

CAPITOL NEWS UPDATE

WEEK OF MAY 25, 2020

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STATE SEES CONTINUED DECLINE IN COVID-19 CASES

Governor Gretchen Whitmer this week said there continues to be a downward trend in new COVID-19 cases across the state. Whitmer said the state's stay home, stay safe efforts have not only flattened the curve, but also brought a decline in the number of cases.

According to Dr. Joneigh Khaldun, Chief Medical Executive, Department of Health and Human Services, new cases are on the decline across all regions of the state, with some differences by region.

Low rates have stayed relatively unchanged in the northern Lower Peninsula and Upper Peninsula. Cases in Southeast Michigan have been declining for seven weeks and is down to 20 cases per million people per day. Western Michigan has also seen declines in the last week, Khaldun said. She also said that continued declines mean the state can continue to move forward with new phases of its reopening plan.

GOVERNOR EXTENDS STAY AT HOME ORDER, LIFTS SOME RESTRICTIONS

On May 22, Gov. Whitmer extended most of the state's Stay at Home order until June 12, 2020, while also relaxing restrictions in several areas. In addition, she set out workplace standards and procedures for companies as they begin to crack open their doors. The lifted restrictions include:

- People allowed to gather in groups of up to 10, as of May 22.
- Restaurants in certain areas of Northern Michigan and the Upper Peninsula were able to offer dine-in service at 50% capacity, as of May 22
- Retailers and auto dealers resumed in-person sales only by appointment, as of May 26.
- Non-essential medical, dental and veterinary procedures allowed to resume as of May 29.

COVID-19 workplace standards and procedures were also included in the Executive Order 2020-91 which Gov. Whitmer signed early last week. The order spells out an enforceable set of workplace standards workplace procedures for employers who are beginning to reopen including rules for personal protection equipment and distancing, screening, capacity and other requirements. The requirements apply to all businesses across the state that involve employees required to leave their homes for work. Businesses are also required to create a COVID-19 preparedness and response plan and make available to employees by June 1 or within two weeks of reopening.

The administration has also launched the MI Safe Start Map online dashboard at www.mistartmap.info to “track the risk phases of COVID-19 indicators” across Michigan. The map shows the current risk phase of Michigan regions and counties.

MIDLAND FLOODS: LAWSUITS FILED, LAWMAKERS CALL FOR INDEPENDENT INVESTIGATION

Gov. Whitmer ordered the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to investigate what caused the Edenville and Sanford dams in Midland County to fail and cause devastating flooding last week, and is facing resistance in the form of lawsuits from homeowners in the area against the EGLE, and Republican lawmakers calling for an independent investigation.

Four Midland County homeowners filed suit on Tuesday, claiming that the EGLE did listen to warnings from federal regulators that the dam failed to meet safety requirements, with the flooding leading to an unconstitutional property grab.

In addition, Republican lawmakers Rep. Roger Hauck (R-Mt. Pleasant) and Rep. Annette Glenn (R-Midland) have called for a third-party to investigate what happened instead of the EGLE.

Whitmer directed EGLE to investigate the causes of the failed dams, and also asked the department to review dam safety throughout the state, with a final report due by Aug. 31, 2020.

Legislators calling for an independent third-party investigation say that similar to the state not allowing the Department of Environmental Quality to investigate its own mishandling of the Flint water crisis, the EGLE should not be allowed to conduct the investigation, especially if the state is in any way involved in the failures.

The Edenville and Sanford dams are owned by Boyce Hydro – a company which had its license to generate electricity from the Edenville dam revoked in 2018 by the Federal Energy Regulatory Commission for repeated safety and structural violations. As Boyce continued to produce electricity from the Sandford dam and two other dams, the Edenville dam reverted to state oversight by the EGLE. In addition, Boyce was planning to sell all four of the dams to a Gladwin-Midland County authority earlier this year. In addition, the state had filed suit in the Ingham Circuit Court against Boyce for allegedly drawing down water levels in Wixom Lake, and Boyce was countersuing in federal court.

In reaction to the homeowner lawsuit, Attorney General Dana Nessel issued a statement saying that public safety was not compromised by a state court challenge against Boyce.

More than 10,000 people in Midland County were evacuated because of the flooding caused by heavy rains and the collapse of the Edenville dam and water flowing over the Sanford dam along the Tittabawassee River, which crested at 35 feet.

LEGISLATORS / ADMINISTRATION FROZEN ON BUDGET ACTIONS PENDING FEDERAL DOLLARS

As the state faces massive budget shortfalls, Gov. Whitmer and Budget Director Chris Kolb have said budget deadlines for the current and next fiscal years must change, and that federal help will be necessary in order to resolve the shortfalls.

Kolb has said that the July 1 deadline for a budget agreement, which Whitmer and the Legislature agreed on last year, will need to be adjusted as state's wait to find out whether the federal government will provide aid.

Republicans in the Michigan House and Senate, however, called for discussions to begin with the governor on spending and resolving the budget deficit.

Whitmer said that even if it takes more time before acting, "What we're hoping is that the feds step up and give us the assistance. We need flexibility, and we need additional resources."

The Democratic-led U.S. House passed a package that includes about \$1 billion in aid for states and local governments as part of a \$3 trillion package. The Republican-led U.S. Senate, however has opposed the package and is in favor of a smaller aid package.

The COVID-19 pandemic has resulted in a \$2.5 billion deficit in the state's current fiscal year and a \$3 billion deficit for the 2020-21 fiscal year.

MM&A Briefs

Former Republican lawmaker William Bryant dies at 82

Influential Republican former legislator William Bryant, 82, died this week after a long battle with Parkinson's disease. Bryant served in the Michigan House from 1971-96 where he served as the House minority leader in the late 1970s and early 1980s. He also chaired the House Education Committee and was part of the bipartisan group that rewrote school financing which eventually led to Proposal A.

MLCC Eases Outdoor License Requirements

The Michigan Liquor Control Commission is easing outdoor service license requirements and streamlining the process used to obtain licenses for outdoor services and additional bar permits to assist bars and restaurants reopen safely across the state. The Commission also launched a new webpage with FAQs and resources for restaurants.

Calendar of Important Events

June 2 Rep. Scott VanSingel (R) Virtual Fundraiser
Contact Rob at *winkelman51@gmail.com* for info.

June 3 Sen. Peter Lucido (R) Virtual Fundraiser

Rep. Rebekah Warren (D) PAC Fundraiser
Location: 9 a.m., Karoub Associates, Lansing

Rep. Beth Griffin (R) Fundraiser
Location: 11:30 a.m. Michigan Beer and Wine Wholesalers, Lansing

- June 3** **Sen. Jon Bumstead (R) Fundraiser**
Location: 12:00 p.m. Lambert & Co., Lansing
- June 4** **Rep. Mary Whiteford (R) PAC Fundraiser**
Location: 7:30 a.m., Karoub Associates, Lansing
- June 9** **Rep. Andrea Schroeder (R) Fundraiser**
Location: 8 a.m., Karoub Associates, Lansing
- Rep. Pam Hornberger (R) Fundraiser**
Location: 11:30 a.m., Karoub Associates, Lansing
- June 10** **Sen. Curt VanderWall (R) PAC Fundraiser**
Location: 4:30 p.m., Michigan Beer and Wine Wholesalers, Lansing
- Rep. Donna Lasinski (D) PAC Fundraiser**
Location: 5 p.m., Karoub Associates, Lansing