

CAPITOL NEWS UPDATE

WEEK OF MARCH 15, 2021

Integrity. Individual Attention. Precision Strategy. Proven Results



HOUSE, SENATE READY TO SEND VETOED COVID-19 SPENDING BILLS BACK TO GOVERNOR

The battle over executive orders and COVID-19 relief spending between Gov. Gretchen Whitmer and the Republican-led House and Senate continued, as both chambers prepared to send vetoed relief bills back to Whitmer on Wednesday.

On March 9, Whitmer blocked \$652 million in supplemental spending, while at the same time signing into law \$2.5 billion in supplemental funding, vetoing items that tied federal pandemic relief funds to bills limiting executive powers by transferring some to local departments and requiring others to have legislative approval.

The vetoed bills, for example, tied millions in federal K-12 spending to legislation that would give local health departments more power to close schools' in-person instruction and cancel sports. An additional bill for \$350 million in federal grant funding was tied to a bill that required legislative approval for pandemic orders from the Department of Health and Human Services after 28 days. Vetoed bills also including funding for businesses, the Unemployment Trust Fund, nonpublic schools and summer school reimbursement.

On Wednesday, the Senate and House approved substituted versions of SB 29 and SB 114, which include \$405 million in financial relief for business property and unemployment tax relief, and bar and restaurant relief and \$150 million for the Unemployment Insurance Trust Fund.

The Senate also passed a substitute for SB 29, adding over \$8 million in School Aid Fund to pay for school lunch and breakfast programs from FY2019-20, in addition to \$86.8 million in federal education funding for non-public schools, and \$10 million for reimbursements to parents for summer school expenses.

The bills passed the Senate on party-lines, 20-15, and similarly in the House with 59-49 and 64-54.

Senate Appropriations Chairman Jim Stamas (R-Midland) went head-to-head with the committee's minority vice chair Sen. Curtis Hertel Jr. (D-East Lansing) over the repeated voting on the bills.

Regarding negotiations, Stamas said he is "ready to sit at a table. Let's go. Ready for the invitation."

While Hertel said that voting again on the vetoed bills was the definition of insanity because they do the same thing over and over expecting a different result. He urged the Senate to meet and negotiate.

Stamas said the governor's actions met the same definition, citing "A governor that continues to go it alone without the input and the ability to better a policy to help all Michigan families and individuals across our state."

FORMER DHHS DIRECTOR RELEASES LETTER, WAIVES CONFIDENTIALITY AGREEMENT WITH WHITMER

A day after Former Department of Health and Human Services Director Robert Gordon and Gov. Whitmer agreed to waive a confidentiality clause regarding his February separation agreement, Gordon released a letter to lawmakers about the separation.

Both actions this week, came after Republican critics in the legislature called for more transparency about the separation agreement which originally included \$155,000, an agreement that Gordon would not sue the state, and the confidentiality clause.

The letter is in response to House Oversight Committee Chairman Steve Johnson's (R-Wayland) resolution to allow subpoenas regarding the agreement. Johnson had also asked Gordon to testify.

Gordon's letter did not offer details about the agreement or why he resigned, as many had hoped. Instead, Gordon said that there were extensive policy disagreements.

In his letter, Gordon stated, "On occasion, there were robust conversations about policy issues where reasonable people could disagree and did. This was healthy: The stakes were life and death, and different people have different roles. Michigan was hit hard by COVID early, and initially had the third-highest fatality rate in the nation. But different perspectives can produce strong outcomes."

Legislators and others have speculated publicly that Gordon did not support loosening the restrictions at restaurants in February, a move which Whitmer announced through a DHHS order on the day he resigned.

The event has also brought about discussion on other agreements under Whitmer's administration including Steve Gray, former head of the Unemployment Insurance Agency; Sara Etsy, a former DHHS deputy director and at least five former members of the MEDC.

SENATE RESOLUTION DECRIES NESSEL'S REFUSAL TO INVESTIGATE NURSING HOME DEATHS

The Michigan Senate passed a resolution sponsored by Sen. Jim Runestad (R-White Lake Twp.) on Thursday which admonishes Attorney General Dana Nessel's decision not to investigate Gov. Whitmer's nursing home policies and reported data on death in nursing homes during the pandemic.

Senate Resolution 31 denounces Nessel's refusal to investigate the nursing home policies and reports following the governor's executive order requiring nursing homes to accept patients with COVID-19. It also outlines Gov. Whitmer's nursing home policy at the beginning of the COVID-19 pandemic and cites the ongoing investigation of nursing home data in the state of New York, claiming similar discrepancies in data and policies exist between what happened in Michigan and New York. The resolution also encourages county prosecutors to pursue their own investigations.

Runestad was among eight Senate republicans who had asked Nessel to investigate the state's coronavirus-related policies and the reported data on deaths in the homes.

Nessel responded to a letter from the Republicans on Monday, saying there was no justification for an investigation and that Runestad provided no specific allegations of wrongdoing to back up a request for investigation into the reporting data. She also said Michigan's situation is completely different from New York's where Governor Andrew Cuomo's administration was accused of falsifying data.

"In any event, bad policy alone would not be grounds for an investigation by my office," Nessel wrote. "As the governors of each state grappled with an unprecedented public health emergency, they were forced to make quick decisions with imperfect information to protect residents of long-term care facilities. States took similar but varying approaches to address this issue and it is likely that as epidemiologists and other experts study the pandemic, they will find variability in efficacy from state-to-state."

The Senate resolution drew ire from Democrats who said that nursing home industry officials have repeatedly said the order under scrutiny was revised before it was implemented, and that the legislature passed a bill last fall allowing nursing homes to continue housing COVID-19 patients as long as they were safely separated from others.

INCREASE IN STADIUM SEATING, IN TIME FOR OPENING DAY

At a news conference today, DHHS Director Elizabeth Hertel announced a new public health order allowing outdoor stadiums and venues that meet requirements for infection control plans to seat people at 20 percent of their capacity, after lobbying from The Detroit Tigers to loosen the restrictions at the outdoor Comerica Park. This will allow about 8,000 people to attend Tigers games in the stadium which seats more than 40,000.

Gov. Whitmer and Michigan's chief medical executive Dr. Joneigh Khaldun also said that a four-week surge in new coronavirus cases is a result of athletics. Beginning April 2, sports practice and competition for those 13 to 19 years old must include a DHHS-specified testing program.

Also announced today, face coverings are not required at any residential gathering where all people are fully vaccinated and not experiencing COVID-19 symptoms.

MM&A Briefs

Shirkey Names New Spokesperson

Senate Majority Leader Mike Shirkey announced that Abigail Walls will be his new spokesperson and communications strategist. Walls was previously communications director for the 2020 campaign of U.S. Senate candidate John James and currently works in the House Republican communications office. Walls replaces Amber McCann, who went to the Department of Attorney General.

Calendar of Important Events

- March 22** **Rep. Christine Morse (D-Texas Twp.) Fundraiser**
Location: Virtual, 4:30 p.m.
- Rep. Matt Hall (R-Emmett Twp.) Fundraiser**
Location: 5 p.m., Michigan Beer and Wine Wholesalers Association, Lansing, 5 p.m.
- Rep. Bryan Posthumus (R-Oakfield Twp.) Reception**
Location: 5 p.m. Knickerbocker, 417 Bridge St. North West, Grand Rapids
- March 23** **Rep. Rodney Wakeman (R-Saginaw Twp.) Fundraiser**
Location: 8 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Rep. Joe Tate (D-Detroit) Fundraiser**
Location: 8 a.m., Karoub Associates, 121 West Allegan St, Lansing
- Sen. Sylvia Santana (D-Detroit) Fundraiser**
Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Rep. Stephanie Young (D-Detroit) Fundraiser**
Location: 11:30 a.m., Midwest Strategy Group, Lansing
- Rep. Phil Green (R-Millington) Fundraiser**
Location: 11:30 a.m., Karoub Associates, Lansing,
- Rep. Mary Cavanagh (D-Redford Twp.) Fundraiser**
Location: 4:30 p.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Sen. Jon Bumstead (R-Newaygo) Fundraiser**
Location: 5 p.m., Lambert & Co., 114 West Allegan St., Lansing
- March 24** **Rep. TC Clements (R-Temperance) Fundraiser**
Location: 7:30 a.m., Karoub Associates, Lansing
- Sen. John Bizon (R-Battle Creek) PAC Fundraiser**
Location: Michigan Beer and Wine Wholesalers Association, Lansing, 8 a.m.
- Rep. Yousef Rabhi (D-Ann Arbor) Fundraiser**
Location: 10 a.m., Midwest Strategy Group, Lansing m.
- Rep. Beth Griffin (R-Mattawan) Fundraiser**
Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Rep. Pamela Hornberger (R-Chesterfield) Fundraiser**
Location: 11:30 a.m., Lambert & Co., 114 West Allegan St., Lansing

Rep. Pauline Wendzel (R-Watervliet) Fundraiser

Location: 11:30 a.m., Karoub Associates, Lansing

Sen. Jeremy Moss (D-Southfield) PAC Fundraiser

Location: 4 p.m., Remote Meeting

Rep. Luke Meerman (R-Coopersville) Fundraiser

Location: 4:30 p.m., Michigan Beer and Wine Wholesalers Association, Lansing

March 25

Rep. Gary Howell (R-North Branch) Fundraiser

Location: 7:30 a.m., Michigan Beer and Wine Wholesalers Association, Lansing

Rep. Mike Mueller (R-Linden) Fundraiser

Location: 8 a.m., Karoub Associates, Lansing

March 30

Sen. Sylvia Santana (D-Detroit) Fundraiser

Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, Lansing