



BULLETIN #53/2020 APRIL 28, 2020

_CORONAVIRUS UPDATE #39

**GOV. BAKER EXTENDS CLOSURE ORDER TO MAY 18; CREATES
ADVISORY COMMISSION TO REVIEW HOW TO RE-OPEN ECONOMY**

SEN. PRES. SPILKA: "PANDEMIC OPENS POLICY OPPORTUNITIES"

MASS. CORONAVIRUS-RELATED LEGISLATIVE UPDATES

**ALBIN, RANDALL & BENNETT WEBINAR ON PPP LOANS – FRIDAY, MAY 1,
10 AM**

NADA DEALERSHIP LIFELINE WEBINARS SCHEDULE

[This bulletin supplements our previous bulletins #11 and #16 through #52 on this subject matter. These bulletins are intended to be cumulative so we can avoid repeating the same information.]

Baker Extends Biz Closure Date to May 18, Forms Reopening Panel

[Courtesy of State House News Service]

Gov. Charlie Baker announced today that most public life in Massachusetts will remain shut down until at least May 18, adding at least another two weeks to business closures and a ban on large gatherings as the administration launches an effort to create a road map for a "phased reopening."

Baker extended executive orders requiring non-essential businesses keep their physical businesses closed to workers, customers, and the public and banning events with more than 10 people, as well as an advisory that residents stay at home for public health safety whenever possible. Without action, the orders were set to expire on May 4. The date extension leaves the status quo in place regarding business openings and closures.

Lt. Gov. Karyn Polito and Housing and Economic Development Secretary Mike Kennealy will oversee an advisory commission consisting of municipal officials, business leaders, and public health experts that will draft "new rules of the road" for how the state can take steps toward reviving economic activities in the coming weeks. The board will submit recommendations by the May 18 date that the extensions expire, Baker said.

In addition to Polito and Kennealy, the commission will consist of Stephanie Pollack, the governor's transportation secretary; business leaders Kronos CEO Aron Ain, General Dynamics vice president Carlo Zaffanella, Rapid7 CEO Corey Thomas, eClinicalWorks chief executive Girish Navani, Joseph Abboud senior vice president Joe Bahena, Cape Air president Linda Markham, Fidelity Investments executive Pamela Everhart, Worcester Polytechnic Institute president Laurie Leshin, Davio's chief executive Steve DiFillippo, and Cisco Brewers co-founder Wendy Hudson; municipal leaders Lawrence Mayor Dan



and Cisco Brewers co-founder Wendy Hudson; municipal leaders Lawrence Mayor Dan Rivera, Boston Mayor Marty Walsh's chief of staff Kathryn Burton, and Easthampton Mayor Nicole LaChapelle; and public health experts Mass. General Hospital physician Rochelle Walensky, Baystate Health chief executive Mark Keroack, and state public health commissioner Monica Bharel.

Baker told reporters he recognizes the shutdowns, which also include physical closure of schools through the end of the academic year and non-emergency child care closures until June 29, carry a significant economic impact, but described them as necessary steps to save lives during the COVID-19 pandemic.

"I know pushing these dates back a couple of weeks is probably not what everybody wants to hear," Baker said. "We all look forward to stepping in front of this podium to tell you we're starting to open for business. I know we'll get there soon, but we have to be smart about how we do it and recognize and understand there are risks associated with opening too soon."

Yesterday the Massachusetts Supreme Judicial Court continued its order regarding closure of most state court operations until June 1.

Pandemic Opens Policy Opportunities, Spilka Says

[Courtesy of State House News Service]

APRIL 28, 2020.....Endorsing the idea of a "phased in" reopening of the state's economy, Senate President Karen Spilka told business leaders on Tuesday that the COVID-19 pandemic could present opportunities to begin repairing transportation infrastructure and to elevate as a priority early education and child care.

Spilka, an Ashland Democrat, was the featured speaker in a virtual event hosted by the Greater Boston Chamber of Commerce. Forced to lead during an unprecedented time, Spilka said the Senate was working to be as "nimble" as it could be, but like most other people lacked the ability to see all the challenges that lie ahead.

"We don't have a playbook. We need all of your bright minds to help us plan this going forward," Spilka said.

Before the coronavirus upended daily life around the country, the Legislature was engaged in serious discussions about how to improve the state's transportation system, and the House passed legislation to raise the gas tax and borrow \$18 billion to support investments in infrastructure.

Spilka said the Senate still plans to pass the borrowing part of that transportation package, and she has asked Transportation Committee Co-chair Sen. Joseph Boncore to work with House Co-chair Rep. William Straus to host a virtual oversight hearing with experts to explore plans to "open" the state's transportation systems.

"We should use this time, when it is deemed safe to return to work but before we are back to full capacity, to do the much needed repairs to the T, commuter rail and RTAs, so we can get closer to delivering the public transportation experience our residents deserve,"



Spilka said.

Spilka said she assumed that social distancing would be a part of life for "at least the next couple of months," and that working from home should continue to play a big part in how public policy and business leaders think about the future of commuting after the pandemic.

With fewer people driving, Spilka said now is the time for the House to pass the Senate's climate change bill to capitalize on momentum toward achieving the state's emission reduction goals.

"I believe this gives us an unexpected opportunity to lay the groundwork for generation change when it comes to climate change," she said.

With millions of parents working from home during the public health crisis, Spilka said it also has become clear how difficult it can be for a single parent or a household with two working adults to juggle jobs and child care. She said she has spoken with U.S. Sen. Elizabeth Warren about how child care is as important as public transit, roads and bridges in getting people to work.

"And so, I'm hoping we can use this moment of increased awareness of the importance of reliable, quality child care to raise it higher on our priority list," Spilka said.

Gov. Charlie Baker on Tuesday extended his order keeping non-essential businesses closed through at least May 18, but a previous order will keep day care and early education centers closed until the end of June.

Baker said the timing of day care centers reopening will be looked at by an advisory committee led by Lt. Gov. Karyn Polito that he has appointed to develop a plan for reopening the economy.

Acknowledging the deep financial strain Massachusetts will face coming out of this crisis, Spilka said government is going to need the support of businesses to make an impact.

"To be clear, the state will not have the capacity to fully fund universal early education and care on our own given our current budget situation, no matter how much we may want to. So, in the same way that we have partnered in the past on issues of importance to all of us, including transportation, climate change and mental health, I am hoping that we can begin a conversation on convening a public-private partnership to address our early education and care needs," Spilka said.

With the House moving this week toward a system for virtual voting that could allow it to take up more complicated pieces of legislation in the future, Spilka did not offer a blueprint or a timeframe for when the Senate might take similar steps.

A method for virtual voting will be necessary for the Senate to take up certain bills like a state budget for the fiscal year that begins on July 1, or the \$18 billion transportation bond bill, which Spilka listed as a priority.

"We have a quorum if you want to get some business done on the call today," Greater



Boston Chamber President Jim Rooney joked at the start of the event.

The emergency rules that House Speaker Robert DeLeo hopes to pass on Wednesday would extend the deadline for the House Ways and Means Committee to report an annual budget bill to July 1. Spilka said she did not yet know what the process for passing a budget would look like, but she did not rule out the Legislature resorting to one-month budgets or extending formal sessions beyond the July 31 deadline in the joint rules.

"We're considering everything," she said.

While the Legislature and governor over the past five years have built up the state's "rainy day" fund to \$3.5 billion, Spilka said she's hopeful that the state can get through the final two months of fiscal 2020 without tapping those reserves or making cuts to spending.

She said that by "making some changes and using Medicaid funds," state budget officials may be able to wait until fiscal 2021 to start using the reserve money.

"The funds there have to be used judiciously. There's only one amount there and it's going to take a long time to replenish whatever we use," Spilka said.

The top Senate Democrat also said Massachusetts was going to need more support from the federal government to get through the economic meltdown and health impacts from the pandemic.

So far, we know we need more support for our small businesses — after pushing our federal delegation in the past two weeks, I'm glad that the recently-passed federal stimulus bill included more funding directed towards minority- and women-owned businesses, as well as rural and small businesses. But there will be more small businesses that will fall through the cracks," Spilka said.

She also said the federal government should be doing more to supply states with personal protective equipment.

Massachusetts Coronavirus-Related Legislative Updates

Notarization Legislation Signed by Governor: The process of getting documents notarized – an essential aspect of many business transactions – was overhauled by the Legislature to take into account social distancing in the COVID-19 era. On Monday, April 27, Governor Baker signed Senate Bill 2645 that enables notaries public to "perform an acknowledgement, affirmation, or other notarial act" by using real-time electronic video conferencing. Under the new law, notaries public in Massachusetts are permitted to perform "an acknowledgement, affirmation, or other notarial act" through real-time video conference rather than an in-person transaction for the duration of the COVID-19 crisis. The bill includes a series of stipulations that must be met to ensure a notarization is valid and effective. A notary public must observe, through video conference, each principal's execution of a document; the notary public and each principal must take an oath swearing they are physically in Massachusetts; each principal must provide the notary public with satisfactory evidence of identity; and a principal must have the executed document delivered to the notary public by delivery service, courier, or other means. Under the new law, the terms of the special law will be repealed three business



days after the governor terminates the COVID-19 state of emergency, which was declared on March 10.

Unemployment Insurance Bill Passed by Senate; Awaits Final House Action: On Thursday, April 23, the Senate passed Senate Bill 2618, which would protect employers from increased unemployment insurance costs due to the Coronavirus pandemic. This legislation would ensure those employers who have laid off employees as a result of the COVID-19 pandemic will not be negatively affected by a higher experience rate in the unemployment insurance rating table system. The legislation now awaits action before the House Committee on Bills in Third Reading.

PPP Loans Webinar – Friday, May 1, 10:00 a.m. ET

The U.S. Small Business Administration opened up a second round of Paycheck Protection Program (PPP) loan applications today as a result of President Trump signing a re-authorization into law on Friday. To assist dealers who have been approved for a PPP loan, MSADA associate member Albin, Randall & Bennett will conduct a webinar on Friday, May 1, at 10:00 a.m. ET, entitled, “You Have Your PPP Loan...Now What? An In-Depth Discussion about Loan Forgiveness”. Click [here](#) to register.

NADA Dealership Lifeline Webinar Series Continues This Week

Wednesday, April 29, 1pm-2pm ET: [Reducing Annual Health Insurance Costs By Up-To 7 Figures Within 90 Days](#)

Presented by: Russ Carpel, CEO, LevelFunded Health

Join Russ, an expert in dramatically reducing health insurance expenses for auto dealers nationwide, while simultaneously improving employee’s medical benefits. [REGISTER.](#)

Friday, May 1, 1pm-2pm ET: [The Best Ideas from NADA 20 Groups, Part 3: In Times of COVID-19 Pandemic](#)

Presented by: Tom Carney, NADA 20 Group Dealership Management Consultant

Join NADA 20 Group Dealership Management Consultant, Tom Carney, as he reviews some of the new best ideas from the NADA 20 Groups during these unprecedented times. [REGISTER.](#)