

September 2020

BUDGET TARGET AGREEMENT REACHED

Local governments and school districts will be spared budget cutting in Fiscal Year (FY) 2021 under a target agreement on spending parameters reached by legislative leaders and Budget Director Chris Kolb.

Specific numbers weren't announced, but a press release said that revenue sharing money to locals and funding to K-12 would not be cut.

The Whitmer administration and key legislators are moving forward on the assumption there will be no additional federal dollars to fold into the next fiscal year budget.

The negotiations were based solely on the revenue estimates outlined last month.

The Legislature has less than two weeks to get a budget to Governor Gretchen Whitmer's desk before the beginning of the October 1 fiscal year. Senate Appropriations Chair Jim Stamas, House Appropriations Chair Shane Hernandez and Budget Director Chris Kolb worked throughout the weekend to reach the deal.

CAPITOL COMMISSION REJECTS WEAPONS BAN AGAIN

For the second time, the Michigan Capitol Commission has rejected motions for weapons bans in the state Capitol building, saying they first want to meet with House Speaker Lee Chatfield (R-Levering) and Senate Majority Leader Mike Shirkey (R-Clarklake) as requested in a letter to the leaders.

Commission Chair John Truscott and member Margaret O'Brien said they wanted to wait on any policy decision until that meeting has been held.

If the Commission agrees to a firearm ban, Governor Gretchen Whitmer says she would "look favorably" on spending money to outfit the Capitol with the needed metal detectors and security guards.

BALLOTS POSTMARKED BY NOVEMBER 2 MUST BE COUNTED

State Court of Claims Judge Cynthia Diane Stephens has ruled that ballots postmarked by November 2 must be counted.

Under the ruling, late-arriving mail-in ballots could still be counted until results must be certified, 14 days after the election. Currently, only ballots that arrive before the polls close on Election Day can be counted.

Judge Stephens made the ruling in a lawsuit brought by the Michigan Alliance for Retired Americans and applies only to the November election, citing the coronavirus pandemic and recent delays in U.S. postal service delivery.

The 21-page ruling is likely to be appealed by Republicans who are interested parties in the case but have not been recognized as intervening defendants as they have requested.

GOVERNOR WHITMER: MATTER OF MONTHS BEFORE COVID-19 STATE OF EMERGENCY WILL END

In a *Viewpoint* column published in Sunday's Lansing State Journal, Governor Gretchen Whitmer wrote, "While it would be irresponsible to forecast a date, it's a matter of months."

Governor Whitmer said several factors will inform her when to lift the emergency. Achieving a low number of new cases, sufficient dispersal of a vaccine, the availability of therapeutics, a better understanding of immunity, or a combination of these and other considerations.

None of this precludes a role for the Legislature. "Some measures do require swift action, and I remain a ready partner," Whitmer wrote.

OUTDOOR VISITS AT NURSING HOMES TO BEGIN

The Michigan Department of Health and Human Services announced that residents in certain types of long-term care facilities, including nursing homes, independent living facilities and assisted living facilities will now be allowed outdoor visits.

The decision was based on a recommendation in Governor Gretchen Whitmer's 20-member nursing homes task force report.

On the last page of the task force report, the state was encouraged to explore the idea of separate facilities for those being treated for COVID-19.

NURSING HOME CARE BILLS INTRODUCED

Legislation (HB 6137 through 6146) has been introduced that would put nursing home residents who test positive for COVID-19 in dedicated recovery facilities to prevent infection spread.

The House Bipartisan Nursing Home Workgroup worked in conjunction with Governor Gretchen Whitmer's nursing home task force to come up with the 10-bill package.

FREE COLLEGE OFFERED TO ESSENTIAL WORKERS

Governor Gretchen Whitmer has announced a plan that would allow some 625,000 essential workers in Michigan who put time in during the COVID-19 lockdown, but do not have a degree, to be eligible for free college.

Called Futures for Frontliners, the plan would cover those in the medical field as well as people who worked in places such as manufacturing, nursing homes, grocery stores, sanitation, delivery and more.

An applicant would have to meet certain requirements to be eligible.

SENATE TO TAKE UP JAIL REFORM BILLS

The Senate is expected to take up its own jail reform bills this week.

The measures would reduce the number of Michigan residents that would end up behind bars. It would reduce some offenses from misdemeanors to civil infractions, and seek to divert more offenders from jail to treatment programs.

The House has already acted on several bills that emerged from the Michigan Jail Task Force. The House package would reserve license suspensions only for unsafe drivers including those with suspended licenses, decriminalize low-level traffic misdemeanors, and eliminate mandatory minimum jail sentences.

The proposals do not cover the entire list of the task force recommendations.

LEGISLATION WOULD EASE LICENSING FOR THOSE WITH PAST CRIMES

The House has passed and moved to the Senate legislation (HB 4488 through 4493) that would restrict the use of criminal records to determine eligibility for occupational or professional licenses.

The bills address “good moral character.” Currently, any type of criminal conviction can be used as evidence in a licensing board’s determination that someone lacks the moral character required to enter the profession.

LEGISLATURE EXPECTED TO COMPLETE WORK THIS WEEK

The Michigan Legislature is expected to finalize an aggressive agenda late Thursday evening before recessing until mid-November. The Michigan Senate will likely convene for a few days next week but House members are anxious to return to their respective campaign efforts ahead of the November general election. Completion of the FY 2021 budget will dominate these final days of September session.