short-term findings and recommendations related to food insecurity and COVID-19. This initial report must be submitted to the governor within 3 months of the issuance of this order; and

(2) Second, the Council must prepare and submit the remainder of its report within 18 months of the issuance of this order.

3. Operations of the Council

(a) The Department must assist the Council in the performance of its duties and provide personnel to staff the Council. The budgeting, procurement, and related management functions of the Council will be performed under the direction and supervision of the director of the Department.

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

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

(d) The governor must designate the chairperson of the Council.

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

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

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

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

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

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

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

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

(m) Members of the Council must refer all legal, legislative, and media contacts to the Department.

(n) The Council must dissolve 90 days after issuance of its final report.

4. Implementation

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

Council, consistent with applicable law.

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

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

(d) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.

(e) This order is effective upon filing.

Given under my hand and the great seal of the State of Michigan.

Date: August 7, 2020

Time: 2:48 pm

GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE