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Senate Bill 910 (as introduced 5-7-20)  
Sponsor: Senator Roger Victory  
Committee: Economic and Small Business Development

Date Completed: 9-23-20

### **CONTENT**

**The bill would amend the Youth Employment Standards Act to do the following:**

- **During a state of disaster or a state of emergency issued by the Governor under the Emergency Manager Act (EMA), suspend the requirement that a youth work permit application be made only by an in-person application by the minor desiring employment.**
- **During a state of disaster or emergency, specify that an issuing officer could allow a minor desiring employment to submit application materials electronically by e-mail or facsimile or by mail.**
- **During a state of disaster or emergency, suspend the requirement that a work permit be in a particular color depending on the age of the minor desiring employment.**
- **Require a work permit issued during a state of disaster or emergency to be valid for 90 days after the termination of the state of disaster or state of emergency.**

Under the Act, an issuing officer must issue a work permit only for an in-person application by the minor desiring employment and after certain papers pertaining to a prospective employer's intent to employ a minor and proof of his or her age have been examined, approved, and filed. The bill specifies that this provision would apply except as otherwise provided below. ("Issuing officer" means the chief administrator of a school district, intermediate school district, public school academy, or nonpublic school, or a person authorized by that chief administrator in writing to act on his or her behalf.)

Under the bill, during a state of disaster or a state of emergency issued by the Governor under the EMA, the requirement that a work permit application be made only by an in-person application by the minor desiring employment would be suspended. The issuing officer could allow the minor desiring employment to submit the application materials as currently required by the Act using either of the following methods:

- Electronic transmittal of the application materials, which would include electronic mail or facsimile.
- Mailing the application materials.

The Act currently requires a work permit to be issued in the form prescribed by the Michigan Department of Education in cooperation with the Department of Labor and Economic Opportunity and in accordance with the prescribed instructions. The Act also requires the color of a work permit for a minor under 16 years old to be distinct from that of a minor 16 years

old or older. The bill specifies that this provision would apply except as otherwise provided below.

Under the bill, if the Governor declared a state of disaster or a state of emergency under the EMA, and the issuing officer issued a work permit electronically to a minor desiring employment, the work permit color requirement would be suspended. In addition, a work permit issued during a declared state of disaster or state of emergency and printed in a form in a color other than the color described above would be valid for 90 days after the termination of the state of disaster or state of emergency. The issuing officer would have to issue the minor a work permit in the color described above before the 90-day period expired.

(The bill would define "state of disaster" as the term is defined in Section 2 of the EMA: an executive order or proclamation that activates the disaster response and recovery aspects of the State, local, and interjurisdictional emergency operations plans applicable to the counties or municipalities affected. "State of emergency" would mean that term as defined in Section 2 of the EMA: an executive order or proclamation that activates the emergency response and recovery aspects of the State, local, and interjurisdictional emergency operations plans applicable to the counties or municipalities affected.)

MCL 409.105 & 409.106

### **BACKGROUND**

Generally, the EMA grants the Governor authority to issue executive orders, proclamations, and directives that have the force and effect of law to implement a declared state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists. The EMA requires the state of emergency to continue until the Governor finds that the threat or danger has passed, the emergency has been dealt with to the extent that emergency conditions no longer exist, or until the declared state of emergency has been in effect for 28 days.

Legislative Analyst: Tyler VanHuyse

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or government.

Fiscal Analyst: Cory Savino

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.