The following has special meaning:
green underline denotes added text
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2019 MI HR 250	**Author:** Hernandez **Version:** Adopted **Version Date:** 04/30/2020

HOUSE RESOLUTION NO.250

Rep. Hernandez offered the following resolution:

A resolution authorizing the Speaker of the House to commence legal action on behalf of the House of Representatives challenging the Governor's authority and actions during the COVID-19 pandemic.

Whereas, On March 10, 2020, Governor Whitmer issued Executive Order 2020-4 declaring a state of emergency across the state of Michigan to address the COVID-19 pandemic; and

Whereas, On April 1, 2020, Governor Whitmer issued Executive Order 2020-33 to replace Executive Order 2020-4 and expanded the initial March 10, 2020, order to include a state of disaster related to the COVID-19 pandemic; and

Whereas, On April 7, 2020, the Legislature adopted Senate Concurrent Resolution No. 24 of 2020 to extend the state of emergency and state of disaster declared by Governor Whitmer in Executive Order 2020-4 and Executive Order 2020-33 through April 30, 2020; and

Whereas, Without an additional legislative extension, Governor Whitmer has a statutory obligation, pursuant to MCL 30.403, to "issue an executive order or proclamation declaring" the states of emergency and disaster terminated on May 1, 2020; and

Whereas, Any attempt by Governor Whitmer to unilaterally extend the states of emergency and disaster past April 30, 2020, without legislative approval would be contrary to both law and Michigan's constitutional system; and

Whereas, Members of the Michigan House of Representatives must defend the Legislature's role as the sole lawmaking body and as a co-equal branch of government in Michigan's constitutional system; now, therefore, be it

Resolved by the House of Representatives, That the Speaker of the House, in his official capacity, is authorized to commence legal action on behalf of the House of Representatives, challenging the authority and actions of the Governor, and the executive branch generally, taken during the COVID-19 pandemic and take all necessary steps incidental thereto, including, but not limited to, pursuing or defending any appeals.

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