

Capitol Report

August 27, 2023

By Mary Pollock, AAUWMI Government Relations Coordinator

Since my last report of May 25, 2023, the 102nd Michigan Legislature elected in November 2022 completed a timely and record-setting budget for state government and education. Additionally, it passed a slew of important measures Governor Gretchen Whitmer has signed into law.

The 38 members of the Senate have introduced 465 bills and the 110 members of the House have introduced 935 bills in their first six months plus both have introduced numerous resolutions. I am tracking 481 measures for AAUWMI related to our [AAUWMI 2023-2025 Public Policy Priorities](#).

The Legislature recessed for its summer break on June 29 to recuperate from the pace and did not return all summer. They reconvene September 5 for an exciting autumn full of new bill packages on pay equity, reproductive health, financial disclosure for lawmakers, housing, energy and the environment, and many other topics. There is speculation that there may be early adjournment in late October to make it possible for a law to go into effect in time to have a February 27 Democratic presidential primary.

FISCAL YEAR 2023-2024 BUDGET SETS RECORD

Governor Gretchen Whitmer signed on July 20 the appropriations bill for education for Fiscal Year (FY) 23-24. On July 31 she signed the departmental budget operations bill. Both garnered the necessary six or more Republican votes in the Senate to have immediate effect. This will give education and local government a timely budget for their fiscal years beginning July 1 and avoid a potential stand-off in late September over the departmental budgets.

Education - The omnibus education budget bill contained total funding of \$24.3 billion, a record. Of this total, \$19.4 billion was from the School Aid Fund generated partially through 1/3 of our 6 percent sales tax and \$1.76 billion from General Fund revenues as well as \$2.2 billion from federal funds. The total per-pupil foundation allowance is set at \$9,608 per pupil, an increase of 5 percent or \$458 per pupil from last fiscal year.

Other highlights are \$160 million to provide all public-school students free breakfast and lunch (not just those meeting family income restrictions); full funding for special education for the first time in our history; \$254.6 million to expand free pre-K for up to 5,600 children, saving parents the high cost of childcare; \$328 million for mental health and school safety; and more resources for education and trades training after high school. \$450 million was deposited into a new rainy-day fund for schools. There were no line-item vetoes in the education budget bill.

Public colleges and universities will see a 6.4 percent rise in operations funding; community colleges will see a 4.9 percent increase. Moreover, universities and community colleges have a 4.5 percent cap on raising tuition and fees.

Department Operations - Governor Whitmer signed a general department operations budget totaling \$81.7 billion (a record), including a General Fund (state revenue) total of only \$15.2 billion of the total amount and the remainder federal dollars. The budget for FY 2023-24

allocated a total of \$46 million for the implementation of both Proposal 2022-1 concerning term limits and financial disclosure for office holders and Proposal 2 concerning voting rights.

The budget was described by the administration as “a balanced, bipartisan general government state budget for Fiscal Year 2024 to grow the economy, lower costs, deliver on kitchen-table issues, and help anyone ‘Make it in Michigan’.” The budget deposits \$200 million into the Budget Stabilization Fund, or ‘rainy day fund,’ bringing the balance to nearly \$2 billion by the end of FY 24, an all-time high. Critics decried the high number of “special projects” funded without hearings or competitive bidding. News of those projects has been leaking out all summer. There were two line-item vetoes from the budget: \$2 million for the Livingston County Catholic charities and \$5 million for Detroit Water and Sewer.

For more information on the FY 24 budget, see Public Act (PA) 119 of 2023 for the general budget and PA 103 of 2023 for the education budget on the Legislature’s website www.legislature.mi.gov.

IMPORTANT BILLS SIGNED

As of this writing the Governor has signed 119 bills, 81 since my last report. Related to our AAUW Public Policy Priorities are the following:

- **PA 45 The CROWN Act** to prohibit discrimination based on traits historically associated with race such as hair texture (SB 90).
- **PA 46 – 51 and PA 57 - 65 Sexual Assault Bills** - Five years after the MSU physician Larry Nassar scandal and after unsuccessful efforts since then, 15 bills have now been signed to further protect students and others from sexual predators and prohibit health professionals from engaging in sexual contact under the guise of medical treatment. The bipartisan, bicameral packages provide another layer of protection for sexual assault survivors. AAUWMI supported the bills in committee hearings. PA 46 – 51 originated in the House and PA 57 - 65 originated from the Senate.
- **PA 54 – Juneteenth** designated as a state holiday to be celebrated on June 19 each year.
- **PA 71 – 76 Child Marriage Banned** - Six of the ten-bill package abolishing the various loopholes to evade the requirement that people be 18 to get married in Michigan were signed on July 11. The remaining four bills will be taken up in the fall. AAUWMI was a member of the coalition supporting the bills. Married people who were married before the age of 18 in the past are exempt from these new laws.
- **PA 77** repeals the defense to criminal sexual conduct charges based solely on mental incapacitation of the victim if the victim is the actor’s spouse. AAUWMI supported the bill.
- **PA 78** repeals making cohabitation a criminal lewd and lascivious behavior violation.
- **PA 81 - 88 Election-related bills** to flesh out more detail on voting rights adopted by voters in Proposal 2 in November 2022. AAUWMI supported the bills in committee hearings.
 - PA 81 requires nine days of early voting and authorizes the pre-processing and early tabulation of absentee ballots.
 - PA 82 will implement requirements to allow voters to fix errors on their ballots and requires prepaid postage for all absentee ballot applications.
 - PA 83 will make disclosure of an election result from an early voting site prior to Election Day a Class E felony against the public trust, carrying a statutory maximum of five years’ imprisonment.

- PA 84 will establish a website for residents to track their ballots, ensuring that voters are notified when their vote is received and counted as well as if there are any errors that need to be fixed and how to fix them.
- PA 85 requires at least one secure drop box for every municipality or at least one drop box for every 15,000 registered voters. The boxes will be accessible 24 hours a day, 40 days before an election and until 8 p.m. on Election Day.
- PA 86 will allow voters to fill out a single application to vote by mail and have a ballot mailed to them in all future elections.
- PA 87 will allow residents to use a photo ID such as a student ID or tribal photo ID to identify themselves for voter registration or at the polling place.
- PA 88 provides for the maximum size for an election precinct to increase from 2,999 active registered voters to 5,000 with the prediction that fewer precincts will be needed for Election Day voting because of early and absentee voting's popularity.
- **PA 117-118 prohibits conversion therapy for minors.** Conversion therapy refers to any intervention that attempts to change an individual's sexual orientation or gender identity. The nation's leading medical and mental health organizations oppose the practice of conversion therapy on minors.

OTHER NEWS OF INTEREST

Gov's What's Next Address – On August 30, Governor Whitmer delivered her view of what the legislature should be doing in the fall in a format like a State of the State address. In it she proposed a 100% clean energy standard, paid family and medical leave, lower health care and prescription drug costs, protections for reproductive health, and election security measures.

Public Safety – She communicated her support for the work of House Speaker Joe Tate and Detroit Mayor Mike Duggan on legislation to earmark 1.5 percent of the money collected from the sales tax's first 4 percent and placing it into a new Public Safety and Violence Prevention Fund.

Reproductive Health – She urged passage of the yet-to-be-introduced 2023 version of the Reproductive Health Act to roll back harmful restrictions on reproductive health care.

Health Care Costs - She urged codifying in state law the commonsense, cost-saving measures of the federal Affordable Care Act, including...

- Protections for pre-existing conditions so you can't be charged more for having cancer, diabetes, or being pregnant.
- Permitting children to remain on their parent's insurance until they're 26.
- Banning annual or lifetime caps, so you can't hit a limit on the care you receive.
- Requiring insurance plans to cover essential services like ambulance services, maternity care, mental health treatment, and birth control.
- Establishing an independent, nonpartisan Prescription Drug Affordability Board made up of leaders in economics, health care, supply chain, and academics. The board would use data and evidence-based research to tackle the cost of prescription drugs.

Climate Health – She urged enactment of a 100% clean energy standard for Michigan.

- Give more authority to the Michigan Public Service Commission to address climate change to make it easier to create jobs and build wind and solar projects. Regulate and permit clean energy projects through the MPSC—just like all other sources of energy.
- Pay the workers building these large clean energy projects wages you can raise a family on.

- Authorize the Commission to incorporate climate and equity into their regulatory decisions. The Flint water crisis shows what happens when we don't put health first.

Health of our Economy

- She urged enactment of a paid leave law to help small businesses compete with larger employers who already provide the benefit. This would help them attract and retain workers.
- She urged streamlining the permitting process for advanced manufacturing, infrastructure, housing, and more.

Health of our Democracy – Having expanded voting rights, the Governor urged legislative action to shore up election security, saying we need protections from allowing the will of the people to be overturned, and we can't permit politicians to stay in office despite getting voted out.

Don't Just Believe, Brag about Michigan - The Governor urged everyone to start a conversation with people from other states with, "Hi, I live in Michigan. Here's why you should too!"

- Personal freedom and economic opportunity.
- Great Lakes and majestic forests.
- World-class cities and strong small towns.
- Grit and grace.

References to Sex, Marriage – A 50-bill package introduced June 15 would remove references to gender in state law, including laws around marriage, divorce, disability compensation and the liquor control act. The gender references aren't focused on pronouns – "he" or "she" – but on changing "husband" or "wife" to the gender neutral "spouse." The package includes HB 4764 through HB 4814 and HJR F. The latter, if passed by a 2/3 majority in each chamber, would put a measure on the ballot to rescind Michigan's constitutional ban on same sex marriage. The state ban is unenforceable because of a U.S. Supreme Court decision.

House Dem majority threatened - Recent primary victories of Rep. Kevin Coleman (D-Westland) and Rep. Lori Stone (D-Warren) in their mayoral races may reduce the Dem majority in the Michigan House. If both win elections in November, then the House will go from 56-54 Democratic to 54-54. This will mean from mid-November until special elections can fill the vacancies sometime in 2024, Democrats will be unable to pass bills on their own. There are 12 currently scheduled session days in November and December.

Equal Rights Amendment – HCR 3 sponsored by State Rep. Laurie Pohutsky calling on the Archivist of the United States to certify and publish the Equal Rights Amendment as the Twenty-Eighth Amendment to the United States Constitution and calling on the United States Congress to declare the Equal Rights Amendment ratified was passed by the Michigan House March 22. The resolution is sitting in the Michigan Senate Government Operations Committee. Since there is new activity in Congress on ERA, it is hoped that the Senate will take action on HCR 3 early when it returns in September.

Adopt and Amend at the MSC – In mid-June the Michigan Supreme Court agreed to hear the appeal in the *Mothering Justice* case challenging the cynical "adopt and amend" procedure that was used during lame duck session in 2018 to gut the voter-initiated laws that raised the minimum wage and guaranteed earned paid sick leave. The Court of Appeals had ruled against Mothering Justice, so the plaintiffs and amici including the AAUW of Michigan represented by the ACLU of Michigan asked the Michigan Supreme Court to take the case. We don't yet know when oral argument is scheduled.

Guns in the Capitol - The State Capitol Commission has approved security procedures for the Capitol that would include banning firearms and installing metal detectors at building entrances. This would not include the grounds outside of the building. Legislators with a concealed pistol license are exempt. Metal detectors have also been installed in the Anderson House Office Building. No word yet on the Senate Office Building arrangements.

Redistricting - The U.S. Supreme Court decision in *Allen v. Milligan* issued June 8 concerning Alabama's redistricting process may have ramifications for Michigan some observers speculate. The high court held 5-4 that Alabama's new congressional map diluted Black voting strength, unlawful under Section 2 of the federal Voting Rights Act. Even though Black citizens compose 27 percent of the population of the state, the Legislature had enacted a Congressional map with only one of seven districts (14.3 percent) in which Black voters could elect their candidate of choice.

By reaffirming 40 years of precedent, the Court signaled to lower courts to take Section 2 claims seriously. The opinion will have immediate impacts on other states with pending Section 2 redistricting cases such as Georgia, Louisiana, South Carolina, and Texas. The dissatisfaction with the Michigan Independent Citizen's Redistricting Commission's State Senate and State House district lines around the Detroit area may gain strength from the *Milligan* decision. The decision may also influence map drawers in North Carolina and Florida. Changes in district lines could mean a different make-up of the U.S. House in 2024 and/or 2026.

Transparency Initiated Law – The ballot committee *Michigan Initiatives for Action* has received approval from the Michigan Board of State Canvassers to circulate a petition to make the executive and legislative branches subject to public information requests (Freedom of Information Act). Legislation to do the same thing but with many exceptions has stalled for many years. The committee claims it has circulators in 26 areas of the state.

LGBTQ+ Commission — At the Motor City Pride parade in Detroit on June 11, Governor Gretchen Whitmer signed an executive order establishing a first-ever Michigan LGBTQ+ Commission. The commission will address issues facing Michigan's LGTBQ+ community, including health, safety, and economic opportunity. The LGBTQ+ Commission will advise the governor and the director of the Department of Labor and Economic Opportunity on policy matters impacting Michigan's LGBTQ+ community.

Michigan Important in Trump Indictments - Michigan played a key role in former President Donald Trump's alleged plan to overturn 2020's presidential election results according to a grand jury indictment released August 1 in Washington, DC. Michigan is mentioned 39 times in the 45-page indictment on pages 17-19. In the Georgia racketeering indictments issued August 15, Michigan is mentioned 27 times.

Michigan False Elector Scheme - Sixteen Republicans, including the party's former co-chair and its national committeewoman, are among 16 people recently charged with felonies by a grand jury for their roles in an alleged false electors' scheme that sought to overturn now-President Joe Biden's 150,000+ vote victory in Michigan's 2020 election and award the state's electoral votes to candidate and then-President Donald Trump. All of them have pleaded not guilty to charges of conspiracy, forgery, uttering and publishing and election law forgery. Various trial dates have been set between September 5 and December 15.

Michigan Tabulator Tampering Scheme - Matthew DePerno, the 2022 Republican attorney general candidate, former Rep. Daire Rendon (R-Lake City), and pro-Donald Trump attorney Stefanie Lambert Junttila have been charged with possessing a voting machine, conspiracy to possess a voting machine, conspiracy to commit unauthorized access to a computer or computer system and willfully damaging a voting machine, each of which are felonies.

ADVOCACY IS AAUW MISSION

Meet and contact your legislators – Research, education and advocacy are the primary mission and goals of AAUW. Advocacy means taking action on our political knowledge. AAUW is non-partisan, meaning we do not endorse or support candidates for elective public office or political parties. However, we are not values-neutral nor are we passive. We advocate for or oppose legislative or ballot measures based on our values as expressed in the national AAUW and AAUWMI Public Policy Priorities (PPP).

Sign up for your legislator's newsletters and attend their in-district meetings. Contact your legislator by phone or email and let them know you are an AAUW member and what your position is on the bills discussed above.

Find your State House member [here](#).

Find your State Senator [here](#)

Want to be even more powerful? Contact the whole Committee where a bill has been referred.

Find the Committee member information [here](#).

Want to contact the whole Michigan Senate or House? See the **New AAUW directories of the 2023-24 House and Senate** with every legislator's **email address** on the AAUWMI Web site [here](#). Copy and paste all legislators' email addresses from one column into one email. Some email programs have a limit of the number of addresses in one email so you may have to send your message to two or three groups of legislators.

Your voice matters. Legislative staff picking up the call or reading the email for the legislator keep track of what the caller supports or opposes and reports to the legislator what communications are coming in.

The best free source of Michigan legislative information is at www.legislature.mi.gov .

AAUWMI VIRTUAL LOBBY CORPS

The AAUW of Michigan Virtual Lobby Corps has been meeting monthly on the **third Thursday of the month at 7 p.m. by Zoom** or teleconference phone to discuss and share federal and state public policy issues of interest to AAUW and report on local branch public policy activities.

The Lobby Corps is open to all AAUW members (and like-minded friends) and meets at [this link](#) or this phone number - 312 626 6799 (toll charges apply), meeting ID: 863 4245 5027; passcode: 574916.

Help us grow our influence by urging other AAUW members to get on the Virtual Lobby Corps mailing list by letting them know of our existence and letting me know of their email address.

The AAUWMI Lobby Corps Facebook private group is where I post breaking news and relevant articles from national and state media almost daily. Please Friend our [Facebook group](#).

Mary Pollock
Government Relations Coordinator
American Association of University Women of Michigan
pollockm@comcast.net
517-351-7292 office/home