

Issue: MI Legislation

Michigan Legislation Report

In addition to the lightning-rod legislation that makes headlines each year, the Michigan state legislature passes—and kills—hundreds of other bills per session that go unnoticed by the public. Many of these under-the-radar laws are good indicators of how well representatives vote their conscience or represent the will of their constituents. In recent history the Michigan legislature has been dominated by Republicans who are heavily financed by party-affiliated PACs, corporations, and wealthy families.

The summary below includes legislation that has become the GOP mainstay in recent years. Voting in lockstep on issues, the Republican bloc in the Michigan House and Senate has imposed an agenda on Michigan at odds with the views of the general population. This analysis of recent legislation reveals a lack of connection between GOP politicians and issues of deep concern to their constituents in virtually every district in the state. The GOP has become the “anti” party (anti-environmental regulations, anti-public education, anti-affordable health care, anti-reproductive rights, anti-gay rights, and more).

With both legislative chambers in Michigan held by Republicans, progressive legislation sponsored by Democrats is killed in committee time and again. Republican-sponsored legislation, conversely, makes its way to the Governor's desk. Fortunately for the general population—the majority of whom voted in a Democratic governor in 2018—many of these bills are vetoed before they can wreak havoc in the state. This report looks at notable legislation pushed by members of the two parties, and what happened to it—whether it passed, failed, or was ultimately vetoed.

It is time for Democratic voters to take back the reins and elect representatives who will implement the changes the majority of the state is demanding. Citizens can ask no more, and no less, of their elected representatives than to *represent them*.

FORMAT NOTE:

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Jobs Overview

In 2018, Republicans used the ‘adopt and amend’ process during the lame duck session ? to gut initiatives that would have increased the minimum wage and improved sick leave provisions for Michigan employees. By adopting these initiatives, the legislature can amend them with a simple majority instead of the ¾ majority required to amend citizen led initiatives. The Michigan Minimum Wage Increase Initiative would have increased minimum wage to \$12 by 2022. But SB 1171, introduced by Republicans, changed that to increasing the minimum wage to \$12.05 by **2030**. Similarly, the Michigan Paid Sick Leave Initiative was adopted but then amended by SB 1175 which reduced sick leave benefits. Legislation introduced by Democrats to restore the original provisions of both initiatives is currently sitting in committee.

Republicans also used the initiative process to repeal the 1965 PA166 which required prevailing wage on state projects. They had tried to repeal this law before but would have faced a veto by Governor Snyder (R), who wanted to increase skilled trade careers. This initiative petition was led by Protecting Michigan Taxpayers and was adopted by the legislature once the gathered signatures were certified but before it could come before the voters. And because it came through the initiative process, it could not be vetoed by Governor Snyder. Legislation to reinstate prevailing wage on state projects was introduced by Democrats and is currently sitting in committee

Republicans passed legislation that prevented local governments from improving on state standards for employee protection and added nine days to the deadline by which employers must pay regular monthly employees. Democrats have introduced legislation to increase unemployment benefits, create a commission on pay equity and require employers to provide “wage information for similarly situated employees” but these are all sitting in committee.

Sources:

[https://ballotpedia.org/Michigan_Minimum_Wage_Increase_Initiative_\(2018\)](https://ballotpedia.org/Michigan_Minimum_Wage_Increase_Initiative_(2018))
<https://www.bridgemi.com/michigan-government/what-know-about-michigan-minimum-wage-law-supreme-court>
<https://www.bridgemi.com/michigan-government/michigan-supreme-court-wont-rule-gop-minimum-wage-sick-leave-changes>
[https://ballotpedia.org/Michigan_Paid_Sick_Leave_Initiative_\(2018\)](https://ballotpedia.org/Michigan_Paid_Sick_Leave_Initiative_(2018))
<https://www.bridgemi.com/michigan-government/michigan-republicans-repeal-prevailing-wage-law>

Year	Topic	Bill	Synopsis	Party of Sponsor	Vote (if any) and Status
Worker Rights, Minimum Wage, Paid Sick Leave					
2018	Minimum Wage	Michigan Minimum Wage Increase Initiative SB 1171	Ballot initiative to increase minimum wage each year reaching \$12/hr by 2022 after which it would rise with inflation. The initiative was adopted by the legislature after it was certified for the 2018 election but before it was voted on by citizens. Then Republicans introduced Senate Bill 1171 to gut the wage increases. https://ballotpedia.org/Michigan_Minimum_Wage_Increase_Initiative_(2018)		Passed Senate: 24 Yes (24 R, 0 D) 13 No (3 R, 10 D) Passed House: 78 Yes (57 R, 21 D): 28 No (6R, 22 D)

2018	Minimum Wage	SB 1171	<p>This bill changes the minimum wage increases in the Minimum Wage Increase Initiative, increasing minimum wage to \$12.05 by 2030 (instead of \$12 by 2022 in the initiative). It reinstates a separate and lower minimum wage for tipped workers (employers have to make up the difference if tips do not meet the regular minimum wage) and removes the indexing of the minimum wage to inflation.</p> <p>http://legislature.mi.gov/doc.aspx?2018-SB-1171</p>	Rep	<p>Signed by Governor</p> <p>Passed Senate: 26 Yes (26 R, 0 D) 12 No (1 R, 11 D)</p> <p>Passed House: 60 Yes (60 R, 0 D) 48 No (3 R, 45 D)</p>
2019	Minimum Wage	SB 168 HB 4299	<p>These bills were introduced to reverse SB 1171 and restore the parameters of the Michigan Minimum Wage Increase Initiative. They would raise minimum wage to \$12.00 by 2022 and would eliminate a lower minimum wage for tipped workers (by 2024).</p> <p>http://legislature.mi.gov/doc.aspx?2019-SB-0168 http://legislature.mi.gov/doc.aspx?2019-HB-4299</p>	Dem	<p>Referred to Senate Committee on Government Operations on March 7, 2019</p>
2018	Paid Sick Leave	Michigan Paid Sick Leave Initiative	<p>Ballot initiative that would require employers to provide sick time to employees. In companies with less than 10 employees, employees can accrue and use up to 40 hours of sick time per year. In companies with 10 or more employees, they can accrue and use up to 72 hours of sick time per year. This initiative was adopted by the legislature after it was certified for the Nov 2018 ballot but before it could be voted on by citizens. It was later amended by SB 1175 to only require businesses with more than 50 employees to provide sick leave and capped sick leave at 40 hours.</p> <p>https://ballotpedia.org/Michigan_Paid_Sick_Leave_Initiative_(2018)</p>		<p>Passed Senate: 24 Yes (24 R, 0 D) 13 No (3 R, 10 D)</p> <p>Passed House: 78 Yes (57 R, 21 D) 28 No (6 R, 22D)</p>
2018	Paid Sick Leave	SB 1175	<p>Amends the Michigan Paid Sick Leave Initiative to only require businesses with 50 or more employees to provide sick leave and caps sick leave at 40 hours.</p> <p>http://legislature.mi.gov/doc.aspx?2018-SB-1175</p>	Rep	<p>Signed by Governor</p> <p>Passed Senate: 26 Yes (26 R, 0 D) 12 No (1 R, 11 D)</p> <p>Passed House: 60 Yes (60 R, 0 D) 48 No (3 R, 45 D)</p>
2018	Prevailing Wage	2018 Legislative Initiative Petition 2:	<p>An initiative to repeal 1965 PA166 which required prevailing wage on state projects. Republicans had tried to repeal this law before but would have faced a veto by Governor Snyder (R), who wanted to</p>		<p>Signed by Governor</p> <p>Passed Senate: 23 Yes (23 R, 0 D)</p>

		Repeal prevailing wage law	<p>increase skilled trade careers. This initiative petition was led by Protecting Michigan Taxpayers and was adopted by the legislature before it could come before the voters. And because it came through the initiative process, it could not be vetoed by Governor Snyder.</p> <p>https://www.bridgemi.com/michigan-government/michigan-republicans-repeal-prevailing-wage-law</p> <p>https://ballotpedia.org/Michigan_Repeal_Prevaling_Wages_and_Fringe_Benefits_on_State_Projects_Initiative_(2018)</p>		<p>14 No (4 R, 10 D)</p> <p>Passed House: 56 Yes (56 R, 0 D) 53 No (7 R, 46 D)</p>
2019	Prevailing Wage	HB 4884	<p>Would require that state agencies and local governments pay prevailing wages and fringe benefits on projects. Would reverse the effect of the 2018 initiative listed above that repealed the prevailing wage requirement on state projects</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4884</p>	D	<p>Referred to Committee on Government Operations on September, 3, 2019</p>
2018	Job application mandates	SB 353	<p>Adds an interview restriction to the "Local Government Labor Regulatory Limitation Act," which states "A local governmental body shall not adopt, enforce, or administer an ordinance, local policy, or local resolution regulating information an employer or potential employer must request, require, or exclude on an application for employment OR DURING THE INTERVIEW PROCESS from an employee or a potential employee."</p> <p>http://legislature.mi.gov/doc.aspx?2017-SB-0353</p>	Rep	<p>Signed by Governor</p> <p>Passed Senate: 27 Yes (27 R, 0 D) 9 No (0 R, 9 D)</p> <p>Passed House 62 Yes (61 R, 1 D) 46 No (2 R, 44 D)</p>
2019	Job application mandates	SB 335	<p>Prohibit employers from asking a job candidate about past pay.</p> <p>http://legislature.mi.gov/doc.aspx?2019-SB-0335</p>	Dem	<p>Referred to the Senate Government Operations Committee on May 21, 2019</p>
2015	Restrictions on what local governments can regulate	HB 4052	<p>Restricts local government regulation of employment conditions. This anti-worker pre-emption law bans cities and towns from improving on state standards for minimum wage, paid sick leave, etc.</p> <p>http://legislature.mi.gov/doc.aspx?2015-HB-4052</p>	Rep	<p>Signed by Governor</p> <p>Passed House 59 Yes (59 R, 0 D) 51 No (4 R, 47 D)</p> <p>Passed Senate 22 Yes 16 No</p>

2019	Unemployment	SB 453 HB 4894	Increases the maximum eligibility for state unemployment benefits from 20 weeks to 26 weeks. http://legislature.mi.gov/doc.aspx?2019-SB-0453 http://legislature.mi.gov/doc.aspx?2019-HB-4894	Dem	Referred to Senate Committee on Government Operations on August 20, 2019 Referred to the House Commerce and Tourism Committee on September 3, 2019
2019	Pay equity	SB 328 HB 4629	Create commission on pay equity http://legislature.mi.gov/doc.aspx?2019-SB-0328 http://legislature.mi.gov/doc.aspx?2019-HB-4629	Dem	Referred to the Senate Government Operations Committee on May 21, 2019 Referred to the House Commerce and Tourism Committee on May 21, 2019
2019	Pay equity	SB 330 HB 4631	Requires employers to provide “wage information for similarly situated employees” http://legislature.mi.gov/doc.aspx?2019-SB-0330 http://legislature.mi.gov/doc.aspx?2019-HB-4631	Dem	Referred to the Senate Government Operations Committee on May 21, 2019 Referred to the House Commerce and Tourism Committee on May 21, 2019

Education

The Michigan legislature passed the Republican-sponsored 2020 education budget in October 2019 with a 2.7% increase in preK-12 funding over the prior year. Democratic Governor Whitmer exercised line-item vetoes over approximately \$128 million in the budget. The vetoes and other fund transfers within the budget were part of a series of changes to the budget by Governor Whitmer in an effort to bring the budget more in line with Democratic priorities. Negotiations between Republican legislators and the Governor resulted in a series of adjusted budget bills, including a revised education budget that restored \$114.5 million to the budget and technical changes to the budgeting process.

Governor Whitmer has recommended a substantial increase in education spending for the 2021 fiscal year, and the Republican-controlled House and Senate is expected to object to various parts of the proposal. Among other issues, the Republicans appear ready to object to the perceived priority given to public schools over charter schools in the proposed budget. Notably, in 2018 Republicans continued to sponsor and pass legislation intended to support and grow charter schools in Michigan (for example, SB 574 authorizing charter schools to participate in local taxes raised for public schools) notwithstanding the dismal standing nationally of preK-12 schools in Michigan after several years of emphasis on charter schools in the state.

<https://mea.org/fy-2020-school-aid-budget-highlights>

<https://www.detroitnews.com/story/news/local/michigan/2019/12/04/michigan-legislature-advances-bill-restore-vetoed-funding/2608024001/>

<https://www.metrotimes.com//news-hits/archives/2020/02/07/whitmers-re...21-budget-increases-education-spending-with-controversial-tradeoffs>

<https://www.nytimes.com/2017/09/05/magazine/michigan-gambled-on-charter-schools-its-children-lost>

<https://votesmart.org/bill/authorizes-charter-schools-to-collect>

Legislation that Differentiates Republicans from Democrats

Year	Topic	Bill	Synopsis	Party of Sponsor	Vote (if any) and Status
Education					
2019	Education Budget	HB 4242	<p><i>A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," Education budget for 2020 totaling \$15.23 billion in preK-12 spending, a 2.7% increase over prior year. Democratic Governor Whitmer exercised veto and transfer power to force renegotiation of parts of budget.</i></p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4242 https://mea.org/fy-2020-school-aid-budget-highlights/</p>	Repub	Sept. 30, 2019 Signed. Governor exercised substantial line item vetos (40 items).

2019	Education Budget	SB 154	<p><i>A bill to amend 1979 PA 94, entitled "The state school aid act of 1979,"</i> Supplemental education budget bill reflecting adjustments after negotiations on Governor's line item vetoes of 2020 education budget.</p> <p>http://legislature.mi.gov/doc.aspx?2019-SB-0154 https://housedems.com/article/2019-supplemental-state-budget-summary</p>	Repub	<p>August 29, 2019 Senate passed: 22 Y (22 R, 0 D) 16 N (0 R, 16 D)</p> <p>Dec. 4, 2019 House passed: 104 Y (56 R, 48 D) 1 N (1 R, 0 D) 1 R did not vote 4 D did not vote</p> <p>Dec. 10, 2019 Senate passed: 38 Y (22 R, 16 D) 0 N (0 R, 0 D)</p> <p>Dec. 31, 2019 Signed by Gov. Whitmer</p>
2018	Education Budget	SB 574	<p><i>A bill to amend 1976 PA 451, entitled "The revised school code"</i> Forces school districts to share funding from local millage fees (taxes voted to support K-12 schools) with charter schools, despite the fact that Michigan already has the most for-profit, deregulated charter schools in the country with some of the least oversight. Seventy percent of Michigan charter schools are in the bottom half of state rankings,</p> <p>http://legislature.mi.gov/doc.aspx?2017-SB-0574 https://www.nytimes.com/2017/09/05/magazine/michigan-gambled-on-charter-schools-its-children-lost.html</p>	Repub	<p>Jan. 18, 2018 House passed: 55 Y (55 R, 0 D) 52 N (8 R, 44 D)</p> <p>Jan. 23, 2018 Senate passed: 23 Y (23 R, 0 D) 14 N (4 R, 10 D)</p> <p>Feb. 15, 2018 Signed by Gov. Snyder</p>

Water

In 2018, Michigan voted resoundingly for candidates who stood for clean drinking water, holding corporate polluters accountable, ending the threat of the Line 5 pipeline, and protecting the Great Lakes. Shamefully, anti-environmental House and Senate majorities, funded by industries responsible for much of the pollution, have blocked all efforts to make good on these promises and critical bills designed to protect our water and environment have been held up in legislative committees. Fundamental human rights to access clean, safe drinking water are being held hostage by simple majorities in the statehouse without benefit of hearings or public exposure.

Legislation that Differentiates Republicans from Democrats

Year	Topic	Bill	Synopsis	Party of Sponsor	Vote (if any) and Status
Issue					
2019	Polluter Pay	HB 4212 SB 116	<p><i>A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act."</i> Requires corporations and industries responsible for polluting air, land and water to pay for cleanup.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4212 https://trackbill.com/bill/michigan-senate-bill-116-environmental-protection-cleanups-cleanup-to-residential-and-safe-drinking-water-standards-require-unless-technically-infeasible-amends-secs-20118-20120a-20120b-20120e-amp-20121-of-1994-pa-451-mcl-324-20118-et-seq/1694692/ https://cleanwateraction.org/publications/2019-michigan-legislative-scorecard</p>	Dem	<p>House referred to Committee on Natural Resource and Outdoor Recreation</p> <p>Senate referred to Committee on Environmental Quality</p>
2019	Public Trust Water Protection	HB 5290-5292	<p><i>A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act."</i> Asserts that waters of the state belong to MI's people and must be protected from pollution, impairment and destruction and the rules reviewed to ensure sufficient protections are in place. Bills would expand DNR's authority to manage water under its control (HB 5291) and remove the exemption that allows businesses to take water from non-municipal sources and sell it in bottles outside the Great Lakes Basin (HB5292).</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-5290 https://cleanwateraction.org/publications/2019-michigan-legislative-scorecard</p>	Dem	Referred to House Committee on Natural Resource and Outdoor Recreation

2019	Accessible and Affordable Water Human Right to Water Act	HB 4122 (replaces 2017 HB 4319 – stalled in House Comm.) SB 49	<p><i>A bill to require all state departments and agencies to establish certain water affordability criteria; and to prescribe the powers and duties of certain state governmental officers and entities, entitled, “Accessible and clean water act.”</i></p> <p>Establishes “each individual has the right to safe, clean, affordable and accessible water.” Requires all state agencies to establish criteria to ensure access is provided to all MI residents.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4122 http://www.legislature.mi.gov/(S(hf5hljrw0cx5w4oovknhbnds))/mileg.aspx?page=getObject&objectName=2019-SB-0049 https://cleanwateraction.org/publications/2019-michigan-legislative-scorecard</p>	Dem	House referred to Committee on Natural Resource and Outdoor Recreation Senate referred to Environmental Quality Committee
2019	Repeal of “No stricter than Federal”	HB 4386	<p><i>A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969.”</i></p> <p>Re-establishes right of state officials/experts to exercise judgment in setting appropriate standards for MI’s natural resources, regardless of weaker federal laws.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4386 https://cleanwateraction.org/publications/2019-michigan-legislative-scorecard</p>	Dem	Referred to House Oversight Committee
2019	Water Justice	SB240 SB241 SB242 SB243	<p><i>A bill to amend 1939 PA280 entitled, “The social welfare act.”</i></p> <p><i>A bill to prescribe powers of authorities entitled, “Water shutoff protection act.”</i></p> <p><i>A bill to amend 1931 PA328 entitled “The Michigan Penal Code.”</i></p> <p><i>A bill to amend 1929 PA 175 entitled, “The code of criminal procedure.”</i></p> <p>Bill package to ensure water affordability, protections against shut-offs for vulnerable populations and decriminalizing reconnecting water after shut-off due to inability to pay.</p> <p>http://legislature.mi.gov/doc.aspx?2019-SB-0240 https://cleanwateraction.org/publications/2019-michigan-legislative-scorecard</p>	Dem	Referred to Senate Committee on Environmental Quality
			<p>Additional Sources: https://cleanwateraction.org/publications/2019-michigan-legislative-scorecard</p>		

Environmental Health

In October 2019, the Michigan Legislature passed a \$5.26 billion, Republican-sponsored health and human services budget, a slight decrease from 2018. While some health care workers received raises and \$10 million was earmarked for job training for Healthy Michigan recipients, the budget did not include the \$10 million Governor Whitmer requested to implement Medicaid work requirements, and \$15 million designated for compliance with the Lead and Copper Rule, which is intended to minimize lead and copper levels in drinking water, was cut. Governor Whitmer signed the bill with line item vetoes totaling \$20.2 million, citing unconstitutional provisions that would hamper the department’s ability to provide the best outcomes for children and families, including new general-fund support for hospitals.

Democratic lawmakers called for a commission to support childhood lead poisoning prevention and control and proposed a set of bills designed to protect children from environmental harm, including a requirement for water filtration in child care facilities, a new standard for lead free pipes, and installation of carbon monoxide detection devices in school buildings. All were referred to committees. Governor Whitmer issued Executive Directive 2019-01 to all department employees who become aware of an imminent threat to the public health, safety, or welfare to report it immediately to their department director or agency head. Finally, in Executive Order 2019-04 she declared a state of emergency for the city of Flint.

<https://www.mlive.com/news/2019/09/read-michigans-16-budget-bills-and-know-when-theyre-signed-or-vetoed.html>

https://www.michigan.gov/egle/0,9429,7-135-3313_3675_3691-9677--,00.html

https://www.michigan.gov/whitmer/0,9309,7-387-90499_91277_91278---,00.html

Legislation that Differentiates Republicans from Democrats

Year	Topic	Bill		Party of Sponsor	Vote (if any) and Status
Health					
2019	Health: Children	SB 0398	<i>Bill to amend 1978 PA 368, entitled Public Health Code.</i> Requires Governor to establish a childhood lead poisoning and prevention commission within the Dept. of Health and Human Services, consisting of 9 voting members appointed by Governor with the advice and consent of the Senate. Commission to conduct at least 2 public hearings to seek input from the general public and a list of specified groups. http://legislature.mi.gov/doc.aspx?2019-SB-0398	Dem	Aug. 20, 2019: Referred to Committee on Environmental Quality
2019	Water: Drinking Water Standards	SB 589	<i>Bill to amend 1973 PA 116, entitled Act for the Protection of Children.</i> Requires installation of water filtration systems in childcare facilities, including governmental and non-governmental organizations such as childcare centers, parent	Dem	Oct. 15, 2019: Referred to Committee on Environmental Quality

			<p>coop preschools, group homes, and children’s camps, but exempting most short-term religious programs and sports and arts programs. By August 1, 2020, each childcare center must develop a drinking water safety plan, including annual testing for lead and to ensure filters are properly installed and replaced. Test failure must be posted, and plans and results must be available to parents upon request.</p> <p>http://legislature.mi.gov/doc.aspx?2019-SB-0589</p>		
2019	Construction: Plumbing	HB 4175	<p><i>Bill to amend 1972 PA 230, entitled Stille-DeRossett-Hale Single State Construction Code Act.</i> Changes definition of “lead free.” Previous standard allowed pipe and pipe fittings to contain no more than 8% lead. New standard requires pipes, pipe fittings, solder, and flux used in installation or repair after 6/7/88 of a plumbing system providing drinking water to be lead free.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4175</p>	Dem	Feb. 13, 2019: Referred to Committee on Regulatory Reform
2019	Education: Safety	HB 4536	<p><i>Bill to amend 1937 PA 306, entitled An Act to Promote the Safety, Welfare, and Educational Interests of the People of the State of Michigan.</i> Requires installation of carbon monoxide detection devices in public and private school buildings or additions to those buildings, specifying not less than one operational carbon monoxide device in each school building within the school district.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4536</p>	Dem	April 30, 2019: Referred to Committee on Regulatory Reform

Healthcare Regulations and Reforms

The past two years have witnessed repeated Republican-led efforts by Michigan state legislators to not only rollback much-needed regulation of healthcare facilities, but also their attempts to gut Medicare expansion by imposing unsustainable work requirements on potential recipients. Recently overturned by a federal judge, the latter represents ongoing efforts by the GOP to try and balance the federal deficit on the backs of those who can least afford it—poor underserved Medicare recipients.

Republicans introduced numerous pieces of legislation in 2019 designed to deregulate healthcare facilities. This package of bills (SB 669; 671-674) focuses on repealing the Certificate of Need (CON) required for healthcare facility expansions. CON is the state oversight system designed to limit the proliferation of unnecessary large-dollar facilities and services to prevent an oversaturation that could add costs to health care and leave poorer areas without access to critical services. CONs are governed by a bipartisan 11-member committee that includes members from nursing homes, hospitals, nursing, medicine, health insurers and organized labor. The committee reviews the costs, access, need, and capacity of healthcare-related services to limit development of unnecessary specialty and for-profit services and facilities that serve only well-insured patients with less complex conditions. Over-expansion of such specialty services can put other patients at risk of losing access to required treatments due to travel distance or inability to pay. The deregulation legislation to curtail the CON reviews is supported by Americans for Prosperity, the PAC funded by the Koch family. Repealing CON laws, as a component of healthcare deregulation, is integral to the model policy promulgated on the conservative ALEC website.

Another major piece of conservative healthcare legislation was passed in 2018. SB 897, the Healthy Michigan Program (Medicaid) “community and work” requirements legislation required MI Medicaid enrollees to work 80 hours per month. If the work requirement is waived, enrollees must provide documentation verifying their employment search, community service or education enrollment. If the work or waiver requirements are not met, enrollees lose their Medicaid benefits. Following Gov. Snyder’s signing of the bill, the state received approval from the Dept. of Health and Human Services to add “community and work” requirements to the Healthy MI Program. The Trump Administration has now approved Medicaid work requirement requests from Michigan and several other states, echoing his 2018 Executive Order encouraging states to impose work requirements on federally funded social safety net programs. The Administration has repeatedly suggested the need to rein in government spending on social safety net programs in order to reduce the federal budget deficit. These measures are the opposite intent of the 2010 Affordable Care Act.

Fortunately for Michigan’s Medicaid recipients, on March 4, 2020, Judge James Boasberg of the D.C. Circuit Court, vacated the work requirement and noted that the federal Medicaid program exists solely to provide health insurance to uninsured citizens. The federal statute does not include any “social or behavioral” components. This recent decision was welcomed by current Governor Whitmer who had sought a quick ruling from the D.C. Circuit Court following an unsuccessful effort to delay the work requirement rules enacted by her Republican predecessor and GOP-led legislature.

<https://www.alec.org/model-policy/resolution-on-certificate-of-need-con-laws-required-for-the-establishment-of-certain-health-care-services/>

<https://americansforprosperity.org/senate-takes-bold-step-toward-better-health-care-with-passage-of-certificate-of-need-reform/>

<https://www.mha.org/Issues-Advocacy/Certificate-of-Need-Regulations>

https://www.petoskeynews.com/ap/politics/judge-invalidates-michigan-medicaid-work-requirements/article_1034d9a6-b876-5a62-9bde-00539eefd7e2.html

<https://www.ncpsm.org/documents/medicaid-legislation/medicaid-expansion-benefits-states-and-beneficiaries/>
<https://www.whitehouse.gov/presidential-actions/executive-order-reducing-poverty-america-promoting-opportunity-economic-mobility/>

Legislation that Differentiates Republicans from Democrats

Year	Topic	Bill	Synopsis	Party of Sponsor	Vote (if any) and Status
Healthcare Regulations and Reforms					
2019	Healthcare regulations	SB 669	Repeals Certificate of Need requirement for healthcare related capital expenditures http://legislature.mi.gov/doc.aspx?2019-SB-0669	Repub	Feb. 26, 2020 Passed MI Senate 21 Y (21 R, 0 D) 16 N (0 R, 16D) 1 excused
2019	Healthcare regulations	SB 670	Repeals healthcare facility's Certificate of Need requirement if it is designated a critical access facility and is not within a 35-mile radius of another hospital. http://legislature.mi.gov/doc.aspx?2019-SB-0670	Repub	Dec 4, 2019 Referred to Com on Health Policy and Human Services
2019	Healthcare regulations	SB 672	Repeals Certificate of Need (CON) to allow healthcare facilities an increase in psychiatric beds. Psychiatric beds are filed at 70 percent as a result of staffing shortages and not due to CON http://legislature.mi.gov/doc.aspx?2019-SB-0672	Repub	Feb. 26, 2020 Senate passed 21 Y (21 R, 0 D) N 16 (0 R, 16 D) 1 excused
2019	Healthcare regulations	SB 673	Requires accepting <i>public</i> patients as a condition of licensing psychiatric hospitals and psychiatric units http://legislature.mi.gov/doc.aspx?2019-SB-0673	Repub	Feb. 26, 2020 Senate passed Y 21 (21 R, 0 D) 16 N (0 R, 16 D) 1 excused
2019	Healthcare regulations	SB 674	Repeals Certificate of Need requirement for air ambulances – helicopters and airplanes http://legislature.mi.gov/doc.aspx?2019-SB-0674	Repub	Feb. 26, 2020 Senate passed 21 Y (21 R, 0 D) 16 N (0 R, 16 D) 1 excused
2019	Healthcare regulations	SB 675	Reduces regulations on outpatient cardiac catheterization facilities http://legislature.mi.gov/doc.aspx?2019-SB-0675	Repub	Dec 4, 2019 Referred to Com on Health Policy and Human Services
2018	Healthcare reform	SB 897	Requires enrollees of the Healthy MI Program (Medicaid) to work at least 80 hours per month to	Repub	June 6, 2018 House passed

		<p>receive healthcare benefits. House Fiscal Agency estimates that 540,000 adults will be subject to the rules and projects that 5 to 10 percent of current recipients will drop out of the program and lose health insurance, forcing them to seek treatment in overcrowded and expensive emergency rooms. Michigan will need federal approval to implement the new work requirements, and the new law includes a trigger to end the Healthy Michigan program if the state is not able to obtain a waiver from the Trump administration. Affects households earning 133% of poverty level or below, which is \$33,000 per year for a family of four. Highly racist in effect, the bill impacts dense urban areas where populations are largely black, not the predominately white suburbs. Requires those exempted to file burdensome quarterly filings to repeatedly prove their exemptions. Following federal approval, a lawsuit was filed in DC District court on behalf of four recipients.</p> <p>https://www.jurist.org/news/2020/03/federal-judge-strikes-down-michigans-medicaid-work-requirements/ https://www.detroitnews.com/story/news/local/michigan/2018/06/22/michigan-medicaid-work-requirement-law/726538002/ http://www.theoaklandpress.com/special-news-reports/20180504/potential-medicaid-requirements-in-michigan-pose-risk-for-thousands</p>	<p>62 Y (62 R, 0 D) 47 N (1 R, 46 D)</p> <p>Senate passed 26 Y (26 R, 0 D) 11 N (1 R, 10 D) 1 excused June 7, 2018.</p> <p>Sept. 5, 2018. Signed by Gov. Snyder</p> <p>Dec 2019 Approval granted by federal HHS</p> <p>Judge Boasberg, DC Circuit Court vacated the “community and work” requirements in <i>Young v. Azar</i> (1:19-cv-03526). Mar 4, 2020</p>
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Reproductive Rights

Reproductive rights in Michigan are increasingly restrictive. Additionally, the legislative landscape surrounding reproductive rights has grown divisive and partisan. Early legislation such as the Michigan Parental Rights Restoration Act 211 of 1990 (known in Michigan as the Parental Consent Law) had bipartisan support. Today, reproductive rights votes are largely cast along party lines and, with a Republican majority in the State House and Senate, the GOP has been successfully chipping away at Michiganders' reproductive rights from every possible angle. Only the popular election of Democratic Governor Gretchen Whitmer in 2018 has provided a mechanism to slow this trend through the governor's veto power.

In 2017, the Michigan Legislature passed HB 4500, which defines an embryo and a fetus as a person. This elevates the embryo and fetus status to be included in the victim count in violent crimes, thereby impacting criminal sentencing guidelines. House Bill 4500 is a classic example of a "trigger law," which is intended to lay the legal groundwork for outlawing abortions under state law and automatically go into effect in the event the U.S. Supreme Court overturns *Roe v. Wade* (1973). Late in the 2018 Lame Duck Session, the State House and Senate also passed a bill (HB 1198) banning physicians from prescribing medical abortion via telemedicine.

Despite the loss of the Republican trifecta in the state government after the 2018 election of Governor Whitmer, legislative efforts continued throughout 2019 to restrict access to abortion. The GOP, determined to test the legislative waters for passage of more extreme legislation to limit reproductive rights, passed the Partial-Birth Abortion and Dismemberment Abortion Ban Act, banning and criminalizing the dilation and evacuation procedure (HB 4320, SB 229; HB 4321, SB 230) commonly used in second trimester abortions, as well as the Fetal Heartbeat Bill (HB 4664, SB 357; HB 4665, SB 358), banning and criminalizing abortions after the detection of a heartbeat at five to eight weeks gestation. It should be noted that of the 16,795 abortions performed in MI last year, only 435 were performed before five weeks. The passage of these bills, in spite of Gov. Whitmer's promise to veto any bill restricting access to abortion, is an aggressive tactical move by the GOP. Having tested the legislative waters, the GOP was assured that they possessed the votes to pass into law extreme legislation that could bypass the Governor's veto.

And in this year's session, GOP-supported initiatives sponsored by Michigan Values Life and the Michigan Heartbeat Coalition were drafted and circulated for signatures. These two initiatives mirror text from HB 4320, SB 357, HB 4321, and SB 357. Once signatures are certified by the Michigan Board of Canvassers, the Legislature has 40 days to adopt the initiatives. Since adopted initiatives in Michigan cannot be overturned by gubernatorial veto, both initiatives may be signed into law in 2020. The Michigan Heartbeat Coalition initiative, if adopted, is well positioned to form the basis of a challenge to *Roe v. Wade* under an increasingly conservative U.S. Supreme Court. Notwithstanding the restrictive atmosphere regarding reproductive rights in Michigan, Gov. Whitmer and Democrat sponsors have introduced the Reproductive Healthcare Act. Although largely symbolic, if passed, it would repeal a 1931 law prohibiting physicians from performing abortions, as well as removing several more recent legislative restrictions to abortion.

<https://www.mdch.state.mi.us/pha/osr/abortion/PregConfirm.asp>

<https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-michigan>

<https://www.freep.com/in-depth/news/politics/2019/08/08/abortion-illegal-michigan-roe-wade-overturned/1790907001/>

<https://www.bridgemi.com/michigan-government/michigan-lame-duck-tracker>

https://www.gutmacher.org/fact-sheet/state-facts-about-abortion-michigan?gclid=Cj0KCQiAkePyBRCEARIsAMy5SctxkVwyALDHOVd8-wPqvB24bWAlhdiOUoN04Ny-aU4KDyUsrT5uVz4aAj5LEALw_wcB
 A link that gives info for 2 ballot initiatives
<https://www.michiganradio.org/post/heres-what-you-need-know-about-both-anti-abortion-initiatives-circulating-michigan>

Legislation that Differentiates Republicans from Democrats

Year	Topic	Bill	Synopsis	Party of Sponsor	Vote (if any) and Status
Reproductive Rights					
2016	Anti-Choice	HB 4787	<i>An act to amend 1931 PA 328, entitled "The Michigan penal code"</i> Prohibits coercing a pregnant woman to have an abortion. Subtext: Perpetuates the myth that women who seek abortions are coerced. http://legislature.mi.gov/doc.aspx?2015-HB-4787	Repub	Mar 24, 2016 House passed 65 Y (63 R, 2 D) 43 N (0 R, 43 D) May 25, 2016 Senate passed 26 Y (26 R, 0 D) 11 N (1 R, 10 D)
2018	Telemedicine Anti-Choice	HB 1198	<i>A bill to amend 1978 PA 368, entitled "Public health code"</i> Physician shall not diagnose or prescribe medical abortion (oral prescription) unless physician physically examines patient in person. http://legislature.mi.gov/doc.aspx?2018-SB-1198	Repub	Nov. 29, 2018 House passed 62 Y (62 R, 0 D) 47 N (1 R, 46 D) 1 D not voting Dec. 28, 2018 Senate passed 25 Y (25 R, 0 D) 12 N (1 R, 11 D) 1 R not voting Feb. 4, 2019 Vetoed by Gov. Snyder
2019	Anti-Choice	HB 4320-SB 229	<i>"Partial-birth Abortion and Dismemberment Abortion Ban Act"</i> Bans dilation and evacuation abortions routinely used in the second trimester, 24-28 weeks. (This gestational period, 24-28 weeks uses a standard defined by the U.S. Supreme Court with the 1973 <i>Roe v. Wade</i> ruling.) Governor Whitmer promised to veto this legislation and any similar legislation attempting to ban abortions in the state. As of March 1, 2020, the legislation although passed in both chambers, has not been sent to the Governor's desk.	Repub	May 14, 2019 House passed: 58 Y (58 R, 0 D) 51 N (0 R, 51, D) 1 D not voting May 14, 2019 Senate passed: 22 Y (22 R, 51, D) 16 N (0 R, 16D)

			http://legislature.mi.gov/doc.aspx?2019-HB-4320 http://legislature.mi.gov/doc.aspx?2019-SB-0229		
2019	Anti-Choice	HB 4321 SB 230	<p><i>Sentencing guidelines for HB 4320 and SB 229</i> (for the crime of “dismemberment abortion,” medically referred to as dilation and evacuation). Specifies criminal sentences of two years in prison for any physician who performs this type of abortion.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4321 http://legislature.mi.gov/doc.aspx?2019-SB-0230</p>	Repub	<p>May 14, 2019 House passed 58 Y (58 R, 0) 51 N (0 R, 51 D)</p> <p>May 14, 2019 Senate passed 22 Y (22 R, 0 D) 16 N (0 R, 16 D)</p>
2019	Anti-Choice	HB 4664 SB 357	<p><i>Fetal Heartbeat Protection Act</i> Requires testing for a heartbeat before an abortion procedure and places restrictions on performance of an abortion if a heartbeat is detected. A violation of this act will result in a felony for the healthcare provider.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4664 http://legislature.mi.gov/doc.aspx?2019-SB-0357</p>	Repub	<p>May 23, 2019 Introduced in the House</p> <p>June 5, 2019 Introduced in the Senate</p>
2019	Anti-Choice	HB 4665 & SB 358	<p><i>Sentencing guidelines for HB 4664 and SB 357</i> (for the crime of performing an abortion after a heartbeat is heard). Specifies criminal sentences of two to four years in prison for anyone who performs this type of abortion.</p> <p>http://legislature.mi.gov/doc.aspx?2019-HB-4665 http://legislature.mi.gov/doc.aspx?2019-SB-0358</p>	Repub	<p>May 23, 2019 Introduced in the House</p> <p>June 5, 2019 Introduced in the Senate</p>
2019	Anti-Choice		<p><i>Fiscal Year 2020 Budget</i> Gov. Whitmer vetoed a \$700,000 line-item for Real Alternatives (a pregnancy support center based in Pennsylvania). Real Alternatives is currently under investigation by the watchdog group Campaign for Accountability, which focuses on holding the pro-life movement accountable by examining the use of public monies. This year Campaign for Accountability filed letters with Gov. Whitmer, Attorney General Dana Nessel, and the Office of the Auditor requesting the program be investigated.</p> <p>https://www.womenslawproject.org/2019/10/01/michigan-governor-defunds-pa-based-crisis-pregnancy-center-</p>	Repub	<p>Oct. 2, 2019 Line-item veto by Gov. Whitmer</p>

			chain-real-alternatives-after-allegations-of-misuse-of-funds/		
2019	Anti-Choice		<p><i>An Initiative to Enact “Partial-birth Abortion and Dismemberment Abortion Ban Act”</i></p> <p>Drafted by Michigan Values Life as an Indirect State Statute. Mirrors text from HB 4320, 4321, which ban and criminalize dilation and extraction abortions, routinely performed in the second trimester. Once signatures are certified, legislature can adopt the initiative within 40 days, avoiding veto threat from Gov. Whitmer.</p>	Repub	Dec. 23, 2019. Signatures submitted to the Michigan Board of Canvassers for certification
2019	Anti-Choice		<p><i>Michigan Fetal Heartbeat Abortion Ban Initiative by Heartbeat Coalition as an Indirect Initiative State Statute. Mirrors text HB 4664, 4665 and SB 357, 358 (see above).</i></p> <p>It is unlikely to appear on the 2020 ballot because current Michigan Legislature will likely adopt if signatures are certified by the Board of Canvassers, circumventing a veto by Gov. Whitmer.</p>	Repub	<p>Initiative approved for circulation June 19, 2019</p> <p>Signatures currently being collected 1st quarter of 2020</p>
2019	Pro-Choice	RHA	<p><i>Reproductive Healthcare Act: Omnibus legislation repealing a 1931 law that prohibits doctors from performing abortions:</i></p> <ul style="list-style-type: none"> • Removes regulations that require abortion clinics to operate like free-standing surgical centers. • Removes the requirement that minors have parental consent before getting an abortion. • Removes barriers from health care providers such as Planned Parenthood from receiving state and federal funding. • Lifts 24-hour waiting period from the time a person requests and is able to get an abortion. • Lifts the ban on private insurance coverage for abortions • Removes barriers to accessing medically induced abortion through telemedicine. <p>https://housedems.com/article/house-dems-introduce-michigan-reproductive-health-act</p>	Dem	Introduced Oct. 2019