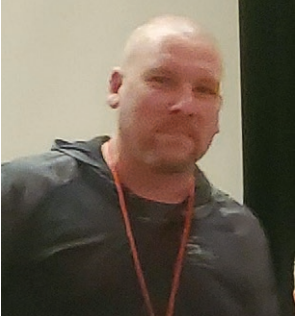


Fall 2020



## From the President



As fall approaches I always look forward to our MSTA meeting and the discussions about summer ups and down however this year, unfortunately, we won't be doing this face to face. The decision has been made, basically for us, that we will not be able to meet like we usually do. This year's meeting will be taking place virtually. While the final details of the plan are still being figured out, I truly hope that we still have many of our members attend.

With that being said there has been no decision made about the January conference as of yet however MSTA does plan to have its annual gun raffle. I ask and encourage members to contact Karlyn to get tickets to sell for this. MSTA uses the raffle as a fund-raiser and with almost half of our ticket sales happening at the January conference. I am concerned that if we are unable to have the conference we will not have the success we have had in the past. MSTA is trying to plan for the worst and hope for the

best so any tickets sales will help if we are unable to have a January conference.

As we all look to the future and wonder what will happen next I ask myself, what does the statement "when this (covid19) is done" mean? How will life be? Will we all become accustom to keeping our distance from each other? We as people are social beings and as business owners we all deal with numerous people throughout our day. The idea of a hand shake is now frowned upon or at least has seemed to become an awkward encounter. People are hesitant or unable to shake hands, share pens, or even exchange a smile because of a masks. Our world is changing daily and many of us, myself included, struggle with this. I coach youth football and now when walking into practice we have our temperature taken and must keep our distance from players and other coaches. No more congratulatory high fives for a great run, catch or block. The world we live in is changing daily and the information we are given seems to change even quicker. I know I struggle with the many that things we are told to do and I pray we can all find a "normal" soon. I sincerely hope all your business continue to thrive during this difficult time and truly look forward to the time when we can all see each other again.

**Rick Throop**  
*MSTA President*

## SepticSmart Week 2020

A colorful promotional graphic for SepticSmart Week 2020. The background shows a yellow house, a white picket fence, and a green lawn. A cartoon character in a green shirt and blue cap is kneeling on the grass, holding a blue hose that is being inserted into a septic tank access point. In the top right corner, there is a circular logo for SepticSmart Week, featuring the same cartoon character and the dates September 14-18, 2020. The text "Save the Date! September 14-18, 2020" is prominently displayed in blue. To the right, a grey speech bubble contains the text "Plan ahead for SepticSmart Week! EPA's annual event focused on how to care for and maintain your septic system." At the bottom left is the SepticSmart logo with the U.S. Environmental Protection Agency (EPA) text below it. At the bottom right, it says "For more information, visit [www.epa.gov/septic](http://www.epa.gov/septic)." and the EPA logo is shown.

# Important Information about Education and Continuing Septage Credits

At the time of writing this article, the current State of Michigan COVID19 Mandate says that most of the State of Michigan cannot hold a gathering of more than 10 people in an indoor space. MSTA takes your health and the health of your employees and their families very seriously. Because of this, we have decided to do our Annual Fall Meeting, virtually. This means that you will be watching the Board of Directors meeting and the presentations at the comfort of your own home or office, viewed on your computer. Because computers all vary in age and specifications, MSTA does not guarantee that yours will be able to view and connect to the virtual meeting.

## FALL MEETING WILL BE VIRTUAL

One of the main purposes of MSTA is to bring up-to-date education to our members. It is because of this responsibility that we decided to offer the Fall Meeting, virtually, instead of cancelling it all together. We ask that you register online (as you have done in the past) so that we know who will be attending and so that we can send you the information you need in order to view the meeting on your computer. The meeting will take place on Saturday, October 17th from 9am to noon. You must be viewing the meeting the entire duration in order to receive 3 credits. Our system will allow us to monitor if you are viewing the meeting or not.

## OTHER WAYS TO GET CSE'S

If you are unable to join the virtual meeting on October 17th, there are other ways you can pick up some credits this year. The next few pages in this newsletter lists additional training that is put on by other organizations (MSU and Wastewater Education) and have been given EGLE approval for CSE's. Keep in mind that MSTA is not putting this education on and so therefore WILL NOT track the credits you earned by attending these. The organizations that put on this education will give you certificates of completion and you must retain these in your records for proof that you took these classes. I don't believe these organizations will "track" these like MSTA tracks credits for our members for the classes that we put on. This information can also be found on our website ([www.msta.biz](http://www.msta.biz)) by clicking on "EGLE approved Classes and Contact Info" on the left column.

## 2021 MICHIGAN ONSITE WW CONFERENCE

We are hopeful that the 2021 Michigan Onsite WW Conference will still take place in January, but at this time we have no way of knowing that. We will keep you posted as we get that information relayed to us.

In the meantime, if your license is coming up for renewal in 2021 and are still in need of credits, be sure to attend the MSTA Fall Virtual Meeting (3 credits) and consider taking some of the courses put on by MSU or Wastewater Education.

We truly value your membership and the excellent service you provide to the citizens of Michigan and wish you and your family good health.



**Karlyn Wickham**  
*MSTA Executive Officer*





#### **President**

RICK THROOP  
Woods-Utica Septic Service  
68730 Campground Road  
Romeo, MI 48095  
Phone: 586-752-2960  
Email: hrt01@hotmail.com

#### **Vice President**

RODRIGO MEIRELLES  
Williams and Bay Pumping Services  
9317 S. Nash Road  
Maple City, MI 49664  
Phone: 231-228-7499  
Email: rodrigo@williamspumping.com

#### **Secretary**

JASON SPANGLE  
Esch's Septic Service Inc.  
751 N Mt Tom Road  
Mio, MI 48647  
Phone: 989-848-2391  
Email: eschsepticllc@gmail.com

#### **Treasurer**

DAVE SNYDER  
West MI Septic Sewer/Drain Service  
2542 S Getty Street  
Muskegon, MI 49444  
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## **2021 Michigan Onsite Wastewater Conference**

**January 12, 2021 – January 14, 2021**

Agenda and registration information  
coming in early fall

Kellogg Center  
219 S Harrison Rd  
East Lansing, MI 48824

# TRAINING BULLETIN 2020

## MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY DRINKING WATER AND ENVIRONMENTAL HEALTH DIVISION SEPTAGE WASTE PROGRAM AND CONTINUING SEPTAGE EDUCATION

### MSU Decentralized Wastewater Treatment

**LOCATION:** Webinar (CANR.MSU.EDU/Septic\_System\_Education/Events)

**DATE:** March 11 - April 22, 2020; July 8 - August 19, 2020; November 4 - December 16, 2020

**CREDIT HOURS:** 16 Credit Hours

#### DECENTRALIZED WASTEWATER TREATMENT

CREDITS	TIME	TITLE	INSTRUCTOR
2.0		Onsite Wastewater – Past, Present, and Future	Steven I. Safferman, PH.D.,P.E.
1.0		Types of Pollutants	Steven I. Safferman, PH.D.,P.E.
2.0		Septic Tank Design and Function	Steven I. Safferman, PH.D.,P.E.
3.0		The Soil Component	Steven I. Safferman, PH.D.,P.E.
2.0		Wastewater Transport	Steven I. Safferman, PH.D.,P.E.
3.0		Advanced & Alternative Treatments	Steven I. Safferman, PH.D.,P.E.
1.0		Water Reuse	Steven I. Safferman, PH.D.,P.E.
1.0		High Strength Wastewater Treatment	Steven I. Safferman, PH.D.,P.E.
1.0		Case Studies	Steven I. Safferman, PH.D.,P.E.

**CREDIT:** The courses will count toward the septage education (CSE) requirements outlined in Section 11703 of part 117. Only the CSE credits earned by the “responsible agent” for a given Michigan licensed septage firm will be credited to that firm.

**Due to concurrent course session scheduling, no more than 16 CSE credits may be earned during the conference.**

**A certificate will be issued for each class attended.**

**REGISTRATION/FEEs:** For further information, contact Ms. Betsy Braid or Mr. Steve Safferman (CANR.MSU.EDU/Septic\_System\_Education/Events). You may also call 517-884-7081.

**Course Cancellation/Rescheduling:** Some courses may be cancelled or rescheduled due to low enrollment/registration or other reasons. EGLE is not responsible for any course cancelled or rescheduled by a course sponsor. Course sponsors are strongly encouraged to notify EGLE and those who have registered for the course in a timely manner when a course is cancelled or rescheduled prior to the date the course is scheduled to be offered. Course attendees from Michigan are encouraged to make adequate consultation with the course sponsor before registering for the course.

For additional information, you may call Mr. Matt Rockhold, EGLE, at 517-888-4897 or send email to RockholdM@Michigan.gov.

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# TRAINING BULLETIN 2020

## Michigan Department of Environment, Great Lakes, and Energy Drinking Water and Environmental Health Division Environmental Health Section

### 2020 ONLINE WASTEWATER EDUCATION 501(C)(3)

**LOCATION:** Webinar Based Education Opportunities

**DATE:** Must Call To Arrange

**TIME:** Not Applicable – Arrangements Made with Wastewater Education

**COURSE:** There is a Total of 33 Webinar Based Courses

**INSTRUCTOR:** This varies and is under the direction of Ms. Dendra J. Best, Director of Wastewater Education 501(c)(3) Traverse City, Michigan.

**CREDIT HOURS:** COURSES MUST HAVE A PASSING TEST SCORE OF 75%, TAKEN AT THE END OF EACH COURSE, TO BE ABLE TO OBTAIN THE CERTIFICATE toward the continuing septage education (CSE) requirements outlined in Section 11703 of part 117. Only the CSE credits earned by the designated “responsible agent” for a given Michigan licensed septage firm will be credited to that firm.

**REGISTRATION:** For more information contact Ms. Dendra J. Best at 231-233-1806 or [Info@WasteWaterEducation.org](mailto:Info@WasteWaterEducation.org).

---

## Thank you to our 2020 PAC Fund Donors

**Tom Stump**

**Darrell D. Butler, Jr.**

**Donald Bollinger**

**Dave Snyder**

**Larry and Toni Spies**

**Arthur Goodwin**

**Mark Scott**

We want to remind everyone that we can only make our political efforts possible through the help of our membership donations to the MSTA PAC fund. With the help of Joe Hall’s leadership in the past years we were able to successfully make several legislative changes that have strengthened our industry and organization. We hope to continue having a prominent voice in the capital by representing our member’s ability to effectively conduct business in the State of Michigan.

With that being said, we would like to encourage engagement from our general members and provide transparency to the use of our PAC dollars. If any members have specific pain points they feel should be communicated, we are happy to review them at the PAC committee so we can properly plan how to address them with legislators. Additionally, any contributions are appreciated and begin to add up when considering the potential scale of our association. For example, if we have 150 of our members donate \$100, we have \$15,000 of fire power to move forward our initiatives and make sure our voice is heard in Lansing.

Please note that all PAC donations must come from personal checks and we can’t accept checks written from business accounts.

**Best regards,  
MSTA PAC Committee**

# MSTA Fall Meeting (VIRTUAL MEETING)

OCTOBER 17, 2020

9:00AM TO 12PM

**3 CSE CREDITS IF YOU ATTEND THE ENTIRE PROGRAM (NO PARTIAL CREDITS GIVEN)**

This meeting will not be in person, but rather be a Virtual Meeting where you will attend using your computer. You must still register to attend.

- 9:00 – 9:45 MSTA Board Meeting
- 9:45 – 10:45 Portable Restroom Panel Discussion (pricing, software used for routing)  
Lynden Johncock – Williams and Bay Pumping Service
- 10:45 – 11:45 Infectious Diseases in WW, including information about the Coronavirus  
Tracy Metcalfe, Bay County Health Department
- 11:45 – 12:00 Group Discussion

**YOUR CSE'S WILL BE EMAILED TO YOU WITHIN 1 WEEK OF THIS CLASS AND MAILED TO THOSE OF YOU WHO DO NOT HAVE AN EMAIL ADDRESS ON FILE WITH MSTA.**

## MSTA Annual Raffle

### Tickets On Sale Now

We are happy to be hosting the 8th Annual Raffle at the MSTA Banquet during the 2021 Onsite Wastewater Conference on Wednesday, January 13. Below is a list of prizes you could win:

- 1st: Henry Big Boy 44 mag Brass Receiver or \$750 Cash
- 2nd: Ruger Am Go Wild 243 Win Camo Stock or \$450 Cash
- 3rd: Ruger Mark IV Lite 22LR Pistol or \$400 Cash
- 4th: Remington 783 450 Bush Tan Synthetic or \$400 Cash
- 5th: Winchester SXP pump 12 or 20 gauge (wood) or \$300 Cash
- 6th: Savage BMag 17 WSM Synthetic or \$200 Cash
- 7th: Omega S12 12 gauge 3" Synthetic or \$175 Cash
- 8th: Ruger 10/22 22LR Wood Stock or \$150 Cash

**2021 Raffle Ticket Sponsor:**

***PolyJohn***

Thank you to PolyJohn for sponsoring the raffle tickets!

Tickets are 3 for \$25 and you do not have to be present to win. They would make a good present for the deer hunters on your Christmas list or just for yourself! Contact Chris Sloan if you want to purchase 10 or more tickets. Call Chris at 989-845-6280 right away as the tickets will go quickly. If there are any left, they will be available for purchase at the conference.

**Sincerely,  
MSTA Raffle Committee**



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# 70TH MICHIGAN ONSITE WASTEWATER CONFERENCE

Please mark your calendar for January 12-14, 2021 (Tuesday – Thursday) for the 70th Michigan Onsite Wastewater Conference. Considering the current COVID19 conditions, we are still hopeful that the conference will still take place. At this time it is still being planned at the Kellogg Center in East Lansing, MI. The 2020 conference brought in a good crowd of onsite professionals and was quite successful. The annual conference is a great time to learn more about our industry. You have the opportunity to rub shoulders with suppliers, regulators, colleagues, competitors, friends, and educators. Furthermore, this GREAT educational opportunity is offered at a time of year most onsite professionals are not as busy.

Arrangements are being made for the Michigan Department of Environment, Great Lakes and Energy (EGLE) [formally known as the MDEQ] accreditation of the conference sessions to count toward continuing education credit hours required for EGLE licensed septage haulers.

Vendor Booths are planning to be open Tuesday afternoon and through most the day Wednesday. Please contact Dan Milan, onsite wastewater vice-chair and vendor coordinator at 800-756-4526, if you are interested in a booth this year.

## **SOME OF THE TOPICS FOR THE 2021 CONFERENCE INCLUDE THE FOLLOWING BUT ARE SUBJECT TO CHANGE:**

- Keynote Speaker: Sara Heger, University of Minnesota – Minnesota's Training & Certification Program
- Keynote Speaker: Kim Seipp, NAWT Education Program Coordinator
- EGLE Onsite Wastewater Program Sessions
- Michigan Truck Safety Session
- Septic Truck Inspections
- High-Strength Wastewater Treatment and Reuse
- COVID19 Panel Discussion
- Innovative Tribal Wastewater Management Case Studies
- Shallow Treatment and Disposal
- Magnetic Locators, Wire Tracers and other Similar Technologies
- Septage Dewatering Ideas
- Infectious Diseases in Wastewater
- MUCH MORE!!!

## **ROUND TABLE DISCUSSION TOPICS INCLUDE THE FOLLOWING BUT ARE SUBJECT TO CHANGE:**

1. Protect and Perpetuate your business
2. Septage Dewatering Ideas
3. Health Care Reform Update
4. Understanding your Credit Card Processing Statement
5. Fenner Center Follow-Up from 2020 conference
6. Personal Protective Equipment
7. Proper Techniques for Solvent Welding Plastic Joints
8. Thinking about Buying or Selling a Septic Business
9. Communicating through Conflict
10. MSU Online training
11. Corona Virus Task Force
12. MUCH MORE!!

The next wastewater conference planning meeting is scheduled after the fall newsletter goes to print. Please contact Jason Spangle (Esch Septic Service, LLC at 989-848-2391) if you have suggestions for the 2021 or future conference topics.

It is the intent of these annual wastewater conferences, organized as a joint venture by the Michigan Onsite Wastewater Recycling Association (MOWRA), the Michigan Department of Environment, Great Lakes and Energy (EGLE) with the Michigan Environmental Health Association (MEHA), the Michigan Septic Tank Association (MSTA), and Michigan State University (MSU), to educate people involved in the onsite wastewater field.



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### **Robert Jay Pierson** **Owner of Pierson's Septic Tank Cleaning** **Pinconning, Michigan**

Bob, age 84, loving husband, father and grandfather passed away Sunday, May 17, 2020 at his home with his loving family by his side following a courageous battle with cancer. Bob was a devoted husband for over 60 years to his wife Janice (Rifenbark) whom he married June 27, 1959, father to his only child Connie, grandfather to Jermy (Elena) Peppers, Jamie (Bill) Layle, great grandfather to Jacob & Justin Reder and his loving dog Lucky. Bob grew up at the end of Rashotte Rd where his family were commercial fishermen. He was born on June 25, 1935 in Pinconning, Michigan to the late Fred & Medley (Rashotte) Pierson.

Bob owned and operated Pierson's Septic Tank Cleaning of which he started in 1953 in Pinconning, Michigan. He also owned sewer cleaning services, and warehoused and rented portable toilets. He was a past director, secretary and treasurer of the Michigan Septic Tank Association. Bob was a member of the Estey Moose Lodge and was always a supporter of the Pinconning Fraser Fire Department.

He will always be remembered for being a very fun-loving man and always liked a party even after surviving his first battle with cancer in 2002 he wanted to thank his brother and sister in law Dan & Karen Rifenbark for all they did for him and Janice. When his cancer returned in 2020, he was blessed that he had his wife, daughter and his grandchildren; Jermy, Elena, Jake, Justin, sister-in-law Nancy Pickvet, Keith Mallory, LouAnn Doak all of whom took great care of him. Bob was one of seven siblings, he is survived by a twin sister Elizabeth (Betty) Worthing, and mother in law; Esther Rifenbark as well as many nieces and nephews. He was predeceased by his six siblings; Fred, Leith, Bill, Ethel, Marie and Max. The family would like to extend a heartfelt Thank You to McLaren Home Care Nurse Tracey Schmidt, and McLaren Hospice and their staff, and the Lee-Ramsay Funeral Home.

Due to current Covid-19 circumstances cremation has taken place. A private inurnment was held at Pine River Cemetery with a Memorial Service held at a later date.

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## **Covid 19 and your business practices**

I know these are some trying times we are living through and dealing with your family's health, employee's health and customer's health can be stressful. You need to educate yourself as much as possible and then weed out the incorrect stuff. It's frustrating to watch the news and see all the political garbage blended in with COVID19.

I know when this hit, we got the masks, the Tyvek suits, gloves, foot covers etc. Our business kept rolling along as we were classified as "essential workers". There were more people home, causing more problems and keeping us busy, so we shouldn't complain? Not only worried about the "disease", but also our customers, we would ask our customers if everyone was healthy and if they had any symptoms. If there was any hesitation, I would needle them with more questions and if I didn't like the answer, I would not send a service tech to that home. Some of the nursing homes we service had positive tests and we would not service them without a guaranteed quarantine area to work. Sometimes they just could not make that work.

Whatever your personal opinion is about personal protection equipment, please consider your customer when you go to their residence. Be respectful of their opinion about their health and ask them if they would prefer you to wear the mask, gloves, etc. (if you're not wearing them already). That goes both ways. If you're not comfortable with them being around you when you are there, let it be known and ask them to step away from your work space. Nobody should be offended by you suggesting that. We are all in this together and we need to try to work as one to defeat this pandemic.

Now this is my opinion and not the MSTAs. I hope you, your family and friends all stay healthy. Hope to see you all and without a mask being needed.



**Dave W. Snyder**  
*MSTA Treasurer*





**Karlyn Wickham**

*MSTA Executive Officer*

# HOW TO NAVIGATE THE MSTA WEBSITE

[www.msta.org](http://www.msta.org)

## HOW TO LOG IN TO YOUR PERSONAL PORTAL OF THE MSTA WEBSITE

1. Log into your account on [www.msta.biz](http://www.msta.biz)

If you do not remember your username /or password, click on “Forgot Your Password?” on the MSTA Homepage. You will receive an automatic email with instructions to get your username / password. Follow the instructions on this email to log in.

## GETTING YOUR CSE CREDITS OFF FROM THE MSTA WEBSITE

As you already know, we have a new website and database system to track your membership and CSE credits. The old website contained all your CSE Credits prior to August of 2017. If you don’t have records of your credits prior to August 2017, you will not be able to get them by logging onto the website. Instead you will have to send an email to the address below to request a report of those.

The new website contains your CSE Credits from August 2017 through now. To get a record of the credits you received from the Fall 2017 meeting or the 2018 Michigan Onsite WW Conference, follow the steps below:

1. Log into your account on [www.msta.biz](http://www.msta.biz) If you do not remember your username /or password, click on “Forgot Your Password?” on the MSTA Homepage. You will receive an automatic email with instructions to get your username / password.
2. Once you are logged in, go to “My Membership Information”
3. Click on the “other information” tab
4. Click on “Prior Event Registrations”
5. Find the class you just attended and click on the symbol with the checkmark inside the square
6. A copy of your transcript will appear showing the credits you earned by going to the meeting
7. Print this page and keep it for your records to be turned into the DEQ when you renew your license.

Please save these instructions for future use. Please also save your username and password somewhere safe as well so that you can log onto the MSTA website again. By the way, your username and password can be changed to something you remember more easily by clicking on “Member Information / change username and password” (right next to the “other information” tab).

## CHANGING CONTACT INFORMATION FOR YOUR MEMBERSHIP

1. Log into your account on [www.msta.biz](http://www.msta.biz) If you do not remember your username /or password, click on “Forgot Your Password?” on the MSTA Homepage. You will receive an automatic email with instructions to get your username / password.
2. Once you are logged in, go to “My Membership Information”
3. Click on the “Membership Information” tab
4. Click on “change contact / profile”
5. Change your profile information
6. BE SURE TO PRESS SUBMIT AT THE BOTTOM OF THE PAGE

## ADDING EMPLOYEES OR ADDITIONAL PEOPLE TO YOUR MEMBERSHIP

1. Log into your account on [www.msta.biz](http://www.msta.biz) If you do not remember your username /or password, click on “Forgot Your Password?” on the MSTA Homepage. You will receive an automatic email with instructions to get your username / password.
2. Once you are logged in, go to “My Membership Information”
3. Click on the “Membership Information” tab
4. Click on “additional individuals attached to this membership”
5. Click on “add an additional member”
6. Fill out the information about this member
7. Do this for every person you would like to add to your membership





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# Legislative Report for MSTA

JUDY AUGENSTEIN, LEGISLATIVE CONSULTANT

## JULY 2020 REPORT

Citizens of Michigan will witness a big shift in the state's no-fault auto insurance system as the first major overhaul in decades goes into effect Thursday. Many have differing opinions about the quality of the reforms, an opinion many share is that no one is quite sure how things will shake out after July 2. There are also questions about whether the bills will do exactly what they intended, including to insure more Michigan drivers so they are compliant with the law.

PA 21 of 2019 and PA 22 of 2019, the bipartisan reform legislation with aims to insure every driver by overhauling personal injury protection coverage to make it more affordable. Lawmakers did so by offering multi-tiered PIP rate packages rather than the previous mandatory lifetime health coverage and directing companies to reduce PIP rates to specific various thresholds.

The Department of Insurance and Financial Services recently declared the expected average PIP reductions meet or exceed the mandatory thresholds, which officials said will result in potential savings. Some have noted that the new law has made the insurance market in Michigan more complicated than it already was. Others remain sharply critical of the changes, saying that they won't produce the savings being touted by the state and drivers in places like Detroit may end up paying more than they did before.

The key portion of the reforms were changes to PIP coverage, which mandated a multi-tiered offerings with reduced rates by at least 10 percent for unlimited PIP coverage; at least 20 percent for \$500,000 coverage; at least 35 percent for \$250,000 coverage; and at least 45 percent for \$50,000 coverage. Other rating factors like ZIP codes, gender, age and credit score were deemed off limits to insurers as a way to set rates and premiums though critics said the bill created a path for insurers to continue similar rate-setting patterns.

So, who will see those savings, who won't and by how much? That's a hard question to answer, said Doug Fairbanks, president of Hartland Insurance Agency and the president of the Michigan Association of Insurance Agents. "It's hit and miss," Mr. Fairbanks said in an interview. "It varies by company, by insured and location. I personally saw like \$80 a car with the new rates per year, so not a ton of money but it's something."

One of his clients, a commercial trucking company in the Detroit area, pays more than \$100,000 a year in auto insurance, Mr. Fairbanks said. The new rates would raise what the client pays by a few thousand dollars – even when going from unlimited PIP to the \$250,000 level, he said.

"So that's obviously not a good deal," he said. "There's not any consistency. Many, many years ago, there were less complicated rate books and, depending on the person and the car and the location, you could have a pretty good idea of what they should pay."

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Schools seeking to get students back in the classroom this fall must adopt a plan that follows the state's own phased approach to reopening, by following guidelines and requirements outlined in the MI Safe Schools Return to School Roadmap unveiled this week.

The plan turns to masks as the prime way to protect students and faculty. Schools in regions classified as Phase 4 on Governor Gretchen Whitmer's restart plan must require all students to wear masks in common areas of school buildings and students in grades 6 to 12 must wear them in classrooms. Areas in Phase 5 – currently the Upper Peninsula and 17 counties in the northern Lower Peninsula – are recommended but not required to follow the same mask protocol.

Under the MI Safe Start phased approach, in-person schooling is only allowed beginning in Phase 4. Should any part of the state revert to Phase 3 or lower, schools in those regions would have to move to distance learning.

In Phase 4, schools are required to have all pre-kindergarten students, staff and auxiliary personnel like bus drivers to wear masks in all circumstances unless eating. In the instance someone is medically unable to tolerate wearing a mask, they will be exempt from doing so. For those wearing one, however, it is required to be washed daily – if reusable – or disposed of once the school day concludes.

Face coverings would only need to be worn in classrooms by students grades 6 through 12, in addition to teachers. For younger students, they will not be required to wear masks in their classrooms unless otherwise in contact with students from another class.

In this phase schools are also required to provide adequate cleaning supplies – such as soap, hand sanitizer, paper towels, tissues and more – place desks six-feet apart when capable of doing so and emphasize a need for social distancing, work with local public health departments to implement screening protocols for students and staff, as well as prohibit any indoor assemblies that combine students from more than one classroom.

While athletics are allowed at Phase 4 and beyond, athletes must wear masks when competing in inter-school competitions and equipment must be disinfected both before and after use. There is also to be no unnecessary touching, such as handshaking or high-fiving, and all large-scale indoor spectator events are suspended. Outdoor events would be allowed provided less than 100 people are in attendance and those not of the same household sit at least six feet apart.

Governor Gretchen Whitmer has asked the Michigan High School Athletic Association to consider postponing fall sports where social distancing is not possible – presumably meaning football – until the spring semester and for spring sports where social distancing is possible, such as with track or golf, to be moved into the fall. But, the Governor is allowing football at the college and professional level.

*(continued on page 16)*

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Phase 5 sees requirements completely dropped and, while largely following much of the same guidelines as what was in Phase 4, replaced with recommendations. This includes strongly recommending students and staff wear masks in school, unless medically unable to do so or told they can remove them in certain portions of a building, such as in a young child's classroom.

In Phase 6, safety protocols are almost completely done away with, though schools are still encouraged to provide sanitary supplies such as hand soaps, sanitizer, paper towel and the like. Schools in this phase, should they see a positive COVID-19 case, must also close the portion of the building this person dwelled in so that it can be cleaned and disinfected.

The recent rise in COVID-19 cases means the rest of Michigan will not join the Upper Peninsula and 17 counties in the northern Lower Peninsula in Phase 5 of Governor Gretchen Whitmer's six-phase plan to reopen the economy, Ms. Whitmer said this week.

Ms. Whitmer had said for weeks she intended to move the entire state to Phase 5, a move that would have allowed gyms and movie theaters to reopen and much larger social gatherings, by July 4. But with the entire state seeing increases in new COVID-19 cases, especially in the Lansing and Grand Rapids regions, Ms. Whitmer said that will not happen.

"My hope was that we would be into Phase 5 by the Fourth of July. That's not going to happen," she said. "I just think we need to take that off the table right now. The numbers that we're seeing are increasing across the state."

Ms. Whitmer said she had nothing to announce at this point on moving any regions backward from their current phase and possible renewal of restrictions that had been lifted but would have more to say in the next day or two.

The Lansing region was moved from medium risk on the state's corona virus dashboard to high risk, affecting a five-county area, following an outbreak triggered by a packed East Lansing bar, Harper's, where more than 100 patrons have since tested positive for the virus. There has been a one-week increase of more than 40 new daily cases per million people. Lt. Governor Garlin Gichrist commented this week that recent protests and riots did NOT trigger any new COVID's.

The Grand Rapids region was moved from medium risk to medium-high risk with cases continuing to climb in many of the 13 counties in it. The state said in the past two weeks, there has been a rise of more than 20 new daily cases per million people as well as an increase in the percent testing positive.

The 17 counties in northern Lower Michigan and the Upper Peninsula continue to be rated at low risk. The rest of the state remains at medium risk.

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Territorial Governor Lewis Cass' ownership of a slave and supporter for the movement to let states decide whether to abolish slavery and enforcement of President Andrew Jackson's policies against American Indians prompted Governor Gretchen Whitmer to remove his name from the oldest state office building and rename it for the two sponsors of the state's civil rights law.

The building at 320 South Walnut Street in downtown Lansing will now be known as the Elliott-Larsen Building, named for former Reps. Daisy Elliott and Mel Larsen, the namesakes of the Elliott-Larsen Civil Rights Act that prohibits discrimination in housing, employment and public accommodations based on race, sex, age, weight, disability and other factors. Built from 1919-22 and on the National Register of Historic Places, the building was named for Mr. Cass in 1952 after a devastating 1951 fire forced the removal of the building's seventh floor.

Lewis Cass was born and raised in New Hampshire and moved to Ohio, where he was elected to that state's legislature. During the war of 1812, he rose to brigadier general and was appointed governor of the Michigan territory in 1813, a post he held for 18 years until Mr. Jackson named him secretary of war in 1831. He later became U.S. minister to France, and in 1845, the Michigan Legislature elected him to the U.S. Senate.

In 1848, he was the Democratic Party nominee for president, losing the election to Whig Zachary Taylor. The Legislature returned him to the U.S. Senate in 1849 (he had resigned during the presidential race), where he remained until 1857. President James Buchanan appointed him secretary of state in 1857. He is buried at Elmwood Cemetery in Detroit, and the cemetery's description of Mr. Cass labels him "Michigan most powerful political figure of the 19th century."

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Members of the Michigan Capitol Commission will begin speaking with legislative leadership and state officials on the mechanics and cost of a potential change to policies governing the carrying of firearms in the Capitol building or on the grounds.

This comes as commissioners discussed an outside legal opinion it sought from a Lansing firm in line with an attorney general opinion saying the panel has the authority to amend firearm policy within the Capitol.

"Now, I think it's up to the commission to decide how we want to exercise that authority," Commission Chair Gary Randall said after outlining the legal opinion. Mr. Randall said his initial thought was that there were three primary options to consider: to enact a total firearm ban inside the building, a ban on long guns or to do nothing.

The most recent debate over firearms in the Capitol originated with an April 30 Freedom protest against Governor Gretchen Whitmer's stay-at-home order intended to combat the spread of the new corona virus. A few armed event demonstrators appeared on the Capitol grounds, with some entering the building. Some were photographed in the Senate gallery, occasionally heckling members, which some Democrats took as being intimidation tactics.

*(continued on page 18)*



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An executive order requiring owners and operators of employer-based MIGRANT housing to provide residents with the same protections as other congregate facilities was extended this week through the end of the growing season.

Under the order, owners and operators of housing licensed by the Department of Agriculture and Rural Development must provide protections that businesses under another executive order are required to provide. These include the creation of a COVID-19 response plan, enforcing distancing between individuals and providing employees with personal protection equipment.

Beds in housing units must be at least six feet apart and, except in single-family housing, encourage those in the homes to sleep head-to-toe. Isolation housing for residents who are suspected to have COVID-19 but not yet having received a positive test result is also required.

Ventilation of rooms housing COVID-19 suspected residents must be ensured under the order. Medical evaluations must also be provided to the infected either through the local health department or a federally qualified health center, among other requirements. It would be interesting to know if farmers installing porta johns will be required to provide proper sanitation units with hand washing abilities.

"Michigan's migrant agricultural workers are a critical part of our workforce and state as a whole," Ms. Whitmer said in a statement. "By extending this executive order we can protect migrant agricultural workers from outbreaks, and ... continue to have access to healthy and nutritious food grown right here in our state."

A recent article from Michigan Farm News, a publication of the Michigan Farm Bureau, stated that producers have been scrambling to comply with the order prior to its extension, calling it challenging to get into compliance.

## **AUGUST 2020 REPORT**

Thankfully, the primary election is almost here and the campaigning will pause for a "minute".

House Democrats remain behind Republicans when it comes to cash on hand heading into the general election. The Michigan House Democratic Fund raised \$788,692 between April 21 and July 20, the House Republican Campaign Committee raised \$794,685.

Republicans are left with a huge \$4.6 million on hand while Democrats are at \$1.6 million. For the year, Republicans have raised \$1.8 million compared to the Democrats' \$1.4 million.

House Democrats reported 714 contributions for the quarter. Top contributions came from the Michigan Democratic Party, EMILY's List, AFSCME and the Building Bridges PAC, which according to the Michigan Campaign Finance Network, was created by former campaign aides to Governor Gretchen Whitmer.

Republicans reported 327 contributions with top donors including House Speaker Lee Chatfield, Senate Majority Leader Mike Shirkey, Eileen Weiser and Peter Secchia.

House Republicans say they have set a new fundraising record for the last six quarterly reports. Speaker Chatfield also said in a statement the political environment is "still strongly in favor of the House Republicans."

Senate Republicans brought in more than four times as much as the Senate Democrats during the second quarter of the year. Senate Republicans reported having more than \$2.195 million in cash on hand. The largest contribution provided during the quarter was \$41,975 from the Senate Majority 2018 PAC, followed by a \$41,000 contribution from Ron Weiser and a \$40,000 contribution from Matthew Moroun.

The Senate Democratic Fund reported raising \$101,751 during the second quarter. Four contributions of \$10,000 apiece were the largest reported for the quarter by Senate Democrats. They came from the Michigan Beer and Wine Wholesalers Association, DTE Energy, the Ananich Future Fund and Winnie Brinks for Senate.

Governor Gretchen Whitmer grew her reelection campaign fund this year to \$2.4 million. The governor's spending was to help House Democrats. She gave the calendar year maximum of \$41,975 to the House Democratic Fund. She gave heavily to individual House candidates and smaller amounts to a handful of other candidates.

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"UNLOCK MICHIGAN", which wants to repeal the 1945 law that gives the governor unilateral authority to declare an emergency indefinitely, reported raising \$765,024 and spending \$542,333. It had \$222,691 cash on hand.

The group had hundreds of donors but by far the biggest donor was a 501(c)4, Michigan Citizens for Fiscal Responsibility, at \$560,000. The group needs to collect at least 340,047 valid signatures from registered voters to have its proposal certified to go before the Legislature. If that happens, the Legislature's Republican majorities could pass the proposal and enact it into law with no way for Governor Gretchen Whitmer to veto it under the Michigan Constitution.

Backers hope by repealing the 1945 law, that then the 1976 Emergency Management Act will reign. That act allows the governor to declare a state of emergency and/or disaster, but the declaration expires in 28 days unless the Legislature agrees to extend it.

Whitmer's initial declaration for the COVID-19 outbreak expired in early April. The Legislature then extended it through April. Since then, Whitmer has continued extending the state of emergency and disaster since then without legislative authorization, relying in large part on the 1945 law.

Governor Whitmer also has argued the 1976 law allows her to declare a new state of emergency after the initial one expires, but the Michigan Court of Claims ruled against her on that front, meaning at this point the 1945 law is vital to Whitmer's and the Legislature's authority.



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