

# CAPITOL NEWS UPDATE

WEEK OF MAY 10, 2021



McAlvey Merchant  
& ASSOCIATES

## DHHS REVIEWS CDC MASK GUIDELINES FOR VACCINATED

The Michigan Department of Health and Human Services is reviewing its policies for people who are fully vaccinated with the COVID-19 vaccine this week after the U.S. Centers for Disease Control and Prevention announced new, more open guidelines on activities and masks.

The new CDC guidelines announced on Thursday say that fully vaccinated individuals can resume pre-pandemic activities without wearing a mask or physical distancing. The exception would be if federal, state, local, tribal, or territorial laws and other rules such as workplace guidelines are different.

According to the CDC, fully vaccinated individuals can stop wearing masks both indoors and outside and can safely engage in these activities without a mask:

### Outdoor activities:

- Walking, running, wheelchair rolling or biking outdoors
- Attending small outdoor gatherings with fully vaccinated family and friends and doing the same with unvaccinated people
- Dining at an outdoor restaurant
- Attending a crowded outdoor event like a live concert, parade or sporting event.

### Indoor activities:

- Visiting a barber or salon
- Attending an uncrowded indoor shopping center or museum
- A small gathering with both vaccinated and unvaccinated people from multiple households
- Attending an indoor movie theater
- Attending a full-capacity worship service
- Singing in an indoor chorus
- Eating an indoor restaurant
- Participating in an indoor, high-intensity exercise class.

The CDC also said that unvaccinated people can safely participate in outdoor activities such as walking, running, etc. without a mask but not the event-related activities.

The mask order for indoor areas is still the same in Michigan, as the DHHS reviews the guidance. DHHS is expected to issue an updated order later today that lifts the mask requirement outdoors for everyone, and indoors for those who are fully vaccinated.

### **ENBRIDGE DEFIES WHITMER ORDER, CONTINUES OPERATIONS OF LINE 5**

Canadian oil transport giant Enbridge has continued operations of the pipeline under the Straits of Mackinac lake bottom this week, despite Gov. Whitmer's order to cease operations by Wednesday, May 12.

The company has filed a lawsuit in federal court to dismiss the state's order and has said it has "no intention" of shutting down its Line 5 pipeline.

Enbridge is arguing that Whitmer's order is an attempt to regulate interstate pipeline safety, which, the company states, is the federal government's sole jurisdiction.

Whitmer attempted to revoke Enbridge's easement from 1953 in November 2020, with the order citing violations on pipeline safety measures, and risk to the Great Lakes from the pipelines' aging pipes.

Court cases are currently happening at both the state and federal levels.

Enbridge's allies include Republicans, business and industry groups, and refinery worker labor unions who say a shutdown would have devastating effects on energy supply and in the state and region and that energy prices would increase dramatically, particularly in the U.P.

Opponents to Line 5 including tribal members, environmental activists and business leaders are rejecting Enbridge's claims that say these lines are the only way besides sending thousands of trucks and hundreds of railway cars to transport the oil if the Line were shut down.

The groups claim that there are alternative Enbridge-owned pipelines that the oil could be routed through with less environmental risk.

They also say that the claim that Enbridge is using the claim of potential massive fuel cost increases as a fear tactic.

Also on Wednesday, the Senate addressed the issue with Senate Republicans introducing and adopting an amendment to the Department of Natural Resources budget. The amendment would require the DNR to reimburse legal costs that it incurs in the state's legal battle with Enbridge Energy, if the DNR loses and cannot revoke the Line 5 pipeline easement in the Straits.

### **IN-PERSON WORK TO RESUME IN MICHIGAN MAY 24**

Based on Gov. Whitmer's "MI Vacc to Normal" plan, since at least 55 percent of residents age 16 and older have at least one dose of the COVID-19 vaccine, Michigan's businesses can resume in-person work on May 24, which will be two weeks after the milestone was met in accordance with the plan.

Once the state gets to a 60-, 65- and 70-percent vaccination rate, sports stadiums, banquet halls, restaurants and other public businesses can open. At a 70-percent vaccination rate, all COVID-related restrictions will be removed, including any mask restrictions.

Under the pandemic orders, the Michigan Occupational Safety and Health Administration had set in place workplace safety rules requiring businesses to have a written policy that makes an economic or technical case that certain work can only be performed in-person inside office settings.

Some requirements will remain in place, but On May 24, MIOSHA plans to remove “the requirement that employers create a 'policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely,'" according to a statement by Sean Egan, MIOSHA COVID-19 workplace safety director.

### **SENATE PASSES COVID SUPPLEMENTALS ON RENTAL ASSISTANCE AND CHILD TAX CREDIT**

The Michigan Senate unanimously passed SB 37, a supplemental appropriations bill on Thursday spending federal coronavirus relief funding for emergency rental assistance, and passed a second supplemental bill, SB 378, by a 25-10 vote, that would amend the Income Tax Act.

Senate Bill 37 uses \$445.7 million, including \$424.7 million in federal pandemic relief funds and \$21 million from the General Fund. Of the funds, \$46.4 million in federal dollars goes to Federal Emergency Management Act projects recommended by the Department of State Police; and \$378.3 million would be used for emergency rental assistance through the Department of Labor and Economic Development Opportunity. The \$21 million in General Fund money would be used for the purchase of Venture Michigan Fund vouchers through the Department of Technology, Management and Budget.

Senate Bill 378, sponsored by Sen. Jim Runsestad (R-White Lake), amends the Income Tax Act to allow for a \$500 income tax credit for four tax years, with the tax year beginning Jan. 1, 2022 and ending Dec. 31, 2025.

### **REPUBLICANS TAKE STEPS AGAINST VACCINE PASSPORTS**

Republican Legislators in both the House and Senate moved this week to stop the administration and state health departments from mandating COVID-19 vaccinations.

The House Oversight Committee voted 6-3 to approve a bill prohibiting a governmental entity from producing or distributing a vaccine passport, or from fining someone for not getting a COVID-19 vaccine. This was quickly followed by a 20-15 vote in the full Senate to change a proposed budget for the DHHS, adding language that would ban public funding for vaccine passports.

Democrats had previously argued against the bills, with both Gov. Whitmer and state health department leaders saying that the state is not considering any type of vaccine passport or vaccine mandate.

Proponents of the bills cite new requirements from colleges including the University of Michigan which plans to require vaccinations for students living on campus.

The House had to make changes to the original bill, which if passed as written could have made it a crime for anyone to hold a CDC vaccination card and possibly resulted in people with the cards to have a \$1,000 fine. The changes also include a new definition of vaccine passport.

According to the House Oversight Committee Chairman Steven Johnson, R-Wayland, "COVID-19 vaccination passport means a document or system created or used for the primary purpose of diminishing or enlarging an individual's civil and political rights, privileges and capacities based on the individual's COVID-19 vaccination status. So we would ask for local county health departments: you can do whatever you want, as long as you are not doing anything to diminish or enlarge someone's civil and political rights, privileges and capacities."

Many steps would need to happen before either bill makes it to Governor Whitmer, who could line-item veto the vaccine passport language from the budget bill.

## **MM&A BRIEFS**

### **CRAIG TO CHALLENGE WHITMER IN GUBERNATORIAL RACE**

Republican Detroit Police Chief James Craig announced his retirement last week, along with his interest in challenging Gov. Gretchen Whitmer for governor in next year's gubernatorial race.

Craig is one of the longest-serving police chiefs in Detroit's history, and has experience serving on police departments throughout the country. He has been discussing the candidacy with both state and national Republican officials.

"I'm a lifelong public servant. I want to continue to serve," Craig said.

He said he will be making a statement after his official retirement on June 1.

## **CALENDAR OF IMPORTANT EVENTS**

- May 18**      **Rep. Samantha Steckloff (D-Farmington Hills) - 37 in the 37th**  
Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Sen. Curtis Hertel, Jr. (D-East Lansing) for Michigan**  
Location: 4:30 p.m., Receive location information upon RSVP.
- May 19**      **Rep. Jack O'Malley (R-Lake Ann) PAC Fundraiser**  
Location: 7:30 a.m., Karoub Associates, Lansing
- Rep. Doug Wozniak (R-Shelby Twp.) CTE**  
Location: 7:30 a.m., Marketing Resource Group, 2165 S. Washington Sq.,

- May 19**      **Senate Republican Campaign Committee**  
Location: 8 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Michigan Legislative Black Caucus - Reception to the Sickle Cell Disease**  
Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Rep. Angela Witwer (D-Delta Twp.) For State Rep**  
Location: 5 p.m., Michigan Beer and Wine Wholesalers Association, Lansing
- May 20**      **Michigan Senate Democratic Fund**  
Location: 5 p.m., Market Tap, 300 East First Street, Flint
- May 25**      **Sen. Sylvia Santana (D-Detroit) for Michigan**  
Location: 8:30 a.m., Karoub Associates, Lansing8:30 a.m.
- Rep. Regina Weiss (D-Oak Park) - Lunch Reception**  
Location: 11:30 a.m., Karoub Associates, Lansing,
- Sen. Aric Nesbitt (R-Lawton) for State Senate**  
Location: 4:30 p.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Gov. Gretchen Whitmer for Governor**  
Web Conference, 6:15 p.m.
- May 26**      **Rep. Kyra Harris Bolden (D-Southfield) for State Rep**  
Location: 8 a.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Sen. Minority Leader Jim Ananich (D-Flint) Future Fund**  
Location: 4:30 p.m., Midtown Brewing Company, Lansing
- Rep. Gary Eisen (R-Saint Clair Twp.) Cornhole Challenge**  
Location: 5 p.m., Michigan Beer and Wine Wholesalers Association, Lansing
- Rep. Kelly Breen (D-Nov) - Pre-Memorial Day Event**  
Location: 5 p.m., Sidebar East Lansing, 246 E. Saginaw St., East Lansing