



# KELLEY CAWTHORNE

## Prepared for the Fire Service Clients of Kelley Cawthorne

### **Legislative Update for October 28<sup>th</sup> through November 8<sup>th</sup>**

Budget negotiations between Governor Gretchen Whitmer, Speaker of the House Lee Chatfield (R-Levering), and Senate Majority Leader Mike Shirkey (R-Clarklake) fell apart after it originally appeared all parties were close to an agreement. The three parties reportedly were able to find common ground on what items would be included in supplemental budget bills. However, Senate Majority Leader Shirkey refused to sign off on a plan that did not include a statutory limit on the governor's ability to use the State Administrative Board to transfer funds within departments.

The Michigan Court of Claims ruled in favor of Enbridge in a lawsuit that would decide whether the energy company could continue work to construct a tunnel beneath the Straits of Mackinac to house Line 5, which transports oil between the Upper Peninsula and Lower Peninsula. The Court of Claims opinion overturns a previous opinion issued by Attorney General Dana Nessel that the law allowing the tunnel, PA 359, violated the state constitution's title-object clause. Judge Michael Kelly disagreed with Nessel's conclusion, ruling that her interpretation of the law took "too narrow of an approach to title-object review." A separate lawsuit, filed by Attorney General Nessel, is still pending in Ingham County Circuit Court.

The House of Representatives approved a package of bills legalizing online gaming and sports gambling. The legislation was generally opposed by democrats, with the exception of 12 representatives, mainly from the Detroit area, who supported the bills. House Democrats voiced concerns that the bills were being passed without incorporating input from the governor's office, which raised concerns on potential impacts to revenue. The administration's proposed amendments include higher tax rates than the current proposal, with a goal of increasing School Aid Fund revenue by \$10 million. The bills will now move to the Senate for consideration.

In an unprecedented move, the House of Representatives and Senate adopted a concurrent resolution that blocks the Certificate of Need Commission's attempt to restrict which medical facilities are able to provide a new type of cancer treatment. Senate Concurrent Resolution 14, sponsored by Sen. Curt VanderWall (R-Ludington), utilizes a rarely (if ever) used provision in the Public Health Code that allows the legislature to disapprove standards adopted by the commission. Democrats opposed the measure, arguing the disapproval was unconstitutional because it was done through a resolution.

A bill that would expand available tax exemptions to technology company Switch for its data center in Gaines Township was reported by the House Commerce and Tourism Committee after a deal was reached between the company and local school districts who could see their revenues impacted by the exemptions. SB 455, sponsored by Sen. Jim Stamas (R-Midland), will be considered by the House Ways and Means Committee next.



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Legislation that would expand many Michiganders' eligibility for expungement of previous crimes was passed by House. The package of bills, which was moved out of committee a week earlier, received broad bipartisan support.

### **Miscellaneous**

The Senate is scheduled to return to session November 11<sup>th</sup> – 14<sup>th</sup> and then will break for the two week for hunting and Thanksgiving. The House adjourned session this week until Wednesday, November 13<sup>th</sup> and also scheduled Wednesday, November 20<sup>th</sup>. These sessions are likely in the event that a deal is struck on the supplemental.

Meetings were held with members of the House Health Policy Committee on SB 460. The legislators met with were opposed of the legislation.

The internet gaming package passed the House last week. Work continues with the Governor and legislature to come to a compromise. The Fire Coalition is working to secure funding from the revenue raised by the legislation to help fund the First Responders Presumed Coverage Fund.

### **Upcoming Committees:**

There are no committees scheduled at this time.

### **Upcoming Events:**

MPSC Wire Down Response Taskforce

1 pm

### **Bill Introductions:**

- |                                 |  |
|---------------------------------|--|
| <a href="#">HB 5175 of 2019</a> | Appropriations; grants and transfers; state administrative board limitations; modify. Amends sec. 3 of 1921 PA 2 (MCL 17.3).                                     |
| <a href="#">HB 5176 of 2019</a> | Appropriations; grants and transfers; state administrative board limitations; modify. Amends sec. 3 of 1921 PA 2 (MCL 17.3).                                     |
| <a href="#">HB 5177 of 2019</a> | Legislature; other; budget process; establish a target deadline of July 1 to present to governor. Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 365. |
| <a href="#">SB 0616 of 2019</a> | Appropriations; grants and transfers; state administrative board limitations; modify. Amends sec. 3 of 1921 PA 2 (MCL 17.3).                                     |
| <a href="#">SB 0617 of 2019</a> | Appropriations; grants and transfers; state administrative board limitations; modify. Amends sec. 3 of 1921 PA 2 (MCL 17.3).                                     |



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[SB 0618 of 2019](#)

Legislature; other; budget process; establish a target deadline of July 1 to present to governor. Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 365.

### **Bill Activity:**

#### ***PASSED, ENROLLED or ADOPTED By the CHAMBER***

[HB 4173 of 2019](#)

Gaming; bingo and charitable gaming; Amends 1972 PA 382 (MCL 432.101 - 432.120) by adding art. 2.

[HB 4308 of 2019](#)

Gaming; other; fantasy contests consumer protection act; create. Creates new act.

[HB 4309 of 2019](#)

Criminal procedure; sentencing guidelines; guidelines for violation of the fantasy contests consumer protection act; enact. Amends sec. 14d, ch. XVII of 1927 PA 175 (MCL 777.14d). TIE BAR WITH: HB 4308'19

[HB 4310 of 2019](#)

Gaming; horse racing; third-party facilitator licenses; provide for. Amends secs. 8, 17, 20 & 22 of 1995 PA 279 (MCL 431.308 et seq.).

[HB 4311 of 2019](#)

Gaming; other; lawful internet gaming act; create. Creates new act.

[HB 4312 of 2019](#)

Criminal procedure; sentencing guidelines; Amends sec. 14d, ch. XVII of 1927 PA 175 (MCL 777.14d). TIE BAR WITH: HB 4173'19, HB 4311'19

[HB 4323 of 2019](#)

Crimes; gambling; internet gaming; allow. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 310d. TIE BAR WITH: HB 4311'19

[HB 4862 of 2019](#)

Health; emergency services; critical incident stress management services for emergency service providers; revise to include physicians and individuals employed by or under contract with a health facility or agency. Amends sec. 20981 of 1978 PA 368 (MCL 333.20981).

[HB 4916 of 2019](#)

Gaming; other; sports betting act; create. Creates new act.



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[HB 4917 of 2019](#)

Crimes; gambling; prohibition on sports betting; eliminate. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 310d. TIE BAR WITH: HB 4916'19

[HB 4918 of 2019](#)

Criminal procedure; sentencing guidelines; sentencing guidelines for certain violations of the sports betting act; enact. Amends sec. 14d, ch. XVII of 1927 PA 175 (MCL 777.14d). TIE BAR WITH: HB 4916'19

[HB 4171 of 2019](#)

Individual income tax; retirement or pension benefits; limitations and restrictions on retirement income deduction for a surviving spouse; clarify. Amends sec. 30 of 1967 PA 281 (MCL 206.30).

[HB 4830 of 2019](#)

Health facilities; quality assurance assessments; quality assurance assessment on ambulance providers; require department of health and human services to provide notice of the assessment. Amends sec. 20161 of 1978 PA 368 (MCL 333.20161).