

JULY 24, 2020

SPECIAL ALERT

Official newsletter of Khoury Johnson Leavitt



Khoury
Johnson
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KJL SPECIAL ALERT

The Khoury Johnson and Leavitt team remain informed and engaged during these times of uncertainty. We are in communication with leadership in the executive, legislative and judiciary branches of state government, in addition to locals on a regular basis. Updates will continue every Friday as a mechanism to recap relevant activity from the past week.

CLIENT NEWS:

Legislature Returns – Completes FY 2020 Budget:

The legislature returned for a few days this week to wrap up the FY 2019–20 budget agreement as well as considered other items on the calendar including a veto override.

Early in the COVID-19 Pandemic it was clear that the state budget was going to take a significant hit. The May revenue estimating conference pegged the projected short fall at roughly \$3 billion. Since then the Governor and legislative leaders have been working on solutions to close the gap that ultimately led to a mix of federal stimulus funds, budget cuts, hiring freezes and layoffs and withdrawing funds from the Budget Stabilization Fund.

Specifically, \$350 million was used from the Budget Stabilization Fund; Executive Order 2020-155 makes \$620 million in General Fund reductions (though half is backfilled with federal money); a reduction in statutory revenue sharing (made up with federal funds); restricted fund transfers to the General Fund; work-projects lapsing to the General Fund; and unspent dollars from the Michigan Public School Employees Retirement System.

This shores up the current fiscal year budget and now the Governor and lawmakers will begin work on the roughly \$3 billion deficit for the 2020–21 fiscal year, which begins October 1st. At this time, Congress has not passed any additional support to states but state leaders remain hopeful that Congress will act and states will receive additional assistance.

The legislature is scheduled to return August 6th and 12th.

FIRST VETO OVERRIDE ATTEMPT OF SESSION FAILS:

A bill to provide whistleblower protections for state employees who communicate with members of the legislature (SB 686, Barrett-R) was vetoed by the Governor on July 8. The Governor sighted constitutional flaws with how the legislation was written. Legislative leaders were unhappy with the veto and upon returning to session this week attempted a veto override. Ultimately the override fell short of the necessary 2/3 majority vote required in both chambers.

ELECTIONS:

The Secretary of State (SOS) has reported that out of the 1.8 million absentee ballots requested for the August 8th primary, over 600,000 have been returned. The total number of absentee ballots returned for the August 2016 primary was 484,094. According to the SOS statement, the 2016 primary was held before voters in 2018 amended the state constitution to allow all Michigan voters to cast ballots from home. The first statewide election after that amendment passed was the March 10, 2020, presidential primary, which occurred before there were any known cases of COVID-19 in Michigan. In that primary 1 million absent-voter ballots were issued, barely half of the 1.8 million already issued for August 4.

WILL THE FEDS PASS ANOTHER CARES ACT?

Some members of congress are going on record indicating they are “cautiously optimistic” that the federal government will pass a second CARES Act stimulus package once Congress reconvenes next week for two weeks, before taking a summer break in August. Many of the relief measures put into place in March via the CARES Act expire soon. Congress is discussing some type of stimulus bill, which will likely include additional aid for small businesses and more provisions to assist the record number of unemployed. Discussions include the potential of another stimulus check distribution, payroll tax cuts, extensions of eviction bans and unemployment insurance.

EXECUTIVE ORDERS THIS WEEK INCLUDE:

- [EO 2020-154](#):
 - Alternative means to conduct government business during the COVID-19 pandemic - Rescission of Executive Orders 2020-129, 2020-132, and 2020-141
- [EO 2020-156](#):
 - Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities - Rescission of Executive Order 2020-136

KJL SOCIAL MEDIA



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ADDITIONAL RESOURCES

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www.cdc.gov/coronavirus.com

www.congress.gov.com

www.michiganbusiness.org



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