

CAPITOL NEWS UPDATE

WEEK OF MARCH 16, 2020

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WHITMER ISSUES EXECUTIVE ORDERS IN RESPONSE TO COVID-19

Orders allow public bodies to meet electronically, prevent price gouging and extend tax foreclosure deadline

An executive order from Gov. Gretchen Whitmer temporarily allows public bodies to meet electronically until April 15 in response to preventing the spread of the coronavirus, while the Senate Republican caucus voiced deep concerns about the order, fearing that it could limit the public's ability to participate in the democratic process.

Whitmer's Executive Order 2020-15 gives boards, commissions, committees, subcommittees, authorities, councils, non-profit boards and other public bodies subject to the Open Meetings Act the ability to use telephone or video conferencing to continue meeting. It also temporarily excuses school boards from monthly meeting requirements. The order also authorizes these bodies to enable remote participation in public comment and hearings. The bodies must follow certain procedures that give meaningful access to the public and allow participation including:

- Ensuring two-way communication for members and the public to hear and address each other.
- Providing adequate notice to the public of the meeting.
- Posting a public meeting notice on their website.
- Permitting participants to record or broadcast the public meeting.
- Allowing participants to address the public body during a public comment period.

Whitmer also issued an executive order to prevent price gouging, and an executive order to move the tax foreclosure deadline from March 31, 2020 to May 29, 2020, or 30 days after the state of emergency she issued expires.

Senate Majority Leader Mike Shirkey (R-Clarklake) asked Whitmer to provide more guidance to ensure public input is not hindered due to inaccessibility to certain technology and has raised concern that the executive order to prevent price gouging could restrict legitimate price increases based on market forces.

The authority for some of the orders will expire on April 6, 2020, 28 days after the order was issued. and will require an act of the legislature to be extended under the Emergency Management Act of 1976.

Whitmer also declared a state of emergency under the Emergency Powers of the Governor Act of 1945, however, which does not have a timeline for the end of an emergency declared by the governor, with the statute saying the emergency ends when a governor declares the emergency has ended.

WHITMER CALLS UP NATIONAL GUARD, ASKS FOR FEDERAL FUNDING FOR ITS COVID-19 OPERATIONS

Gov. Gretchen Whitmer has activated the Army National Guard to assist with assembling and loading supplies and gear such as gloves, gowns and face shields from the Department of Health and Human Services to deliver to local health departments. The Michigan National Guard could also be used to aid in distributing food and supplies to families.

"The men and women of the Michigan National Guard are part of the fabric of our communities and I am confident they are ready to support state and local agencies as this response continues," Whitmer said.

Whitmer has also sent a letter to President Donald Trump asking him to approve the Title 32 authorization that would allow federal funding to pay for the Michigan National Guard to operate, including pay, benefits and equipment.

MEDC GIVES THE OK TO LOANS AND GRANTS FOR SMALL BUSINESSES

The Michigan Strategic Board approved the Michigan Small Business Relief Program, Thursday, authorizing the Michigan Economic Development Corporation to provide up to \$20 million in support for small businesses that have been negatively impacted by the COVID-19 virus.

The funding is divided into \$10 million in grants and \$10 million in loans and will help at least 1,100 small businesses across the state who have had a significant financial hardship. The loans will work with loans also being offered by the Small Business Association of Michigan and are expected to be available no later than April 1.

UNEMPLOYMENT CLAIMS UP 1,500% AFTER WHITMER ORDERS CLOSURES

More than 55,000 Michigan residents filed claims for unemployment benefits between Monday and Wednesday of this week during the first three days of business closures/scaled down operations in the state, according to the Department of Labor and Economic Opportunity.

The closures came Monday after Gov. Whitmer issued an executive order closing bars and restaurants other than for delivery, drive-through and carryout, and also cafes, coffee houses, clubs, movie theaters, indoor and outdoor performance venues, gyms, fitness/exercise studios, spas and casinos.

OAKLAND AND WAYNE COUNTIES HIGHEST NUMBER OF COVID-19 CASES

The state reported 334 confirmed cases of the new coronavirus in Michigan on Thursday, with the highest number reported in Wayne County with 119 cases and Oakland County with 105 cases as of Thursday. Hospitals and private labs started screening and testing operations this week and could account for the number of cases that existed but were previously undetected.

The Department of Health and Human Services will post daily updates to its website at <https://www.michigan.gov/coronavirus> during the state's response to the pandemic virus. The reports contain daily totals as of midnight the previous night.

MICHIGAN DEPARTMENT OF EDUCATION NOT GRANTING SEAT WAIVER REQUESTS FOR ONLINE LEARNING

The Michigan Department of Education announced today that students attending school online while schools are shut down during the coronavirus pandemic won't be able to count it toward their required instructional hours.

"There is no mechanism to earn instructional time during a period of mandated school closure," Deputy State Superintendent Vanessa Kessler said in a memo to school leaders reported in the Detroit Free Press. "However, schools can and are encouraged to offer supplemental learning opportunities to students using distance learning methods as they see fit."

The state also does not plan to reduce the required number of instruction hours for kids this year and "will not be granting seat waiver requests during this time."

MM&A Briefs

Tax Day Moves to July 15

U.S. Treasury Secretary Steven Mnuchin announced today that taxpayers are getting a three-month extension to file their taxes due to the coronavirus pandemic. The deadline for filing tax returns will be postponed from April 15 to July 15, 2020.

Secretary of State Asks Whitmer to Extend Filing Deadline for November Ballot

The Michigan Department of State has asked Gov. Whitmer for a three-week extension, moving Michigan's April 21 candidate filing deadline to May 12. The Department cited concerns with social distancing around the coronavirus pandemic. A spokesperson for Whitmer said the office is reviewing the request.

Calendar of Important Events

Below is a list of the events that were originally scheduled for the next couple of weeks. We did our best to provide you the current statuses of each. Please note, those marked "no status yet" are simply ones we were unable to track down at the time of this newsletter's release.

March 24 **CANCELED Rep. Sue Allor (R) PAC Fundraiser**
~~Location: 7:30 a.m., Michigan Credit Union League, Lansing~~

RESCHEDULED FOR APRIL 15 Rep. Mike Mueller (R) Fundraiser
~~Location: 8 a.m., Michigan Beer and Wine Wholesalers, Lansing~~

CANCELED Sen. Dan Lauwers (R) Fundraiser
~~Location: 8 a.m., Karoub Associates, Lansing, 8 a.m.~~

NO STATUS YET Rep. Brenda Carter (D) Fundraiser
Governor's Room, Karoub Associates, Lansing, 10:30 a.m.

- March 24** **CANCELED Rep. Tyrone Carter (D) Fundraiser**
~~Karoub Associates, Lansing, 10:30 a.m.~~
- CANCELED Rep. Cara Clemente (D) Fundraiser**
~~Michigan Health and Hospital Association, 11:30 a.m.~~
- POSTPONED Rep. Steve Marino (R) Fundraiser**
~~Location: 11:30 a.m., Michigan Beer and Wine Wholesalers, Lansing~~
- CANCELED Rep. Jim Lilly (R) PAC Fundraiser**
~~Location: 4:30 p.m., Michigan Beer and Wine Wholesalers, Lansing~~
- NO STATUS YET Rep. Donna Lasinski (D) PAC Fundraiser**
Location: 5 p.m., Karoub Associates, Lansing
- March 25** **POSTPONED Rep. Jason Wentworth (R) Fundraiser**
Location: 8 a.m., Michigan Beer and Wine Wholesalers, Lansing
- CANCELED Sen. Paul Wojno (D) Fundraiser**
~~Location: 8 a.m., Karoub Associates, Lansing~~
- NO STATUS YET Rep. Ronnie Peterson (D) Fundraiser**
Location: 11:30 a.m., Michigan Beer and Wine Wholesalers, Lansing
- NO STATUS YET Rep. Terry Sabo (D) Fundraiser**
Location: 4:30 p.m., Kelly's Downtown, Lansing
- RESCHEDULED FOR APRIL 29 Rep. Brandt Iden (R) Fundraiser**
~~Location: 5:30 p.m., Michigan Beer and Wine Wholesalers, Lansing~~
- March 26** **POSTPONED Rep. Bronna Kahle (R) Fundraiser**
Location: 7:30 a.m., Mediteran Café, 200 North Washington Sq., Lansing
- CANCELED Sen. Rosemary Bayer (D) Fundraiser**
~~Location: 8:30 a.m., Michigan Beer and Wine Wholesalers, Lansing~~
- NO STATUS YET Governor Gretchen Whitmer (D) Fundraiser**
Location: 5 p.m., Fieldhouse, East Lansing
- CANCELED Rep. John Cherry (D) Fundraiser**
Location: 5:30 p.m., Redwood Steakhouse and Brewery, 5304 Gateway Center, Flint
- March 30** **CANCELED Rep. Darrin Camilleri (D) Fundraiser**
~~Location: 9 a.m., Promenade Artisan Foods, Trenton~~
- APRIL 2** **CANCELED Rep. Mari Manoogian (D) Fundraiser**
~~Location: 6 p.m., Dick O'Dow's, 160 West Maple Road, Birmingham~~