

December 2017

LAWMAKERS WRAP UP 2017 LEGISLATIVE SESSION

It took until the last day of the 2017 legislative session for lawmakers to put the wraps on legislation to stem the opioid crisis and fix a problem with unemployment benefits. Two major and controversial issues--eliminating driver responsibility fees and resolving gun regulations in the state- are still to be worked out.

HOUSE, SENATE PASS OPIOID LEGISLATION

In an effort to address a growing opioid epidemic in Michigan, the House and Senate passed the last of two packages of bills.

Included in the legislation is a requirement that doctors check a prescription database before prescribing painkillers, inform patients of the effects and possible side effects of the drug, require consent from a guardian before minors are prescribed opioids, provide education of opioids in schools, and require doctors to have a bona fide prescriber-patient relationship before prescribing opioids.

UIA ‘FIX IT’ BILLS HEADED TO THE GOVERNOR

Legislation (HB 5165-5172) designed to help prevent a recurrence of operational flaws at the Unemployment Insurance Agency (UIA) that resulted in a faulty fraud alert, unanimously cleared the Senate and headed to the Governor, who is expected to sign it.

The eight House-originated bills scale back penalties for those who improperly collect UIA benefits and create measures that would more quickly halt payments and to identify thieves caught trying to scam the system.

The legislation also creates a new identity theft verification structure, creates an advocacy program for the accused, and stops the UIA from charging interest when the state overpays someone.

Governor Rick Snyder and lawmakers are also looking to create a state fund to compensate the people who were falsely accused of fraudulently collecting unemployment benefits.

The amount has not been confirmed, although some lawmakers are saying it could reach \$30 million.

The proposal was not included in the “fix it” reform package of legislation that just cleared both chambers and on its way to the governor.

BOTH HOUSE AND SENATE APPROVE LOCAL PENSION, OPEB PROPOSAL

Under a scaled back 11-bill package of legislation passed by the House and Senate in the early hours of last Thursday morning, local governments would need to submit a state approved plan on how to cover their employees’ and retirees’ pension and health care costs.

Both chambers overwhelmingly signed off on bills that reflect the first four of the five “stages” the Governor’s local government task force agreed to in July.

The “stages” give a state-appointed independent panel the power to approve a local government’s plan to address its unfunded liability costs, but doesn’t give the board a hammer in case the local municipality doesn’t comply.

HOUSE COMMITTEE: MAKE ENGLISH THE STATE’S OFFICIAL LANGUAGE

On the last day of session, the Government Operations Committee on a vote 3-2, moved legislation (HB 4053) that would place in state law English as Michigan’s official language.

It would codify what is common practice today with official public records and documents being printed in English.

This isn’t the first time such legislation has been introduced. It was first introduced in 1997 as well as in the prior two terms. In the only vote taken, it passed the House in 2006 but died in the Senate.

LEGISLATION STEERS SALES TAX GROWTH TO REVENUE SHARING

Under a package of legislation (HB 5312-5314) an expected extra \$5 million in sales tax revenue growth would be steered into a new fund for local governments for the next 20 years until an extra \$100 million is being used to help local units of government.

Legislation creating the Revenue Sharing Trust Fund was dropped when the House Republicans introduced their municipal employee benefits reform package.

Under these bills, the revenue stream would go directly to the new Trust Fund instead of to the General Fund.

DEQ OVERSIGHT BOARD BILLS MOVE TO THE FULL SENATE

The Senate Natural Resources Committee, on a 4-1 vote moved to the Senate floor legislation (SB 652-654) creating three Department of Environmental Quality oversight panels that would:

- Create a 12-member body charged with reviewing any DEQ rule change proposal.
- Create a 15-member committee to hear appeals of rejected DEQ permits.
- Establish a science advisory board.

The measures are supported by the National Federation of Independent Businesses, the Michigan Manufacturers Association, the Michigan Realtors, the Michigan Chamber of Commerce and the Michigan Farm Bureau, and is vehemently opposed by the Michigan League of Conservation Voters.

DOC CAN HIRE FELONS IF....

Governor Rick Snyder has signed into law legislation that would allow the Department of Corrections (DOC) to hire a former felon to work in a state prison – if the hiring goes through an

investigative process to make sure the person's employment would impact public safety or prison operations.

The bill (HB 4065) is designed to create opportunities for previous offenders looking to become productive members of society.

FOOD STAMP RECIPIENTS FACE WORK REQUIREMENTS

The Department of Health and Human Services (DHHS) has been notifying able-bodied adults without children in 10 Michigan counties that they will have to meet work requirements beginning January 1 in order to continue receiving food stamps as required by the federal government.

Michigan began receiving a waiver for the requirements in 2002 due to high unemployment. A reduction in the state's unemployment rate over the last several years means the state is no longer eligible.

This is the second phase of reinstatements. The first were issued in January to four other counties.

STATE HAS A NEW STATE CONTRACTS NEGOTIATOR

As contract negotiations with state employee unions are set to begin next year, Governor Rick Snyder has named Cheryl Schmittiel the new director of the Office of State Employer to replace Marie Waalkes who is leaving state government with plans to retire.

Schmittiel has worked both sides of the bargaining table.

She previously was a labor relations specialist for the Michigan Professional Employees Society, Service Employees International Union Local 517.

Currently Schmittiel serves as the senior deputy director at OSE and has overseen the administration of all eight collective bargaining agreements covering exclusively represented employees in classified service.

DEMS WANT TO UNDO RIGHT-TO-WORK LAWS

Democrats in the state Senate have introduced legislation (SB 724-725) to reverse Michigan's five-year old controversial right-to-work laws.

The measures would allow a union to charge an agency fee for nonunion members who work in a public or private union.

Prior to the 2012 law, union members had the option to not pay union dues – but were still subject to agency fees to support the cost of negotiating labor agreements.

The bills will probably fall on deaf ears as Senate Majority Leader Arlan Meekhof (R-West Olive), who sponsored the original right-to-work bill, said the measures are unlikely to get a hearing.

The proposed bills have been sent to the Government Operations Committee, which is chaired by Senate Majority Leader Arlan Meekhof.