



## Michigan ROUNDUP

November 7, 1991

### *Legislative Week in Review*

- House action adding \$102 million to an **emergency needs program** bill passed last week by the Senate virtually guarantees that the proposed legislation (SB 219) will be sent to conference committee; ironically, this will delay the state's ability to use any of the monies for urgent medical and other needs of the poor. The House's 58-45 party line vote would restore funding for the services to the levels that existed when Governor John Engler took office. The Senate version of the measure simply would transfer authority for \$43 million in block grants from local governments to the state. Opponents of the House strategy argue that the Department of Social Services (DSS) needs authority to begin immediate distribution of the \$43 million; they propose that legislative negotiations over increases in emergency needs and medical care funding be focused on SB 214, a supplemental funding bill reported out of the Senate Appropriations Committee this week.
- Senate approval this week of two **medical malpractice tort reform** measures brought that chamber closer to completion of a 29-bill "affordable health care" package. SB 248, which would establish a system of medical liability determination under which all claims would be reviewed with an eye to out-of-court settlement before being allowed to proceed to trial, passed 26-10. SB 249, which would put a \$250,000 cap on noneconomic damage awards and set a sliding scale maximum for plaintiff attorney contingency fees, passed 25-11.
- All circuits are busy in the House this week as debate and amendment continue on the **telecommunications bill** (SB 124), generally conceded to be among the most complex and heavily lobbied issues before the legislature in years. At midweek the House was halfway through the package, with about fifty amendments still to consider. The proposed revisions would become effective January 1, replacing current telecommunications regulatory law, which expires on December 31.
- Under SB 447, signed into law this week, the governor will appoint seven people to address problems posed by the 1993 closing of **Wurtsmith Air Force Base** in Oscoda.
- A controversial **wetlands bill** prohibiting local government ordinances more stringent than statewide standards was referred to another Senate committee this week for further study. SB 522 had been reported out of the Natural Resources and Environmental Affairs Committee, but the chamber (on a 20-17 bipartisan vote) sent the measure to the Local Government and Urban Development Committee for additional review. Michigan is the only state that regulates its own wetlands rather than relying on U.S. Environmental Protection Agency oversight.
- On a 79-22 vote this week, the House acted to decriminalize so-called **postpartum drug delivery**. HB 5241 would prohibit criminal prosecution of mothers whose children are born drug addicted as a result of substance abuse. Supporters of the legislation assert that arresting mothers of newborns serves as a disincentive to pregnant women who are receiving prenatal substance abuse counseling and treatment.
- Citing **death threats** he has received since taking office in January, Sen. Jon Cisky (R-Saginaw) is the sponsor of a bill that would make it a felony to threaten the life of certain public officials. SB 377 would impose up to four years in prison and a \$2,000 fine for maliciously threatening the governor, the lieutenant governor, legislators, or the families of these officials. The measure passed the Senate 27-9 this week.

### *Political News*

- Top state officials announced a six-month, five-county **food stamp fraud** probe at a midweek press conference. Governor Engler was joined by Attorney General Frank Kelley and DSS Director Gerald Miller in disclosing that thirty-four arrest warrants have been issued for felonies and misdemeanors, most involving retail store owners who purchased food stamps at a discount, redeemed them at face value, and pocketed the difference. A new toll-free welfare fraud hotline, 1-800-222-8558, has been established at the DSS to encourage reports of suspected fraud.
- The Michigan Supreme Court began hearing oral arguments today on the constitutionality of banning **state-funded abortions**. In the case before them, a fifteen-year-old rape victim who was denied a Medicaid-funded abortion because of the state's 1988 petition-initiated statute, won an appeals court ruling that the abortion ban violates the equal protection clause of the Michigan Constitution.
- By a 4-0 vote last week, the Board of State Canvassers ruled that the **property tax cut** plan of Richard Headlee and his supporters failed to produce sufficient valid signatures to qualify as a ballot initiative. The board rejected more than fifteen thousand disputed signatures on technical grounds that could form the basis for a court appeal of the ruling.
- A court of appeals ruling is expected this week on whether **general assistance** welfare should be restored as decided earlier by the circuit court.