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Weekly Legislative Report # 14

Week Ending April 17, 2020

The State of Georgia faces a crucial decision in the coming weeks regarding how to begin re-opening business as usual while continuing to cope with the spread of COVID-19. The Institute for Health Metrics and Evaluation model, one of several consulted by state officials, updated its recent projections last week concluding that Georgia passed its peak for virus-related deaths on April 7. Other models have projected an early May peak. Re-opening activities too soon could lead to an uptick in casualties, instead of a steady reduction. Still, when the economy is suffering, people are suffering. Gov. Brian Kemp reportedly held telephone consultations with other Southeastern Governors on Saturday to discuss the prospects of a regional plan for gradually lifting social and business restrictions. In this previously uncharted environment, here are some of the developments from last week.

Executive Orders Related to Coronavirus

Gov. Kemp issued two [executive orders](#) last week related to the Coronavirus pandemic. One order stated that persons wearing a mask to conform with COVID-19 protection protocols would not be guilty of violating state statutes prohibiting wearing masks in public that date back to troubles with the KKK. A second order holds that healthcare workers should be considered “auxiliary emergency management workers” during the public health emergency period, thus shielding them from liability suits that might be brought under normal circumstances. All healthcare workers, including nursing home staffs, would be treated under the same liability regulations as emergency management personnel during the emergency period.

Criteria for Testing Eased

Gov. Kemp also eased the criteria to be tested for COVID-19 at hospitals and 35 state-run centers (more being added) throughout the state. Guidelines now allow anyone displaying COVID symptoms to receive a test. One of the keys repeatedly mentioned as paramount to re-opening the state for business is the ability to test more Georgians and do the “contact tracing” to prevent exposed persons from spreading the disease further. Access to tests remains an issue in the state and has been a frustration expressed by the Governor. Kemp told hospital administrators

on Thursday that he had met with Public Health Commissioner Kathleen Toomey, and that he is confident in the state's ability to increase its testing and contact tracing. He also stated that bed capacity in the state is in great shape. Kemp recently toured 200 newly installed beds at the World Congress Center readied as an insurance policy against the upper end estimates of a COVID-19 surge.

Telehealth Expansion a Silver Lining?

We've heard from several sources that one long-term outcome of the Coronavirus crisis might be expanded use of telehealth in Georgia and across the nation. The emergency has resulted in a loosening of rules surrounding how providers may offer telehealth, bill for services and consult with patients, providing a trial by fire that should identify any downsides to relaxed restrictions. Cong. Buddy Carter, a Republican representing coastal Georgia, told a Georgia Hospital Association (GHA) conference call on Friday that "a silver lining may be telehealth gets accelerated and becomes an integral part of healthcare going forward." Carter reminded those on the call that he has been working on telehealth issues since going to Congress (in 2015). The pharmacist from Savannah also joined the chorus of officials pointing to increased testing as the primary ingredient necessary to begin returning Georgia to business as usual.

About those PPP Forgivable Loans

Cong. Carter also told the GHA that he hoped Congress could come together to fund the next phase of a Coronavirus stimulus package. He said if leaders cannot negotiate a Phase 4 quickly, they should do a Phase 3.2 that immediately re-loads the Paycheck Protection Program (PPP). For businesses that maintain their payrolls during the crisis, the PPP loans will be forgiven. The first round of funding for PPP through the U.S. Small Business Administration, \$350 Billion, was snapped up within three weeks.

As an interesting aside, the \$1,200 stimulus checks deposited directly to Americans' bank accounts last week via electronic transactions emanated from the Atlanta Federal Reserve. According to CEO Rafael Bostic in a call with the Georgia Chamber of Commerce, more than 80 million Americans received their stimulus funds in that manner, all distributed from Atlanta. (Pres. Trump got his name on the hard-copy checks; too bad we couldn't add "From Atlanta with love" to the electronic deposit statements!)

House Protocol Committee

House Speaker David Ralston has named a committee to recommend and review new protocols for when the Georgia General Assembly reconvenes. Three Republicans, Majority Leader Jon Burns, Majority Caucus Chair Matt Hatchett and Rep. Mark Newton, were named to the committee, along with two Democrats, Minority Leader Bob Trammell and Rep. William Boddie. These elected officials will be joined by Clerk of the House Bill Reilly, House Messenger Betsy Theroux and Ralston's staff members Spiro Amburn and Holli Pitcock. "None of us can know what the remainder of the session will look like," Ralston said in a memo to House members. "All we can know is that how we conduct our business will be significantly different than when we suspended the session."

Sen. Blake Tillery to Succeed Sen. Jack Hill

Unrelated to Coronavirus, one of the significant differences the General Assembly will notice upon reconvening will be a new face running the Senate Appropriations Committee. Sen. Blake Tillery (R-Vidalia) has been named by the Senate Committee on Assignments to take over as Chairman of the Appropriations Committee following the death of Jack Hill. Tillery had been Vice-Chair of the committee, but that typically has little impact on succession. An attorney who is in his fourth year of legislative service, Tillery clearly impressed Senate leadership with his ability to handle the details and pressures attendant to wrestling with the state's budget during an economic crisis. Of note, Tillery also served as one of Gov. Kemp's floor leaders, a position he will now relinquish.

Drop-off Ballot Boxes

Spurred by safety concerns, the State Election Board approved emergency rules last week allowing county registrars to set up drop-off boxes for voters to cast absentee ballots in person, rather than by mail. While it is not mandatory, county election officials may set up secure metal boxes on county property prior to the June 9 primary election. The Secretary of State's Office is considering whether to use federal coronavirus relief money to pay for such boxes. Otherwise, counties will have to pick up the tab if they decide to employ them.

Dear Self, Will You Support My Campaign?

Until the General Assembly reconvenes, takes care of business and subsequently adjourns sine die, incumbent candidates for the state House or Senate will have to finance their reelection campaigns without raising money from the public. In a tight 3-2 vote, the State Ethics Commission has ruled that, although in suspension, the General Assembly is technically still in session. A 30-year-old ban prohibits current legislators from raising money even though their challengers are free to do so. The idea is to ensure there is no appearance of a quid pro quo between legislative votes and campaign contributions. The commission did rule that incumbents may lend their campaigns money from their own personal accounts which may be reimbursed from general fundraising later on. The current public health emergency declaration runs through May 13. The primary election is June 9.

Get Your Stats Right Here

For those who enjoy charts and graphs, the [COVID Tracking Project](#) provides information from a national perspective broken out so you can monitor and compare the home state of relatives and friends. Additionally, AJC.com offers a [dashboard](#) that includes statistical illustrations gleaned from both the Georgia Department of Health (DPH) and the COVID Tracking Project. DPH lists the [current figures](#) for COVID-19 in Georgia at 18,301 positive tests and 687 deaths as of Sunday noon.

