

CAPITOL NEWS UPDATE

WEEK OF DECEMBER 16, 2019

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WHITMER SIGNS BUDGET DEAL PACKAGE

After months of back and forth negotiations with Republican legislative leadership, Governor Gretchen Whitmer today signed legislation approving the Fiscal Year 2020 supplemental budget.

Whitmer signed the bills after an agreement with legislative leaders to restore some of the funding which was previously cut by either veto or by State Administrative Board transfers. The agreement also made a change allowing the Legislature to transfer funds within departments if the State Administrative Board makes transfers first.

"This is a good deal for Michigan taxpayers that will provide essential funding for public health, public safety and public education. Like any good bipartisan agreement, this includes funding priorities that both parties support. We all know that this process hasn't been easy, but at the end of the day, we were able to work together in a bipartisan manner to reach an agreement that will benefit everyone in Michigan," Whitmer said.

The bills restore funding for charter school per-pupil increase, the county jail reimbursement program, electronic tether replacement within the Department of Corrections and more of Whitmer's funding priorities. In addition, the legislation requires the governor to notify the Legislature before using the State Administrative Board to make transfers. Other changes include requiring the Legislature to present a budget by July 1.

WHITMER SIGNS INTERNET GAMING, SPORTS BETTING BILLS INTO LAW

Governor Whitmer also signed into law this morning bills to legalize internet gaming and sports betting, along with making other changes to the state's gambling laws.

Whitmer had previously been concerned about the bills in relation to the School Aid Fund potentially losing revenue. The bills signed into law legalizing online gambling and sports betting, however, will bring an estimated \$19 million in new revenue to the state, which will be used to increase the School Aid Fund by \$4.8 million, and add \$4 million to the funding to help firefighters battle cancer – the First Responder Presumed Coverage Fund.

"Thanks in part to the hard work and leadership of Senator Hertel and Representative Warren, these bills will put more dollars in Michigan classrooms and increase funding for firefighters battling cancer. This is a real bipartisan win for our state," Whitmer said in a statement.

STATE SUES OPIOID DISTRIBUTORS

Michigan became the first state to sue major opioid distributors under a liability law usually used for drug dealers this week. The lawsuit was filed in Wayne County against four distributors –

AmerisourceBergen, Cardinal Health, McKesson, and Walgreens, which have also been sued in other states.

Nebraska is the only state that has not filed some kind of legal action against the opioid industry. Michigan Attorney General Dana Nessel said that Michigan's lawsuit differs from others because it targets distributors under a law that was enacted to battle illegal drug trafficking.

The companies "all used their licenses to distribute controlled substances in Michigan as a cover for what is essentially a criminal enterprise," Nessel said. "They knowingly and deliberately distributed drugs in our state without controls. This was not only negligent. It was unlawful, a public nuisance."

MICHIGAN SUPREME COURT DECLINES TO RULE ON "ADOPT AND AMEND" FOR WAGE, SICK LAWS

In a 4-3 decision this week, the Michigan Supreme Court declined to issue an opinion on the constitutionality of the "adopt and amend" strategy used by the Republicans during lame-duck session to pass the voter-proposed minimum wage and paid sick leave laws, and then significantly change them.

The high court said that it should wait until a lawsuit is filed and reaches the court that way. It also said that granting lawmakers' request for a rare advisory opinion would not be an appropriate exercise of the court's jurisdiction, and that an opinion would have limited effect.

Chief Justice Bridget McCormack, and Justices Elizabeth Clement, Richard Berstein and Megan Cavanagh voted to deny the request. Dissenting on the issue, and supporting an advisory opinion were Justices Stephen Markman, David Viviano and Brian Zahra.

Instead of letting two ballot initiatives go to the ballot in November 2018 – one proposal would have raised the minimum wage and one that would have let workers earn one hour of paid sick time for every 30 hours worked – the legislature adopted the bills with the intent to change them and their original language.

House and Senate Republicans had asked the Michigan Supreme Court to issue an opinion on the matter to potentially avoid a lengthy legal fight. The Court could still make an opinion on the issue if it makes its way to the Supreme Court via a direct legal challenge.

WHITMER VETOES DEER BAITING BAN LIFT

Governor Whitmer vetoed a bill this week that would have ended the ban on deer baiting in the lower peninsula and parts of the U.P. The ban was adopted last year by the Natural Resources Commission and took effect during the 2019 hunting season. The ban is supposed to help stop the spread of Chronic Wasting Disease.

Supporters of the bill say that increased deer baiting allows hunters to thin out the herds more easily and that thinning out the deer herd is the best way to prevent CWD from spreading.

MM&A Briefs

Inman Returns to House

Rep. Larry Inman returned to the House floor last week after a jury found him not guilty of lying to the FBI. The jury was also not able to come to a conclusion on the other charges. Inman, however, did not get office access, committee assignments or caucus privileges back from House Speaker Lee Chatfield.

Mike Pence Stops by Zehnder's

Vice President Mike Pence stopped at Zehnder's of Frankenmuth and Bronner's Christmas Wonderland on Wednesday after speaking at a rally in Saginaw Township.

Calendar of Important Events

Jan. 1 Rep. Padma Kuppa (D-Troy) Fundraiser

Location: 3 p.m., Montage Grill, 28 S. Main St., Clawson