

*Advocacy Report
on the 96th*

MICHIGAN LEGISLATURE

AN ANALYSIS OF THE 2011-2012 LEGISLATIVE SESSION



**MICHIGAN
CATHOLIC**
CONFERENCE

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Dear Friends:

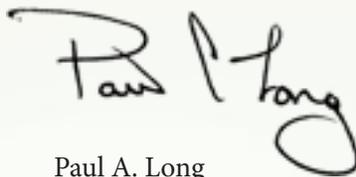
I am pleased to present this *Advocacy Report on the 96th Michigan Legislature: An Analysis of the 2011–2012 Legislative Session*. Biennially, Michigan Catholic Conference communications and public policy staff compiles this report in an effort to catalogue the organization's advocacy efforts over a two year legislative cycle. As you will read in the pages ahead, MCC's efforts in the legislative arena are both broad in scope and extensive in detail—with an eye toward excellence and integrity.

The Catholic Church's role in legislative advocacy is as unique as it is critical: some sectors of society seemingly are regressing on matters pertaining to religious liberty and conscience rights while efforts to undermine the traditional family structure, human life and dignity become more aggressive each year. Despite the cultural direction, significant advances were made this session to better protect the health and safety of women, educational choice continues to expand, and greater awareness has been raised for the need to protect constitutional religious liberty rights.

Regardless of which political party controls the legislative calendar, the Church's voice continues to transcend the political divide in order to maintain open lines of communication and the opportunity to develop relationships. In an increasingly polarized political environment, the Church must be willing to listen to ideas, propose rather than impose, and guide deliberations toward that which promotes the common good in the state.

With keen appreciation for your interest, support and guidance, I am

Sincerely,

A handwritten signature in black ink that reads "Paul A. Long". The signature is written in a cursive, flowing style.

Paul A. Long
President and C.E.O.

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Summary of the 2011–2012 Michigan Legislature

State Budget

The State of Michigan began the 2011–2012 legislative session with a \$1.4 billion deficit, which Governor Rick Snyder proposed to close with numerous spending cuts while at the same time drastically reducing taxes on businesses in the state. The expected loss in revenue prompted Michigan Catholic Conference (MCC) to raise concern about the proposal's impact on those budgets that provide necessary assistance to the state's most vulnerable and destitute persons. As the legislature began to propose policies to balance the budget, the seven bishops in Michigan wrote the governor and legislative leaders urging their attention to the needs of the poor, unemployed, and other vulnerable persons when making budget decisions. In the letter, the bishops specifically urged preservation of the Earned Income Tax Credit (EITC) and the state's Family Independence Program.

As a result of MCC's budget advocacy, funds were secured in the *Department of Human Services* to increase the Earned Income Disregard, which allows individuals to work more hours while still receiving state assistance. Language was also secured to maintain funding for those receiving state disability assistance from the Department of Human Services, however, the amount of aid will be nominally reduced in future years. Additionally, while the Governor, Senate Majority Leader and Speaker of the House proposed eliminating the Earned Income Tax Credit, a policy that provides necessary tax relief to Michigan's working poor, the credit was retained at 6 percent of the federal credit. For the most part, the *Department of Community Health* budget protected those critical programs supported by MCC, specifically the state's Medicaid budget. Additionally, the *Higher Education* budget retained funding for the Tuition Grant program, which provides financial aid to need-based students at independent colleges and universities, including those that are Catholic, at \$31.7 million.

In February 2012, Governor Snyder proposed his version of the 2012–2013 budget, which recommended a 1.5 percent increase in appropriations from Fiscal Year 2012, or \$716 million. Michigan Catholic Conference worked with lawmakers on a variety of measures that would impact department budgets. Staff advocated for the creation of a Real Alternatives program, which provides pregnant women in crisis with an alternative to abortion. Although appropriations for the program passed through both the House and Senate, the budget line was vetoed by the governor over concerns with the funding source. MCC will continue to work on finding ways to fund this important program. Following a request to MCC staff from lawmakers to identify programs that should receive increased Temporary Assistance for Needy Families (TANF) funds, the *Department of Human Services* budget was enacted with increases for foster care parents and agencies, as well as heating assistance for low income individuals and families. In the *Department of Higher Education* budget, funds for the Tuition Grant program were maintained while those universities that conduct destructive research on human embryos saw reporting requirements strengthened in order to receive access to additional state dollars.

Religious Liberty

Policies that protect religious liberty rights were addressed this legislative session, with staff dedicating a significant amount of time to support their passage. MCC worked with elected officials and staff on bills that would provide conscience protections for individuals and institutions in the health care profession along with measures that would protect conscience rights for faith-based adoption and foster care agencies. Both bills gained significant ground in the lame duck session but were not sent to the governor, meaning MCC will continue to push for their introduction and passage in the 2013–2014 session. Michigan Catholic Conference also worked with House leadership to oppose a bill that would restrict courts from using foreign law to decide cases, as the bill would have impacted the use of canon law. The bill died in the House Judiciary Committee. Legislation that strengthens penalties for disrupting worship services did pass this legislative session with MCC support.

Human Life

The Michigan Legislature addressed several critical policies this session that impact human life, with MCC staff helping to promote two major issues into law. After twenty years of varying policies, court rulings, a citizen initiative, and a veto from the previous governor, Governor Snyder this session signed into law a bill that prohibits partial-birth abortion. In 2012, separate legislation that addressed abortion coercion, the disposition of fetal remains following an abortion, and abortion clinic licensing and inspection policies were all folded into one pro-life “omnibus” bill. MCC testified in support of the bill in both the House and Senate committees, lobbied elected officials and staff, conducted public opinion polling, and composed numerous press releases and op/ed pieces to promote the bill, which the ACLU and other pro-abortion organizations called “the biggest assault on women’s rights in the history of the state.” The bill passed the Legislature in the lame duck legislative session with bipartisan support and was signed into law by Governor Snyder shortly after Christmas.

Additional pro-life legislation was introduced this session but was, for the most part, overshadowed by the national and international attention placed on the above mentioned policies. Measures that were introduced and moved only incrementally through the process included a requirement that a woman considering an abortion first receive an ultrasound with the option to view the image of the child, a prohibition on abortion after a fetus reached twenty weeks of age, a tax exemption for pregnant women with a fetus at least twelve weeks old, and a ban on fetal tissue research. Staff also supported the passage of a “judge shopping” prohibition, which would prevent a minor who was denied a parental consent waiver from seeking a waiver for the same pregnancy in another family court.

Children and Families

Several bills were introduced this legislative session that would have impacted children and families in a variety of ways. One package of bills would have reformed marriage and divorce laws. Under the package, couples who were engaged would have been encouraged to participate in a premarital education program, and couples who were going through a divorce would have been required to complete a divorce effects program to address how children would be impacted by the decision. Little action was taken on this package of bills. With the support of MCC staff, the legislature found success in extending federal funding eligibility for foster care and adopted youth from ages eighteen to twenty-one, which would financially help those transitioning from foster care to independent living. The legislation was signed by Governor Snyder in 2011. In addition, MCC supported the passage of Dominick's Law, which would increase penalties for child abuse and anti-bullying legislation, both of which were signed into law.

Health Care

As the Michigan Legislature debated whether to create a state health care exchange or partner with the federal government to provide a health insurance marketplace created by the Patient Protection and Affordable Care Act, Michigan Catholic Conference supported legislation to ensure that abortion coverage would be excluded from plans in the exchange. During the lame duck session, legislation converting Blue Cross Blue Shield of Michigan into a mutual nonprofit insurance company was amended at the last minute to exclude abortion coverage from any state or federal exchange. Also tacked onto the bill late in the process was a measure requiring abortion to be purchased as an optional rider in private health plans. Because of the last-minute abortion provisions in the bill, Governor Snyder vetoed the legislation, publicly stating that he did not care for how abortion policy was included in a Blue Cross restructuring bill, which he did not request when calling for the Blues' conversion.

During this session, staff also worked on bills that created a health insurance claims tax, which would help to fund the state's Medicaid program. Previously, the tax was funded by levying a hospital bed tax that also drew in significant federal dollars, but the federal government announced it would potentially no longer allocate dollars based on the bed tax. In 2011, the Legislature passed a one percent tax on all paid health insurance claims, which replaced the bed tax after MCC worked on language that would protect the Conference from essentially being taxed twice (on the claim and through higher premiums). In 2012, the Legislature again took up the tax to address a shortfall in revenue, proposing a variable tax rate, which concerned the Conference. The new tax was not passed, and the Legislature continued to consider other funding sources to make up for the shortfall.

Education

Many of the educational reforms Michigan Catholic Conference supported this legislative session focused on the need to address underperforming schools and expand parental options for school choice. Staff supported a Parent Empowerment Education Reform package, which would expand existing educational options and give parents greater opportunity to choose where and how their child is educated. Included in this reform package was a bill that addressed shared time services, allowing non-public school children to attend a public or charter school for additional classes that were not offered at the non-public school. Also included were bills providing for expanded dual enrollment opportunities, which would make it easier for non-public school students to enroll in college courses while still in high school. Finally, staff focused on legislation that allowed for the expansion of charter schools. It has long been a belief of Michigan Catholic Conference that parents are the primary educators of their children, and through these measures, MCC advocated for greater options for parents regarding their children's education.

Economic Justice and Regulatory Policies

During the past two years, Michigan Catholic Conference worked on a variety of issues in the areas of economic justice and regulatory policies such as concealed carry legislation, the Earned Income Tax Credit, and energy assistance for low-income persons, among others. MCC strongly opposed a provision in concealed carry legislation that would have eliminated gun free zones (such as churches, stadiums, bars, hospitals, day care centers and schools) and allow concealed carry permit owners to complete extra training to carry concealed in these areas. Staff proposed language that would have protected churches from the expanded presence of concealed weapons and sent letters in support of this provision to the Senate. Although the legislature passed a bill without any carve-outs, Governor Snyder vetoed the measure when it was sent to his desk.

As previously mentioned, Governor Snyder and other top legislative leaders urged the elimination of the Earned Income Tax Credit (EITC) this session, which provides necessary tax relief to the state's working poor. Through the work of staff, however, the credit was not eliminated but instead reduced from 20 percent to 6 percent of the federal credit. Additionally, a bill that would create a new program to provide energy assistance for low-income persons passed the Legislature and was signed by the governor with MCC support.

Restorative Justice

In the 2011–2012 session lawmakers introduced and addressed two important issues from past legislative sessions, including indigent defense and juvenile life without parole reform. MCC supported legislation that would establish a statewide office of indigent defense, which would ensure that persons who could not afford their own counsel would have adequate representation in court. MCC also supported

legislation to eliminate the mandatory sentencing of juveniles to life without parole for certain heinous crimes, which the U.S. Supreme Court had ruled unconstitutional. The legislation would allow past juvenile lifers the opportunity for a parole hearing if certain conditions were met. Both bills will need additional attention as the indigent defense bill ran into funding concerns and the Michigan Court of Appeals ruled that the Supreme Court's juvenile decision did not have to be applied to past cases. On a positive note, incarcerated persons in Michigan will now have the opportunity to watch *EWTN* through a budget policy that allows for in-kind donations to the state Department of Corrections.

Catholic Legislative Advocacy Network

In June 2011, the MCC Board of Directors approved a diocesan-based plan to expand the *Catholic Legislative Advocacy Network*, a grassroots email advocacy system designed to facilitate communication between election officials and Catholics across the state. Each bishop appointed a contact that would work closely with MCC staff to develop a plan for the diocese. During this legislative session, staff began working with diocesan contacts on these plans, some focusing more on sign ups at diocesan events and presentations, others on a letter campaign from the bishop to Catholic households in the diocese, and still others creating ads and articles to be circulated through diocesan communication pieces.

At the beginning of 2011, MCC's *Catholic Legislative Advocacy Network* (LAN) included 784 members. As the session was coming to a close in December 2012, the network had grown to 4,225 members. This growth allowed for lawmakers to hear a strong Catholic voice on issues important to the Conference. Over 8,400 messages were sent by LAN members to their elected officials during the last two years. Michigan Catholic Conference especially called on its members to contact their elected officials during the lame duck legislative session, in which over 2,000 of the 8,400 total messages were sent specifically in support of conscience and pro-life legislation.

More generally, LAN members over the past two years wrote their elected officials on conscience rights for health care workers and institutions, protection of religious liberty rights for faith-based foster care and adoption agencies, concealed weapons in churches, abortion clinic regulations, the Earned Income Tax Credit for the working poor, and the charitable giving incentive that provides assistance to charitable nonprofit organizations.

Lawmakers informed MCC staff that they were hearing from their constituents on issues of concern to the Conference, which demonstrates not only the breadth of issues important to the Conference and the Church but also the power and influence of grassroots advocacy. ■

Religious Liberty Policy

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bill 975	Extend conscience protections of health care providers and institutions; require employers to implement a conscience protection policy.	Health Policy (Passed)	Insurance (Passed)	Support	Passed Senate, died on House floor.
House Bills 5763–5764	Protect conscience rights for faith-based agencies who facilitate foster care and adoption services.	N/A	Families, Children, and Seniors (Passed)	Support	Passed committee, died in House.
House Bill 4769	Restrict courts from using foreign law to decide cases if those laws could be interpreted to violate a citizen's civil rights under the U.S. Constitution.	N/A	Judiciary	Oppose	Died in House Judiciary Committee.
House Bill 5560 (SB 19)	Create penalties for the disruption of worship services.	Judiciary (Passed)	Judiciary (Passed)	Support	Signed into law. Public Act 202 of 2012.

Religious Liberty and Conscience Protection Act (SB 975)

In addition to legislation introduced in previous sessions that sought to mandate objectionable services, the federal HHS mandate highlighted the need for renewed conscience protections at the state level. MCC supported the bill for its protection of religious liberty and expanded conscience rights for health facilities, individuals or entities who pay for health care, and health care workers. This bill would have ensured that health care institutions and individuals would not have to pay for or provide health care services that violate their moral, religious, or ethical beliefs. The legislation included provisions that defend those who provide and pay for health care from being punished in any way for a religious objection. In addition, the law required employers to make efforts to accommodate religious objections by designing and implementing a conscience protection policy. The bill passed the Senate and the House Insurance Committee but died on the House floor late in 2012.

Conscience Protection for Adoption and Foster Care Providers (HBs 5763–5764)

These bills would protect conscience rights for faith-based agencies that facilitate adoption and foster care services. Under this legislation, no child placing agency would be required to recommend, refer, or participate in a placement that violates the written religious or moral convictions or policies, nor would the government be allowed to deny grants, contracts, or participation in a program because of moral or religious objections. Judicial rulings and legislation in other states, such as Illinois, Massachusetts, and California, led to the closing of Catholic Charities services because those agencies would not violate their religious beliefs. Michigan Catholic adoption agencies did not want to make the same choices in the future between dropping adoption services and violating their beliefs. Michigan Catholic Conference supported the bill, but the legislation died on the House floor after its passage through the House Committee on Children, Families, and Seniors. MCC will work for similar legislation next session.

Restriction of Application of “Foreign Laws” Act (HB 4769)

Under this legislation, courts, arbitrators, and mediators would be restricted from using “foreign laws” to decide cases if those laws might be interpreted to violate someone’s civil rights under the U.S. Constitution. While the push for the law came as a result of cases involving Islamic law and legal decisions by the United Nations, MCC discovered the law might impact how courts interpret Church canon law on issues such as parish closings and annulments and therefore opposed the bill. The bill died in the House Judiciary Committee.

Disturbances of Church Services (Public Act 202 of 2012, Introduced as HB 5560/SB 19)

Currently, the Michigan Penal Code lists the intentional disruption of a worship service as a misdemeanor but does not provide a specific penalty for it, meaning violators are subject to the general misdemeanor penalty of not more than 90 days of imprisonment and/or a fine of up to \$500. This measure, first outlined in SB 19 and then taken up in HB 5560, amended the Michigan Penal Code to extend protections for worship services and established clearer penalties for those disrupting a worship service, such as not more than 93 days of imprisonment, a fine of not more than \$1,000 and/or not more than one hundred hours of community service. The measure also included penalties for subsequent violations. House Bill 5560 was signed into law by Governor Snyder. ■

Human Life Policy

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bill 51	Ban research on fetal tissue.	Health Policy	N/A	Support	Died in Senate Health Policy Committee.
Senate Bill 135	Forbid a minor from “judge shopping” for a waiver from abortion parental consent requirement.	Judiciary (Passed)	Judiciary	Support	Passed the Senate, died in House Judiciary Committee.
House Bill 4433	Require ultrasound prior to an abortion with most technologically advanced equipment available.	N/A	Health Policy	Support	Died in House Health Policy Committee.
House Bills 5343–5344	Prohibits an abortion after an unborn child is twenty weeks old unless to save the life of the mother.	N/A	Health Policy	Support	Died in House Health Policy Committee.
House Bills 5684–5685	Provide tax dependency exemption for a fetus that has completed twelve weeks of gestation by the last day of the tax year.	N/A	Tax Policy	Support	Died in House Tax Policy Committee.
House Bills 5712–5713	Create penalties for noncompliance with HB 5711 (see below).	N/A	Health Policy (Passed)	Support	Died on House floor.
Senate Bill 160 (HB 4110)	Ban the practice of partial-birth abortion and create a penalty for violation of the ban.	Judiciary (Passed)	Families, Children, and Seniors (Passed)	Support	Signed into law. Public Acts 168 and 169 of 2011.
House Bill 5711	Require abortion clinics to be licensed/inspected, prohibit abortion coercion, etc.	Judiciary (Passed)	Health Policy (Passed)	Support	Signed into law. Public Act 499 of 2012.

Embryo Research Regulations (SB 51)

Legislation aiming to ban fetal tissue research has repeatedly been introduced in the Michigan Legislature. Michigan Catholic Conference again supported the effort this session to protect the dignity of human embryos, but the legislation did not gain much traction after introduction. The bill was referred to the House Health Policy Committee and remained there without further action.

Judge Shopping Prohibition (SB 135)

In order to obtain an abortion in Michigan, a minor must provide her own written consent along with the written consent of a parent or guardian, unless the minor petitions in family court for a waiver from the parental requirement. The bill would prohibit a minor who was denied a waiver of parental consent by one family court from seeking a waiver for the same pregnancy in another family court. Last session, MCC worked on similar legislation that was passed by the Michigan Legislature and vetoed by former Governor Jennifer Granholm. This measure passed the Senate and was referred to the House Judiciary Committee, where no further action was taken.

Performance of Ultrasound before an Abortion (HB 4433)

Before an abortion, a woman under this bill would have to first receive an ultrasound with “the most technologically advanced ultrasound equipment available” at the location so that the woman could have accurate information before deciding whether or not to abort the unborn child. Under the bill, a physician or qualified assistant would give the patient the option to see an active ultrasound image, hear the fetal heartbeat, and have a physical picture of the ultrasound image created. Michigan Catholic Conference supported the bill because of its intent to provide women with up-to-date factual, medical, and biological information regarding the fetus before making a final decision about whether or not to have an abortion.

Pain-Capable Unborn Child Protection Act (HBs 5343–5344)

Under this act, a person would not have been able to perform an abortion on a pregnant woman if the unborn child was twenty weeks or more past the time of fertilization, unless that abortion was performed to save the mother’s life. The bill would also have provided punishment for anyone violating this law of not more than fifteen years in jail or a fine of not more than \$7,500 or both. Michigan Catholic Conference supported the bill, which recognized the ability of a fetus to feel pain after twenty weeks of development. The bill died in the House Health Policy Committee after its introduction.

Tax Exemption for Fetal Dependents (HBs 5684–5685)

This bill would have provided a tax deduction for women who are pregnant with a fetus that reaches up to twelve weeks of gestation before the last day of the tax year. Michigan Catholic Conference supported the deduction, which would provide some assistance for those struggling to cover the costs of pregnancy. The bill was taken up by the House Tax Policy Committee, but after a hearing was held, no further action was taken.

Partial-Birth Abortion Ban (Public Acts 168 and 169 of 2011, Introduced as SB 160/HB 4110)

While federal law already bans partial-birth abortion, Michigan needed its own ban to make enforcement at the local and state level easier. Senate Bill 160 included language that banned the practice of partial-birth abortion, and House Bill 4110 provided the penalties for violation of the ban. SB 160 was signed into law by Governor Snyder as Public Act 168 of 2011. HB 4110 was also signed by Governor Snyder as Public Act 169 of 2011. While previous partial-birth abortion bans have been challenged in Michigan, no lawsuits have been filed against this legislation as the bill mirrors the federal ban that has been held constitutional by the U.S. Supreme Court.

Abortion Clinic Regulations (Public Act 499 of 2012, Introduced as HBs 5711–5713)

Out of Michigan's thirty-two abortion clinics, only four are actually licensed and inspected by the State Bureau of Health Systems. Michigan Catholic Conference supported this legislation to protect women who chose the path of abortion as it would require all abortion facilities to be licensed and subject to inspections as outpatient surgical facilities. In addition, the bill would prohibit coerced abortion, require a minimum medical malpractice insurance for physicians who provide abortions with a history of medical licensure violations, prescribe for the humane disposition of fetal remains following an abortion, and prohibit distribution of an abortion pill by a doctor via internet camera. The measure passed the Legislature and was signed by the governor as Public Act 499 of 2012, although the medical malpractice component was eliminated from the final bill. ■

Children and Families Policy

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bills 545–549	Reform existing marriage and divorce laws to put in place a divorce effects program, a child parenting plan, and encourage premarital education.	Judiciary	N/A	Support	Died in Senate Judiciary Committee.
Senate Bills 435–440	Extend federal funding eligibility for foster care and adopted youth ages 18–21.	Appropriations (Passed)	Families, Children, and Seniors (Passed)	Support	Signed into law. Public Acts 225–230 of 2011.
House Bill 4163 (SB 137)	Require the adoption and implementation of an anti-bullying policy at school.	N/A, considered by full Senate	Education (Discharged)	Support	Signed into law. Public Act 241 of 2011.
House Bills 5562–5563	Increase penalties for child abuse and create new penalties for committing child abuse in front of another child.	Judiciary (Passed)	Judiciary (Passed)	Support	Signed into law. Public Acts 194–195 of 2012.

Marriage Preservation and Divorce Reform (SBs 545–549)

This package of bills would have reformed existing marriage and divorce laws, which Michigan Catholic Conference supported to strengthen marriage and protect families in the midst of marital troubles, especially when children are involved. Two of the bills addressed divorce and child custody laws in Michigan to better protect the interests of the child, while three of the bills addressed marriage laws, including encouraging participation in a premarital education program. Similar legislation was vetoed by former Governor Granholm in 2004. During this session, the legislation was referred to the Senate Judiciary Committee but no action was taken.

Young Adult Voluntary Foster Care Act (Public Acts 225–230 of 2011, Introduced as SBs 435–440)

Mirroring the federal Fostering Connections to Success and Increasing Adoption Act of 2008, the Michigan Legislature adopted a package of bills that would extend federal funding eligibility for foster care and adoption for youth from ages 18–21. According to the bills, even if a youth is placed in supervised independent living settings, federal money can still be applied. Michigan Catholic Conference supported this legislation after consulting with the directors of several Catholic Charities agencies as a support for youth who are transitioning between foster care and independent living. Governor Snyder signed the package into law in 2011.

Anti-Bullying (Public Act 241 of 2011, Introduced as HB 4163/SB 137)

This measure prohibited bullying against any student by requiring the board of a school district, intermediate school district, or board of directors at a public school academy to adopt and implement an anti-bullying policy at school. Michigan Catholic Conference supported the bill, which was signed into law by Governor Snyder in 2011.

Dominick’s Law—Child Abuse (Public Acts 194 and 195 of 2012, Introduced as HBs 5562–5563)

This legislation increased penalties for first and second degree child abuse, as well as established new penalties for first, second, and third degree child abuse committed in the presence of another child. Michigan Catholic Conference supported the bill, which takes greater steps towards recognizing the severity of crimes against children. The bills were signed into law as Public Acts 194 and 195 in August 2012 by Governor Snyder. ■

Health Care Policy

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bills 612–614	Exclude abortion from any state or federal health care exchange.	Health Policy (Passed)	Insurance	Support	Passed Senate, died in House Insurance Committee. Language inserted in SB 1293–1294.
House Bills 4143, 4147	Exclude abortion coverage from any state/federal health care exchange.	N/A	Health Policy	Support	Died in House Health Policy Committee. Language inserted in SB 1293–1294.
Senate Bills 1293 and 1294	BCBS of MI conversion; prohibit health insurance coverage for elective abortions.	Insurance (Passed)	Insurance (Passed)	Support	Passed House and Senate. Vetoed by the governor.
Senate Bill 723	Create a voluntary online registry of advanced health care directives.	Health Policy (Passed)	Health Policy (Passed)	Support	Signed into law. Public Act 179 of 2012.
House Bill 5805	Create Health Care Sharing Ministries.	Insurance (Passed)	Health Policy and Insurance (Passed)	Support	Signed into law. Public Act 530 of 2012.
Senate Bill 693	Sets up a state health care exchange for health insurance buyers.	Health Policy	Health Policy	Neutral	Died in House Health Policy Committee.
Senate Bill 1245	Prohibits the expansion of Medicaid.	Appropriations	N/A	Oppose	Died in Senate Appropriations Committee.
Senate Bill 348	Changes health insurance claims tax to 1% rate.	Appropriations (Passed)	Appropriations (Passed)	Opposed as introduced	Signed into law. Public Act 142 of 2011.
Senate Bill 1359	Allows for the health insurance claims tax to be adjusted at variable rate.	Appropriations	N/A	Opposed as introduced	Died in the Senate Appropriations Committee.

Abortion Opt-Out Legislation (SBs 612–614, HBs 4143, 4147)

Legislation was introduced in both chambers in order to exclude abortion coverage from health care plans in the proposed state health care exchange, which was created by the federal Patient Protection and Affordable Care Act. The bills also prohibited abortion coverage in any private health plan and allowed the coverage to be purchased as an optional rider. Michigan Catholic Conference supported the “abortion opt-out” provision provided in this bill so that individuals and employers would not have to pay for another person’s abortion. The legislation was introduced in the House and Senate but died before passage. Its language was ultimately adopted in the Blue Cross Blue Shield legislation addressed below.

Blue Cross, Blue Shield Modernization (SBs 1293–1294)

These bills were proposed to convert Blue Cross Blue Shield of Michigan into a nonprofit mutual insurance company, eliminating the insurer’s tax exempt status since the federal Patient Protection and Affordable Care Act required all insurance companies to accept policyholders regardless of pre-existing conditions. During the lame duck session, language was inserted into the bills that would prohibit health plans from including coverage for elective abortions, unless an employee purchases an optional rider. This language was essentially what was contained in Senate Bills 612–614 and House Bills 4143 and 4147. Michigan Catholic Conference was pleased that the legislation would prevent individuals from having to contribute financially to another person’s abortion. While the bills passed the Legislature in lame duck, Governor Snyder vetoed Senate Bill 1293 and 1294 due to concerns that the abortion provisions were not part of the original intent of the bill.

Peace of Mind Registry Act (Public Act 179 of 2012, Introduced as SB 723)

The sponsor, Senator James Marleau (R-Lake Orion), worked with Michigan Catholic Conference on this legislation to address the issue of advanced health care directives. According to research, nearly 80% of these directives go unnoticed until it is too late, often because families and doctors do not know about them or cannot find them. As a result, Senate Bill 723 created a voluntary internet registry of advanced health care directives, also known as the Peace of Mind Registry, to increase access to people’s end-of-life wishes. Michigan Catholic Conference supported the passage of this legislation, and it was signed into law in 2012 as Public Act 179.

Health Care Sharing Ministries (Public Act 530 of 2012, Introduced as HB 5805)

This legislation would permit Health Care Sharing Ministries in the state, which are faith-based nonprofit entities that allow individuals of a similar faith to provide for the financial or medical needs of other participants through voluntary contributions. MCC supported the legislation, which was similar to that passed in twenty-one other states, and Governor Snyder signed the legislation as Public Act 530 of 2012.

MiHealth Marketplace Act (SB 693)

The marketplace in this act was created to encourage health insurance competition and to promote the purchase and sale of qualified health plans to consumers. Michigan Catholic Conference withheld support for the bill without Senate passage of legislation to prevent the provision of abortion services through the Marketplace. The MiHealth Marketplace Act passed the Senate but died in the House Health Policy Committee.

Prohibit Medicaid Expansion (SB 1245)

This bill would prohibit the expansion of Medicaid coverage to nonelderly individuals at or below 133% of the Federal Poverty Guidelines. Michigan Catholic Conference opposed the bill. SB 1245 was introduced into the Senate and referred to the Committee on Judiciary but did not receive further action.

Health Insurance Claims Tax (Public Act 142 of 2011, Introduced as SB 348)

A new one percent tax on insurance claims would take the place of the old Michigan hospital bed tax, which was losing revenue. According to the governor, this tax would prevent cuts to Medicare and would allow the state to collect a maximum of \$400 million (bringing in an additional \$800 million in federal funds). When the bill was drafted, it assessed a one percent tax on every insurance company and third party carrier, which essentially taxed Michigan Catholic Conference twice. Working with the bill sponsor, Senator Roger Kahn (R-Saginaw), staff supported revised language that prevented the double tax. Overall the legislation ensures the state's poorest citizens would have adequate health care. The tax was signed into law by the governor as Public Act 142 of 2011.

Health Insurance Claims Tax Reform (SB 1359)

After the new health insurance claims tax was passed in 2011, the amount of revenue coming in was not as large as predicted. One response to this shortfall in revenue was introducing a new health insurance claims tax, which would allow the tax rate to be adjusted variably. Michigan Catholic Conference had concerns about giving an unelected state department the ability to determine the tax rate and about the bill's elimination of a provision to refund excess revenue. The bill died in the Senate Appropriations Committee, and the Legislature continued to explore other avenues for addressing the shortfall in revenue. ■

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bill 3	Create a tax credit that may be obtained for contributions to education foundations.	Finance	N/A	Support	Died in Senate Finance Committee.
Senate Bill 618	Eliminate the cap on charter schools.	Education (Passed)	Education (Passed)	Support	Signed into law. Public Act 277 of 2011.
Senate Bill 619	Delete limits on number of contracts for cyber schools of excellence.	Education (Passed)	Education (Passed)	Support	Signed into law. Public Act 129 of 2012.
Senate Bill 620	Allow 51% of teachers and/or parents to call for conversion of public school to charter school.	Education (Passed)	Education (Passed)	Support	Died on House floor.
Senate Bill 621	Extend the ability of nonpublic schools to take advantage of shared time services.	Education (Passed)	Education (Passed)	Support	Signed into law. Public Act 130 of 2012.
Senate Bills 622–623, 709–710	Expand dual enrollment opportunities.	Education (Passed)	Education (Passed)	Support	Signed into law. Public Acts 131–134 of 2012.
Senate Bill 624	Require public school districts to accept students outside district boundaries if “available capacity.”	Education	N/A	Support	Died in Senate Education Committee.

Contributions to Educational Foundations (SB 3)

This legislation would make changes to the Michigan Income Tax Act and allow for a new tax credit. The tax credit would go to individuals who contributed to an education foundation during the tax year. MCC and the Michigan Association of Non-Public Schools helped add a definition which would allow the tax credit to be obtained for contributions to foundations which provide assistance and

nonessential supplies for “schools described under 1921 PA 302, MCL 388.552 to 388.558,” which makes a legal reference to non-public schools. Michigan Catholic Conference supported the bill, which died in the Senate Finance Committee.

Parent Empowerment Education Reform (Public Acts 277 of 2011 and 129–134 of 2012, Introduced as SBs 618–624, 709–710)

Michigan Catholic Conference supports expanded parental choice in education to determine the best setting for their child’s education. This legislation expanded educational opportunities by widening options for parents about how their child is educated, where that education takes place, and who provides the education. Many of the bills in the package passed during the 2011–2012 legislative session.

- (1) **Charter Schools (Public Act 277 of 2011, Introduced as SB 618):** This bill eliminated the cap on charter schools, which increased the educational opportunities available for parents to choose from for their kids. The bill was enacted as Public Act 277 of 2011.
- (2) **Cyber Schools (Public Act 129 of 2012, Introduced as SB 619):** Senate Bill 619 deleted the limit on the number of contracts that could be issued for cyber schools of excellence. The bill was enacted as Public Act 129 of 2012.
- (3) **Conversion Schools (SB 620):** Under Senate Bill 620, parents and teachers would have had a say in whether or not their public school would be converted to a charter school. The bill did not pass this legislative session.
- (4) **Shared Time (Public Act 130 of 2012, Introduced as SB 621):** This bill extended the ability of non-public schools students to receive shared time services. The bill was enacted as Public Act 130 of 2012.
- (5) **Dual Enrollment (Public Acts 131–134 of 2012, Introduced as SBs 622–623, 709–710):** These bills expanded dual enrollment opportunities by streamlining the process for non-public school students and set the funding structure and course restrictions regarding dual enrollment. The bills were enacted as Public Acts 131–134 of 2012.
- (6) **School of Choice (SB 624):** Senate Bill 624 would have required public school districts to accept students who do not live within the district if they have “available capacity.” It did not pass this legislative session. ■

Economic Justice and Regulatory Policies

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bill 1240 (HB 5153)	Lowers the standard of liability of nonprofit social service agencies from simple negligence to gross negligence.	Families, Seniors, and Human Services (Passed)	Families, Children, and Seniors (Passed)	Support	Signed into law. Public Act 590 of 2012.
Senate Bill 1135	Creates a new Energy Assistance Program to provide energy assistance for eligible low income households.	Energy and Technology (Passed)	Energy and Technology (Passed)	Support	Signed into law. Public Act 615 of 2012.
House Bills 4361–4362 (SB 103)	Reduce the Michigan Earned Income Tax Credit (EITC) from 20% to 6% after 2011.	Reforms, Restructuring, and Reinventing (Passed)	Tax Policy (Passed)	Neutral	Signed into law. Public Acts 38 and 39 of 2011.
House Bills 4024, 4026	Require public employers to participate in an electronic system which would verify the documentation of each new employee.	N/A	Commerce	Oppose	Died in the House Committee on Commerce.
House Bill 5223 (SB 904)	Require individuals receiving cash assistance from the state to pass drug tests to continuing receiving assistance.	Families, Seniors, and Human Services (Passed)	Families, Children, and Seniors (Passed)	Oppose as introduced	Passed the House, died in the Senate.
House Bill 5399	Extend the statute of limitations for civil action for abuse victims.	N/A	Judiciary	Oppose	Died in House Judiciary Committee.
Senate Bill 59	Eliminate gun free zones (churches, schools, etc) and provide individuals with a CCW permit and extra training to carry in these zones.	Judiciary and Natural Resources, Environment, and Great Lakes (Passed)	Natural Resources, Tourism, and Outdoor Recreation (Passed)	Oppose	Passed House and Senate. Vetoed by Governor Snyder.

Limited Immunity for Social Service Agencies (Public Act 590 of 2012, Introduced as SB 1240/HB 5153)

Under this legislation, nonprofit social service agencies would be held to a gross negligence standard of liability concerning foster care, adoption, and juvenile justice like the state rather than a simple negligence standard. The legislation would protect social service agencies from cases in which a child does something that is not in the agency's control, but does not shield social service agencies for willful misconduct. Michigan Catholic Conference supported the bill, which passed the Legislature and was signed into law by Governor Snyder as Public Act 590 of 2012.

Michigan Energy Assistance Act (Public Act 615 of 2012, Introduced as SB 1135)

SB 1135 creates the Michigan Energy Assistance Act, which would require the Michigan Department of Human Services to establish and administer the Michigan Energy Assistance Program to help eligible low-income individuals pay their energy bills. The program would also include services that enable its participants to move toward energy self-sufficiency. Michigan Catholic Conference supported the bills, and Senate Bill 1135 passed the Legislature during the lame duck session. Governor Snyder signed the bill into law as Public Act 615 of 2012.

Preservation of Earned Income Tax Credit and the Homestead Property Tax Credit (Public Acts 38 and 39 of 2011, Introduced as HBs 4361–4362/SB 103)

In 2006, the legislature and the Governor signed the Michigan Earned Income Tax Credit into law, which would allow low and moderate-income workers in Michigan who claim the federal Earned Income Tax Credit (EITC) to receive an additional percentage on their Michigan income tax. Michigan Catholic Conference has been a strong supporter of this credit, which helps to move working families and children out of poverty. With the state's looming budget gap, both the governor and legislative leaders proposed eliminating the EITC through a bill that would also eliminate the business tax and most other credits as well as extend the income tax to pensions. Michigan Catholic Conference advocated strongly for the protection of the EITC credit. With MCC help, the credit was saved from being eliminated, although it was reduced, and House Bills 4361 and 4362 passed in the Michigan Legislature. They were signed by Governor Snyder as Public Acts 38 and 39 of 2011.

Michigan E-Verify Immigration Legislation (HBs 4024, 4026)

House Bill 4024 would have required public employers to register and participate in an E-verify system, which would verify the documentation of each new employee. House Bill 4026 would prohibit personnel agencies from referring an individual for employment without first verifying that they are a citizen through the E-verify system. Michigan Catholic Conference opposed the legislation because the E-verify process is discriminatory, inaccurate, and places the burden on the business community to enforce federal laws. The bills died in the House Commerce Committee, and no further action was taken.

Welfare Drug Testing (HB 5223/SB 904)

The legislation would create a suspicion-based drug testing program for applicants to the state's cash assistance program. Michigan Catholic Conference opposed House Bill 5223 as it was introduced for several reasons. First, the bill did not provide treatment options for those who tested positive, which might have led to further costs down the road in terms of judicial and mental health systems. Secondly, part of the bill would have forced the cost of the drug test on those who would take the test and test negative for drugs. MCC worked with staff to have an amendment adopted in House Bill 5223 that eliminated the provision requiring those who tested negative to pay for the test. The bill passed the House but died on the Senate floor.

Statute of Limitations (HB 5399)

Representative Mark Meadows (D-East Lansing) introduced House Bill 5399, which would extend the statute of limitations for civil action for abuse victims until age twenty-eight. MCC opposed the bill, which was introduced into the House and referred to the Committee on Judiciary. No further action was taken this session.

Concealed Weapons in Churches (SB 59)

This legislation would have eliminated the list of places an individual with a concealed carry permit could not carry without permission from the property owner. One of those places, which the law would remove from statute, was church property, including Catholic schools and parishes. Michigan Catholic Conference staff opposed the bill, as allowing an indeterminable number of concealed weapons in a church was bad public policy. Senate Bill 59 passed the Legislature during the lame duck session but was vetoed by Governor Snyder. ■

Restorative Justice Policy

Bill No.	Description	Senate Committee	House Committee	MCC Position	Outcome
Senate Bill 60	Amends the Income Tax Act to allow for a deduction based on compensation for wrongful imprisonment.	Finance (Passed) and Judiciary	N/A	Support	Died in Senate Judiciary Committee.
Senate Bill 61	Allow for compensation to be awarded to a person who was wrongly convicted and imprisoned under Michigan law.	Finance (Passed) and Judiciary (Passed)	N/A	Support	Died on Senate floor.
House Bill 5804	Create the Indigent Defense Commission, which would create minimum standards for indigent defense in the state.	Judiciary	Judiciary (Passed)	Support	Passed House, died in Senate Judiciary Committee.
House Bills 6013–6019	Eliminate the mandatory juvenile life without parole sentencing going forward and apply this elimination retroactively.	N/A	Judiciary	Support	Died in House Judiciary Committee.
House Bill 5365	Department of Corrections Budget Bill. Provision would allow D.O.C. to accept in-kind services and equipment donations to provide additional religious programming for prisoners.	N/A, considered by full Senate	Appropriations (Passed)	Support this provision of the bill	Signed into law. Public Act 200 of 2012.
Senate Bill 246, House Bill 4555 (SB 247/ HB 4556)	Juvenile under 10 incompetent to stand trial, creates process for determining juvenile competency.	Judiciary (Passed)	Judiciary (Passed)	Support	SB 246 signed into law. Public Acts 540–541 of 2012.

Wrongful Imprisonment Compensation Act (SB 60–61)

These bills would amend the Income Tax Act and create the Wrongful Imprisonment Compensation Act. Together, they would allow for a tax deduction in the case that an individual was wrongfully convicted and spent time in prison. Michigan Catholic Conference supported the bills. Senate Bill 60 was not passed out of the Senate Judiciary Committee, and Senate Bill 61 died on the Senate floor.

Indigent Defense (HB 5804)

While the Michigan Constitution states that all have a right to counsel, whether or not they can afford one, the current process in Michigan of providing for indigent defense is underfunded and broken. Representative Tom McMillin (R-Rochester Hills) introduced House Bill 5804, which mirrored recommendations from Governor Snyder's Indigent Defense Advisory Commission. The bill would have established a commission that would put in place minimum standards for indigent defense across the state. Michigan Catholic Conference supports the position that all individuals, regardless of their income, should have equal representation under the law and thus supported the bill. MCC also testified in favor of the bill in the House Judiciary Committee. The House passed the bill, but it died in the Senate Judiciary Committee.

Juvenile Life Without Parole (HBs 6013–6019)

On June 25, 2012, the United States Supreme Court struck down state sentencing laws that resulted in mandatory life sentences without parole for juvenile criminal defendants. In the case, the Supreme Court ruled that these mandatory sentencing schemes for juveniles constitute “cruel and unusual punishment” and are therefore in violation of the Eighth Amendment of the Constitution. This legislation was introduced with bipartisan support to address Michigan's mandatory sentencing laws. Currently, Michigan has 358 inmates serving life without parole sentences for crimes committed when they were age 17 or younger. The bills were introduced late in the session. A Michigan Court of Appeals decision ruled that the Supreme Court ruling did not have to be applied retroactively, which halted action on the bills, but MCC expects them to return next session and will continue to advocate for their passage.

Religious Programming for Prisoners (Public Act 200 of 2012, Introduced as HB 5365)

With the help of MCC staff, language was approved in the Department of Corrections budget, Public Act 200 of 2012, to allow the department to accept in-kind services and equipment donations to provide additional religious programming for prisoners. The religious programming was eligible to be added to the cable line-up if it was “a cable television network that presently reaches the majority of households in the United States.” EWTN Global Catholic Network met this requirement and has successfully worked with the Department of Corrections to get their network in place.

Juvenile Competency (Public Acts 540 and 541 of 2012, Introduced as SBs 246–247/HBs 4555–4556)

These bills specifically state that that a juvenile under the age of ten would be presumed incompetent to stand trial. A juvenile older than ten would be presumed competent to stand trial, unless either party raised the issue of competency. Also, the bills lay out specific processes and definitions to determine the competency of a juvenile. Michigan Catholic Conference supported the bills because of their recognition of the role that age and maturity should play in the consideration and punishment of crimes. House Bill 4555 and Senate Bill 246 were signed into law by the governor as Public Acts 540 and 541 of 2012. ■



Select
**STATEMENTS &
COMMENTARY**



Volume #50, Report #18, Article #8--Wednesday, January 26, 2011

CATHOLIC CONFERENCE WARNS OF 'FAMILY CAP' EFFECT ON ABORTION

Research has shown that placing caps on welfare assistance for growing families leads to an increased number of women seeking abortions, which is why the Michigan Catholic Conference is urging lawmakers not to pursue a "family cap" option.

Gongwer News Service first reported the House Appropriations Human Services Subcommittee is studying what states place a cap on assistance to those on welfare regardless if families increase in size. Currently, Michigan provides assistance to needy families based on group size, so if a family has another child while on state aid they receive more money.

A Rutgers University study of New Jersey's family cap showed it contributed to a decline in birth rates among welfare recipients and also a temporary increase in abortions, according to a New York Times article provided to Gongwer by the Catholic Conference.

There are 19 states with some sort of family cap in place, of which 10 have higher abortion rates in general than Michigan, according to a review of 2006 data available by the Kaiser Family Foundation.

Michigan's abortion rate at that time was 12 per 1,000 women, although abortions have been on the decline in the state since then.

[Rep. David Agema](#) (R-Grandville), chair of the Department of Human Services budget, said Wednesday he was not aware of the potential effect family caps have on abortion rates until the Catholic Conference brought it to his attention.

Mr. Agema is anti-abortion and said he doesn't want to pursue any policy that would increase abortions. However he also said from a budget standpoint he wants to make sure the state isn't providing a financial incentive for people on welfare to continue having babies.

The subcommittee will review how much state aid in general is available to low-income families at a future hearing, he said.

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124 West Allegan Street, Suite 1200, Lansing, Michigan, 48933
Phone: 517.482.3500 **Fax:** 517.482.4367 **Email:** gongwer@gongwer.com

Michigan Catholic group vows to defend tax break for working poor

Published: Monday, January 31, 2011, 12:49 PM Updated: Monday, January 31, 2011, 1:53 PM



By **Peter Luke**



Day 31: This is one in a series of posts assessing key developments during Gov. Rick Snyder's self-imposed 182 days to chart a new course for Michigan by July 1. For earlier posts go to mlive.com/stateofchange.

With the Michigan Earned Income Tax Credit received by thousands of lower-income families apparently on chopping block, groups are launching an effort to save it.

Gov. Rick Snyder today **unveils** his "Citizens Guide to Michigan's Financial Health," and its release will serve as a launching pad for months of negotiations over how to close a \$1.8 billion budget deficit and finance on top of that a business tax cut in the range of \$1.5 billion.

Michigan's EITC, approved in the Granholm administration with bipartisan support, provides a refundable credit equal to 20 percent of the federal credit EITC qualifying families receive. But it's also expensive, costing some \$354 million in fiscal 2011.

House Republicans say they want to repeal the credit that the Michigan League for Human Services say benefits 700,000 working parents and their children and keeps 25,000 families out of poverty.

Paul Long, president and CEO of the **Michigan Catholic Conference** said saving the credit is one of the group's top legislative priorities.

"The expense of the Michigan EITC is mitigated by the amount that is spent in the local economy by those who receive the credit; therefore, the EITC has a dual purpose: to act as a barrier to poverty and an incentive to work, and as an economic boost for local communities," said Long.

"At a time when Michigan's unemployment rate continues to hover above 11 percent, we are urging those who craft state policy to seriously evaluate how any reform of state government will impact the elderly and frail, the poor and disadvantaged," he added.

Snyder said Friday that all tax exclusions, credits and breaks that in 2011 will total nearly \$34 billion merit

review. Nearly \$2.6 billion of them would be wiped out with the repeal of the Michigan Business Tax, which the Senate Finance Committee will take up Wednesday.

Snyder's tax plan would replace the MBT with a flat 6-percent tax on the profits of firms who pay federal corporate income taxes. How he'll balance the budget and pay for his taxes will be detailed Feb. 17 with the introduction of his 2012 state budget.

Contact Peter Luke at (517) 487-8888 ext. 235 or e-mail him at [**pluke@boothmichigan.com**](mailto:pluke@boothmichigan.com).

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February 1, 2011

<http://detroitnews.com/article/20110201/OPINION01/102010320>

Earned income tax credit good for Michigan

PAUL LONG

During his State of the State address, Gov. Rick Snyder introduced the Michigan Dashboard, an online tool that allows everyone to track the state's progress.

Those who advocate for the least among us are pleased the Dashboard monitors, among other subjects, the number of children living in poverty.

But as the Dashboard indicates, Michigan ranks nationally a miserable 38th in this critical category, which is why a legislative proposal to eliminate the state earned income tax credit threatens the prospect of reducing the number of poor children in Michigan.

The credit was signed into law in 2006 with near unanimous support. It refunds disproportionate payroll taxes incurred by low-income workers at a rate of 20 percent of the federal earned income tax credit. As the taxpayer earns sufficient income to surpass the poverty threshold, the tax credit phases itself out. The goal of the credit, then, is to move low-income workers and their children out of the stranglehold of poverty.

According to a 2008 report from the Anderson Economic Group, the credit "removes barriers to work and encourages self-sufficiency." Anderson's report goes on to cite a national study from the Center on Budget and Policy Priorities that says the credit "lifts more than 4 million people out of poverty each year, half of which are children."

Low-income families and their children have benefited from it since Congress first passed the legislation in the 1970s. Since its inception, the federal credit has enjoyed broad bipartisan congressional support and has been expanded by every president.

In 1986, President Ronald Reagan referred to the credit as "the best anti-poverty, the best pro-family, the best job creation measure to come out of Congress."

The measure has been so successful that at least 24 other states have enacted a state credit that piggybacks the federal one. Several of those states offer credits beyond the 20 percent offered in Michigan.

Despite strong support from federal and state elected officials, and regardless of the research that confirms the tax credit's success, Michigan's budget deficit has some in the Legislature proposing eliminating the state credit. Supporters cite the credit's cost to the state but fail to take into consideration its primary goal — lifting children out of poverty.

If the Michigan Dashboard believes that moving children out of poverty is a measure of the state's economic success (the child poverty category is listed under the subhead "Economic Strength"), it would seem counterproductive for the Legislature to eliminate a policy that leads to greater economic prosperity.

We urge members of the Legislature to reconsider eliminating the earned income tax credit.

Michigan's economic success and the quality of life for thousands of poor children depend on it.

Paul A. Long is the president and CEO of the Michigan Catholic Conference



11 April 2011

The Honorable Rick Snyder
Governor of Michigan
P.O. Box 30013
Lansing, Michigan 48909

The Honorable Randy Richardville
Senate Majority Leader
P.O. Box 30036
Lansing, Michigan 48909-7536

The Honorable James "Jase" Bolger
Speaker of the House
P.O. Box 30014
Lansing, Michigan 48933

The Honorable Gretchen Whitmer
Senate Minority Leader
P.O. Box 30036
Lansing, Michigan 48909-7536

The Honorable Richard E. Hammel
House Minority Leader
P.O. Box 30014
Lansing, Michigan 48909-7514

Dear Governor Snyder and Legislative Leaders:

We, the Roman Catholic Bishops of the seven Dioceses in Michigan, take this opportunity as proposals are being advanced by our legislators to craft the state budget, to call on you, our executive and legislative leaders, to carry out your responsibilities with greater attention to the needs of the poor, the unemployed and other vulnerable persons who make up a large part of the citizens of Michigan. It is a well-known fact that a very clear indicator of the moral strength of any society is in the way its neediest citizens are treated. As such, budget priorities reflect significant moral choices. As moral leaders of the citizens of our state, we have reasonable cause for serious concern based on the Fiscal Year 2012 and Projected Fiscal Year 2013 Executive Budget Recommendation, along with proposals that are currently under consideration in the Legislature.

Various policy proposals addressed in committee and others that have been put forward, if enacted, would adversely impact the state's destitute and working poor population and will likely create additional hardships for those for whom we are collectively responsible – you as elected leaders, and we, the spiritual leaders, of the people of this state. Those proposals include:

- Eliminating the Michigan Earned Income Tax Credit (EITC). The research of the staff of the Michigan Catholic Conference reports that the EITC does more to lift working families and their children out of poverty than any other policy. According to the Michigan Dashboard, there are only 12 states in the country with more children living in poverty than Michigan. This is an alarming statistic that has rightly been brought to the state's attention, and is among the reasons why the Michigan Catholic Conference has made preserving the state EITC its number one advocacy priority this legislative session. Any reforms of the EITC should improve the conditions of the working poor and not worsen them.

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Mr. Robert W. Asmussen, Grosse Ile, *Secretary-Treasurer*

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Most Reverend Bernard A. Hebda, Bishop of Gaylord; Mrs. Lucy Horak, Bay City; Dr. Michael J. Roy, Skandia; Sister Barbara Rund, O.P., Bloomfield Hills;
Most Reverend Alexander K. Sample, Bishop of Marquette; Reverend Leonard A. Sudlik, Ada

Mr. Paul A. Long, *President and Chief Executive Officer*

- Reforming the Family Independence Program by instituting a 48-month hard deadline for public assistance, and amending the penalty for a third occasion of noncompliance from a one year prohibition to a lifetime ban. State data indicates upward of 12,000 families will be immediately cut from assistance if the 48-month hard deadline takes effect. A lifetime ban also fails to take into consideration those who do find gainful employment, but later find themselves in desperate need of assistance due to subsequent job loss or any other unforeseen circumstance. Any reform should assist individuals to find work and not provide wider cracks through which more people can fall.
- Eliminating from basic assistance programs those with past drug-related offenses. While the motivation for this proposal is unclear, since funds for this policy are derived from the federal Temporary Assistance for Needy Families policy, one must foresee, for example, the life-threatening and false choice presented to a poor woman who is no longer eligible for public assistance – and becomes pregnant. In addition, as we seek to reduce our prison population, we need to do more to help those who have misused drugs to find greater stability in life not less.

While this is not an exhaustive list of proposals that merit a renewed attention to the needs of the poor and vulnerable, it does represent three areas where the state can uphold its responsibility to maintain policies that serve “the least of these.” Just as we have grave concern that shared sacrifice will unfairly burden those already suffering, we are mindful of the state’s poor economic health over the past decade. In this regard, **we are prepared to be a part of the solution.**

For decades the Catholic Church has operated with professionalism and sound ethical principles a vast and effective network of social services. With statutory changes these agencies, which exist with a mandate to uphold the dignity of every human person, can be better equipped to accept additional foster care, adoption and other social services – thereby reducing the state’s responsibility and helping to eliminate associated costs.

As the state budget debate continues, please know that we, through the staff of the Michigan Catholic Conference, stand ready to assist in your efforts to reform and reinvent Michigan while at the same time ensuring the dignity of all persons in our state, especially the poor and vulnerable.

With deep appreciation for the difficult choices ahead of you, and with ardent prayers for God to bring wisdom and guidance to your deliberations, we are

Respectfully,

Most Reverend Allen H. Vigneron
Archbishop of Detroit

Most Reverend Bernard A. Hebda
Diocese of Gaylord

Most Reverend Walter A. Hurley
Diocese of Grand Rapids

Most Reverend Paul J. Bradley
Diocese of Kalamazoo

Most Reverend Earl Boyea
Diocese of Lansing

Most Reverend Alexander K. Sample
Diocese of Marquette

Most Reverend Joseph R. Cistone
Diocese of Saginaw

cc: Lieutenant Governor Brian Calley
Members of the Michigan Senate
Members of the Michigan House of Representatives
Mr. Andy Dillon, State Treasurer
Mr. John E. Nixon, Director, State Budget and DTMB



Michigan's 7 Catholic bishops urge state leaders to remember needy

5:34 PM, Apr. 14, 2011

The seven Catholic bishops of Michigan sent a letter this week to Gov. Rick Snyder and legislative leaders that asks them to pay “greater attention to the needs of the poor, the unemployed and other vulnerable persons.”

The letter is part of an attempt by Catholic leaders in Michigan to prevent budget cuts and tax changes that they say would harm the needy in Michigan. It was signed by Archbishop of Detroit Allen Vigneron and bishops from Gaylord, Grand Rapids, Kalamazoo, Lansing, Saginaw and Marquette.

But the spokeswoman for Gov. Snyder said that cuts are necessary to balance Michigan’s budget.

“Extremely difficult decisions had to be made with this budget unfortunately,” said Geralyn Lasher. “When you’re facing a \$1.5 billion deficit, you have to make very difficult decisions. We’re not in good times, and so we have to make good choices. If the fiscal picture was different, many of these difficult decisions would not have to be made.”

The Michigan Catholic Conference, a lobbying group, said the letter was probably the first time since 2003 that all the bishops of Michigan have teamed up to write such a letter. In 2003, they were advocating against partial-birth abortion.

The new letter, sent Monday, says: “It is a well-known fact that a very clear indicator of the moral strength of any society is in the way its neediest citizens are treated. As such, budget priorities are significant moral choices.”

The bishops said they have “serious concern” about the budget proposed by Snyder.

In particular, the bishops said they’re concerned about the proposed elimination of the Michigan Earned Income Tax Credit, the creation of a 48-month hard deadline for public assistance, and the elimination of assistance programs for those with past drug-related offenses.

But Lasher said that the elimination of the tax credit would help preserve Medicaid programs. Also, she said the proposed elimination of programs for those with past drug-related offenses will no longer be proposed by Snyder.



Michigan Roman Catholic Bishops' Statement on Immigration

July 19, 2011

We, the Roman Catholic Bishops in Michigan, bring our voices as teachers of the faith to the ongoing public debate over immigration policy. We do so with deep concern about the effectiveness of the nation's immigration system and the lack of a consistent federal policy that addresses the common good for all peoples in the country.

We support the positive impact migrant communities have made in our country, and especially in our state. We recognize the right of our country to regulate its own borders to control immigration. We believe that borders must be regulated with justice and mercy as people have a God-given right to migrate when necessary to sustain their lives and their families. We empathize with those children born in the United States who later see their parents deported while the children are still minors. We realize that an ineffective immigration system has in some places and at some times led to negative ramifications, such as increased crime and a proliferation of the drug trade.

While these national immigration problems must be resolved, it is unfair and mistaken to blame the undocumented for problems more accurately attributed to a failed policy. The federal government has the responsibility to enact and enforce laws that treat migrant peoples with the same dignity as its native-born citizens. As such, there must be a concerted effort to find a pathway toward citizenship for undocumented persons who live here, who work here, have raised a family here and have contributed to the common good.

Because Congress has yet to develop a comprehensive immigration policy, the reality is that state legislatures are attempting to address this issue. We acknowledge the state's authority to enact its own legislation; however, continued failure at the federal level to enact comprehensive immigration reform does not mean that the state should pursue policies more appropriately addressed by national immigration authorities and the United States Congress.

Should our state policy-makers debate immigration legislation we, as moral leaders and teachers of faith, believe any proposed measure must strive to:

- Uphold the human dignity of all persons and work against any injustice which would compromise the dignity of immigrants.
- Promote and give priority to the reunification of families.
- Recognize the rich contribution to the community by those immigrants and migrants who work and live here.

As the national immigration debate lingers, we encourage all Catholics to turn to the rich and long-standing teachings of the Church on immigration and the proper dignity that must be afforded to all human persons. *I was a stranger and you welcomed me* (Matthew 25:35). We encourage members of the Michigan Legislature to reject measures that impugn immigrants—especially the undocumented; and we encourage the Michigan congressional delegation in Washington, D.C. to contribute to federal efforts that seek to fix the nation's immigration system.

Most Reverend Allen H. Vigneron
Archbishop of Detroit

Most Reverend Bernard A. Hebda
Bishop of Gaylord

Most Reverend Walter A. Hurley
Bishop of Grand Rapids

Most Reverend Paul J. Bradley
Bishop of Kalamazoo

Most Reverend Earl A. Boyea
Bishop of Lansing

Most Reverend Alexander K. Sample
Bishop of Marquette

Most Reverend Joseph R. Cistone
Bishop of Saginaw



August 7, 2011

Guest commentary: Everyone deserves to be treated well

*BY ARCHBISHOP ALLEN H. VIGNERON
DETROIT FREE PRESS GUEST WRITER*

The Free Press' July 31 column "Faces of the Immigration Crackdown" by Jeff Gerritt should open the eyes of those who are passionate about upholding the dignity of all people. Immigrant families who have made a living in the U.S. have paid taxes, have raised children and have contributed to the common good are facing significant hardships.

Arrest, detention and deportation are far too common for tens of thousands of families who may be guilty of nothing other than finding a dignified standard of living in a country that has risen to great heights by welcoming strangers. America must be secure in this post-9/11 world, but federal immigration policy is antiquated, ineffective and in desperate need of reform.

That has led to the arrival of millions of unauthorized persons and to the death of thousands of migrants attempting to cross the border in the American Southwest. It has meant the allocation of billions of scarce federal dollars to secure the nation's borders and led to an increase in the number of federal agents.

Our nation certainly has the right to regulate its own borders to control immigration, but those borders must be regulated with justice and mercy, as people have a God-given right to migrate when necessary to sustain their lives and their families.

The Catholic bishops in Michigan have deep concern about the lack of a consistent federal policy that addresses the common good for all people in the country. The federal government has the responsibility to enact and enforce laws that treat migrant peoples with the same dignity as its native-born citizens.

There must be a concerted effort to find a pathway toward citizenship for undocumented persons who have contributed to the common good. The positive impact migrant communities have made in our country, and especially in our state, should be recognized rather than overshadowed by the small number of those who engage in illicit and unacceptable activities.

The state's authority to enact its own legislation should be recognized -- yet continued failure to enact comprehensive immigration reform at the federal level does not mean that the state should pursue policies more appropriately addressed by national immigration authorities and the U.S. Congress.

Should Michigan policymakers debate immigration legislation, any proposed measure must strive to uphold the dignity of all persons and work against any injustice that would compromise the dignity of immigrants, promote and give priority to the reunification of families, and recognize the rich contribution to the community by those immigrants and migrants who work and live here.

At the federal level, we encourage Michigan's congressional delegation to contribute to federal efforts that seek to fix the nation's immigration system. Comprehensive immigration reform will make our nation safer, as government authorities will be able to identify who is coming into the country.

Immigrants have helped build the great nation we enjoy today. Today's immigrants are no different than previous generations. Like most good citizens, they come to work hard and to support their families, not to take public resources or commit crimes.

Utilizing the public policy resources of the Michigan Catholic Conference, my brother bishops and I just published an open letter on immigration ("Welcoming the Stranger"). We titled the document after a passage from the New Testament: "I was a stranger and you welcomed me (Matthew 25:35)."

We pray that people of goodwill, regardless of their religion or politics, will join us in our advocacy that believes every person, regardless of his or her status, is deserving of human dignity. It is the American cultural and legal tradition to guarantee that dignity to all persons.

The Most Rev. Allen H. Vigneron is the chairman of the board of directors for the Michigan Catholic Conference and archbishop of the Archdiocese of Detroit.

Editorial

Create a way for illegal immigrants to be made whole

Michigan's seven Catholic bishops have called for federal immigration reform and support of undocumented people in statements sent to elected officials and Catholics across the state.

Given the vitriol surrounding the issue of illegal immigration, the bishops took a courageous stand in support of humane and practical policies toward illegal immigrants.

U.S. immigration laws have not only fomented human rights abuses. They've also failed to effectively manage the flow of people across U.S. borders.

While the federal government deported a record nearly 393,000 people during the past year, there are more than 11 million illegal immigrants in the U.S. At that rate, it would take nearly 28 years to deport every illegal immigrant — and that's only if illegal immigration stopped cold.

The cost to deport all could total hundreds of billions.

That money would be better spent creating an earned path to citizenship that would require illegal immigrants to register with the government, pay any unpaid taxes and reasonable fines, pass background checks and learn English, while receiving the same labor protections as other workers. An earned path would make the hiring of immigrants more transparent and regulated.

To be sure, U.S. politicians and citizens have legitimate concerns about illegal immigration, including national security, drug trafficking and maintaining decent wages for

U.S. workers. No one is suggesting that Immigration and Customs Enforcement should not pursue, and deport, people who threaten national security or public safety.

But too often, that's not what's happening. The Obama administration claims it is focusing on the most dangerous criminals but at least half of those deported last year had no record at all, and many of them committed traffic offenses only. A July 31 Free Press column, "Faces of the Crackdown," found that only about a third of those removed since 2007 by ICE's Detroit office had criminal records.

The truth is that most illegal immigrants become integral parts of the U.S. economy, and of the country's social fabric. They're not criminals, but refugees who fled their home countries looking for a better life in America.

The bishops were courageous and correct to call for more practical and humane laws.

Immigration and border regulation are, properly, issues under the province of the federal government. Without national reform, states will continue to debate and enact short-sighted, inhumane and ineffective laws that lead to racial profiling and the harassment of immigrant communities.

P.S. WITH USE of tanning parlors on the increase despite well-publicized skin cancer risks, medical research is suggesting some people may suffer from TAD — tanning addiction disorder. Or spending a tad too much time in the browning bed?

September 29, 2011

<http://detnews.com/article/20110929/POLITICS02/109290416>

Late-term abortion ban bill goes to gov

Snyder may sign latest state-level bid to outlaw procedure

TIM MARTIN
/ Associated Press

Lansing — Michigan lawmakers gave final legislative approval Wednesday to the key bill in their latest attempt to enact a state-level ban on a procedure opponents call "partial birth" abortion.

The bill that would put a ban in state law was approved by a 75-34 vote in the House and a 29-9 vote in the Senate, and now heads to Republican Gov. Rick Snyder. The bill was backed mostly by Republicans who hold the majority in the Legislature, but some Democrats also supported the legislation.

Michigan lawmakers have unsuccessfully tried multiple times for more than a decade to enact a state-level ban, most recently because of court rulings and vetoes from then-Democratic Gov. Jennifer Granholm. Snyder succeeded Granholm in January and is likely to sign the bill, depending on a final review and if it's consistent with a federal law that already bans the late-term procedure.

Opponents say the federal ban makes the Michigan proposal redundant.

Supporters say a state ban would make it easier to prosecute cases in Michigan and keep the ban in place in case the federal law changes.

The outlawed procedure typically is used to end pregnancies in the second and third trimesters and involves partially removing the fetus intact from a woman's uterus and then crushing or cutting its skull to complete the abortion. The procedure is formally known as dilation and extraction and is also referred to as late-term abortion, D&X or Intact D&X.

The Michigan Catholic Conference calls the procedure a "most heinous and gruesome practice."

The Michigan bills provide an exception if an attending physician determines the procedure is necessary to save the life of a mother.

Granholm vetoed a similar bill in 2008. She also vetoed a bill in 2004, but hundreds of thousands of voters signed petitions that allowed the bill to become law with only the approval of the Legislature. Federal courts later declared that ban unconstitutional, however, because it also could have prohibited other types of abortion procedures.

While the main bill in the latest proposed ban is headed to Snyder, a companion bill with sentencing guidelines requires a technical change and probably won't be sent to the governor until next week.



Liberty, not birth control, at heart of dispute (guest column)

Published: Friday, February 24, 2012, 10:12 AM Updated: Friday, February 24, 2012, 10:12 AM



By **Guest writer**

By Paul A. Long



Paul Long

Nearly three years after President Barack Obama called for the protection of conscience rights at the University of Notre Dame, not only has he failed to honor his words, he recently finalized perhaps the most egregious and sweeping intrusion into the religious liberty and conscience rights of every American citizen.

On Jan. 20 the Obama administration announced through the Secretary of Health and Human Services that religious employers who serve persons of any faith or those of no faith at all must provide in their health benefit plans contraception, sterilization and abortion-inducing drugs. In effect, the mandate forces charitable and educational institutions, against their conscience, to pay for services long held as immoral.

The mandate rightly elicited a vociferous national response from nearly every Catholic bishop in the United States, as well as prominent members of Jewish, evangelical, Southern Baptist and other faith traditions, many of whom do not share Catholic teaching on contraception. According to the National Association of Evangelicals: "Freedom of conscience is a sacred gift from God, not a grant from the state. No government has the right to compel its citizens to violate their conscience."

Among editorials opposing the mandate, USA Today said the administration "didn't just cross the line. It galloped over it. ... That's contrary to both Catholic doctrine and constitutional guarantees of religious freedom."

Due to push-back from nearly every segment of society, and certainly recognizing the political damage his administration had wrought, President Obama on Feb. 10 sought to appear to backpedal on the HHS mandate by announcing an "accommodation" for religious employers.

While some details are yet to be released, the president's "accommodation" is nothing but an accounting gimmick, a bad magic trick that seeks to silence critics while making little to no policy change. It is an insult to religious persons and indeed all Americans who value their constitutional right to religious freedom.

Under the Obama “accommodation,” religious employers would still pay for health benefit plans that include objectionable services. The fact that the insurer, rather than the employer, would be mandated to provide the coverage does not remove the attack on the conscience rights of employers (and premium-sharing paying employees) who will be forced to pay for benefit plans that include those drugs.

There is no place in America for those who wish to trample on First Amendment rights and turn people of faith into second-class citizens. Our religious forefathers, our parents and our grandparents who helped to build this great nation, its institutions, towns and cities, did not come here only to have their posterity stripped of their God-given rights.

Some of those religious forefathers are cemented in American history for their contributions to this nation and its people. The National Statuary Hall Collection in the U.S. Capitol features 100 statues of prominent Americans, two from each state. Perhaps the most well-known Catholic hero is memorialized by Hawaii.

It is Father Damien, the priest from Belgium who sacrificed his life for the lepers of the island of Molokai. Cast in bronze, the statue depicts the saintly priest after being diagnosed with the disease of those he served. It shows the disfiguring scars on his face and his arm hanging from a sling.

Father Damien did not serve only Catholics. He did not preach the Catholic faith just to Catholics. His mission was to serve people in need, as Christ calls each and every person to do. According to HHS and the Obama “accommodation,” the work of Saint Damien was not religious.

The Catholic Church in this state will not acquiesce to the unjust HHS mandate. She will not sit idly and attempt to negotiate the bedrock constitutional guarantee of religious freedom with an administration that is seeking to define who is and who is not religious. The HHS mandate is insulting and arrogant. It needs to be withdrawn immediately — or Congress should act to repeal it.

*Paul A. Long is president and chief executive of the **Michigan Catholic Conference**, the public policy voice of the Catholic bishops in Michigan.*

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--**Obama's change in birth control mandate praised by some; bishop reserving judgment**



A Statement from the Michigan Catholic Conference Board of Directors

Michigan Catholic Conference (MCC) is the official public policy voice of the Catholic Church in this state. Founded in 1963, MCC presents the Michigan Catholic bishops' advocacy positions to the executive and legislative branches of state government. In 1970, MCC began to provide employees of the state's seven arch/dioceses and their institutions with a medical insurance benefit. Today, over 10,000 Catholic institution employees and their dependents receive the medical benefit from MCC.

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On February 15, 2012, the United States Department of Health and Human Services (HHS) finalized a mandate that requires all employers to provide in their health benefit plans abortion-inducing drugs, sterilization and artificial contraception, all of which are a violation of the sanctity of human life and the dignity of the human person. The HHS mandate includes an exemption for certain groups, but is crafted so narrowly that most religious organizations, including the Michigan Catholic Conference, do not qualify.

The mandate and its exemption run contrary to centuries of federal laws that have consistently honored and respected the conscience rights of religious institutions and individuals. The exemption, which includes a four-part test developed by HHS, allows for a government entity to define who is and who is not "religious." By defining who is and who is not religious enough to qualify for an exemption to the mandate, HHS has conferred powers on government forbidden by the U.S. Constitution.

In order to defend its First Amendment right to religious freedom, and to prevent the government from excessively entangling itself into the internal life of religious practice, Michigan Catholic Conference on Monday, May 21, 2012 filed a lawsuit against the federal government over the HHS mandate. The various federal agencies responsible for formulating and enforcing the nationwide mandate are named as defendants in the complaint. Additional information related to this matter, including audio and video materials, may be found at www.micatholicconference.org.

While some incorrectly hold that "separation of Church and State" refers to keeping the Church out of the public square, the Founding Fathers actually sought to guarantee that the state must remain separate from the internal affairs of the Church—an ideal that today is threatened by the HHS mandate. Michigan Catholic Conference will not compromise or acquiesce to an unjust government mandate that places our nation's first, most cherished freedom, in grave peril. As President Thomas Jefferson stated in 1809: "No provision in our Constitution ought to be dearer to men than that which protects the rights of conscience against the enterprise of the civil authority."

MAY 24, 2012

Editorial: Obamacare suits seek to affirm religious rights

Catholic groups, including the Michigan Catholic Conference, are fighting for right to practice their faith freely

BY THE DETROIT NEWS

The Michigan Catholic Conference joined dozens of other religious organizations this week in filing a court challenge to the Obamacare mandate that all employers - even those affiliated with faith-based institutions - provide coverage of contraceptives, sterilization and abortifacient drugs as part of their health insurance plans for employees. Charges that the conference is waging "a war on women" are inevitable, given that's a theme of the presidential campaign, but distortions should not be allowed to cloud the real issue.

What's at stake, and what the lawsuits seek to affirm, is the right of religious groups to adhere to their own specific beliefs under the Free Practice Clause of the Constitution.

This is not about a woman's access to contraception, as supporters of the mandate contend. Nothing in the position taken by the Catholic Church would deny a woman the right to purchase or use contraceptives. This is not an excessive burden to place on a working individual, and the \$10 to \$50 monthly cost of contraception is not likely to dissuade someone who doesn't want to get pregnant from making that purchase.

But the Catholic Church considers the avoiding or ending a pregnancy a sin. Whether or not the Obama administration or anyone else finds that position to be quaint or archaic is irrelevant. It is a well-established tenet of the church, and under the Constitution, the church has an explicit right to follow its conscience.

The case is a concern beyond followers of Catholicism. If Catholic groups can be compelled to pay for things they deem morally objectionable, then the government can justify in the name of the common good any intrusion on the free practice of religion.

Writing in the Wall Street Journal, Harvard law professor Mary Ann Glendon explained, "At the deepest level, we are witnessing an attack on the institutions of civil society that are essential to limited government and are important buffers between the citizens and the all-powerful state."

The great irony here is that the Catholic Church was a major backer of Obamacare. Now it is seeing firsthand the potential of the health care law to erode the freedoms that form the foundation of American society.

We will not give in to cynicism and suggest that the Obama administration made a political calculation to throw Catholics under the bus to attract female voters. The president clearly sees a national interest in the widespread availability of low-cost contraception. In that case, the government has a number of resources at its disposal to deliver that service.

But a political agenda should never be allowed to overwhelm fundamental freedoms.

The narrow-visioned will see this issue only in the context of a woman's right to control over her own body, a right that should not be stripped away.

But rights are lost a piece at a time. If the guaranteed freedom to exercise your faith apart from government interference is lost, other freedoms will fall, too.

The Morning Sun (<http://www.themorningsun.com>), Serving Serving Isabella County, MI.

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Sharia critics push Michigan foreign law

By JEFF KAROUB

Friday, May 11, 2012

Associated Press

LANSING, Mich. (AP) — Supporters pushing measures that would ban implementation of foreign laws are trying to get the bills through the Michigan Legislature, a move they hope will curtail Islamic Sharia law in the U.S.

About 150 people gathered Thursday near the state Capitol to hear advocates for House and Senate bills modeled after a proposal dubbed “American Laws for American Courts” and written for a group called the American Public Policy Alliance. Similar legislation has been proposed in about two dozen states and approved in three.

The Michigan bills don’t specifically mention Sharia law, which broadly refers to codes within the Islamic legal system. But Sharia was frequently cited as a concern by speakers and others at Thursday’s event.

The legislation language states that use of foreign law would be outlawed only when it violates rights guaranteed by the U.S. Constitution.

Supporters cited 50 appellate cases in 23 states that involve conflicts between Sharia law and U.S. state laws, including foreign judgments on divorces and child custody allowed to stand.

“We’re in a battle for the very conscience of this nation,” said William Wagner, a constitutional law professor at Cooley Law School in Lansing. “(This legislation) is a very small but important step.”

The House version of the bill is sitting in committee and its sponsor, Grandville Republican Dave Agema, urged those gathered near the Capitol to call on his fellow lawmakers to move the measure forward.

“It’s an election year,” he said. “There’s resistance and they don’t want to get into it.”

Several groups have expressed concern, including the Michigan Catholic Conference, the Council on American-Islamic Relations’ Michigan chapter, and Arab social and civil rights organizations in the Detroit area, which has one of the largest and oldest continuous populations of Arabs and Muslims in the country.

The Catholic Conference said it strongly opposes the bill because it would likely affect the application of Catholic canon law, the judicial structure governing the church.

“Any measure that could have the impact of interfering with the internal life of the Catholic Church shall be viewed as an attack on religious liberty itself and must be opposed,” Conference President and Chief Executive Paul Long said in a statement. “It is the hope of the Michigan Catholic Conference that discussions pertaining to this legislation will foster a deeper awareness of and appreciation for religious liberty and the contributions religious communities make to the common good of society.”

CAIR's Michigan chapter was among several groups to sign a statement this week expressing concern about Thursday's rally. The statement said in part that all residents "have the fundamental right to practice their sincerely held ... religious beliefs as long as they do not violate the U.S. and Michigan constitutions and laws."

"Agema's bill could not only adversely affect Michigan Muslims, but also followers of other religions, including Judaism and Christianity, for whom courts routinely order reasonable accommodations for the observance of religious laws," the statement said.

Richard Thompson, former Oakland County prosecutor who now serves as president and chief counsel for the Ann Arbor-based Thomas More Law Center, a Christian legal advocacy group, thanked Agema and others for their work on the legislation. However, he criticized Republican Gov. Rick Snyder for his involvement in events such as the Michigan Muslim Capitol Day last year.

"He took enough time to learn the greeting in Arabic," Thompson said. "This year, he'll probably have his wife dress up in a hijab."

Snyder's spokeswoman Sara Wurfel didn't respond by late afternoon to a call seeking comment.

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News > State

Catholic institutions sue over Obama birth control mandate

Tuesday, May 22, 2012 6:09 AM EDT

By RACHEL ZOLL
Of The Associated Press

LANSING (AP) — The Michigan Catholic Conference is suing Obama administration officials over the mandate requiring most employers to cover birth control.

The conference said Monday that the mandate violates religious freedom by requiring many religiously affiliated hospitals, schools and charities to comply. President Barack Obama offered to soften the mandate to accommodate religious groups, but U.S. Roman Catholic bishops say the change doesn't go far enough.

The conference says it has provided medical insurance coverage to church workers since the 1970s and currently offers insurance at more than 1,100 Catholic institutions employing around 10,000 people.

Other Catholic entities are filing similar lawsuits against the mandate in eight states and the District of Columbia.

The federal lawsuits represent the largest push against the mandate since President Barack Obama announced the policy in January. Among those suing are the University of Notre Dame, the Archdioceses of Washington and New York, the Michigan Catholic Conference and the Catholic University of America.

"We have tried negotiation with the administration and legislation with the Congress, and we'll keep at it, but there's still no fix," said New York Cardinal Timothy Dolan, president of the U.S. Conference of Catholic Bishops. "Time is running out, and our valuable ministries and fundamental rights hang in the balance, so we have to resort to the courts now."

The Health and Human Services Department adopted the rule to improve health care for women. Last year, an advisory panel from the Institute of Medicine, which advises the federal government, recommended including birth control on the list of covered services, partly because it promotes maternal and child health by allowing women to space their pregnancies.

However, many faith leaders from across religious traditions protested, saying the mandate violates religious freedom. The original rule includes a religious exemption that allows houses of worship to opt-out, but keeps the requirement in place for religiously affiliated charities.

In response to the political furor, Obama offered to soften the rule so that insurers would pay for birth control instead of religious groups. However, the bishops and others have said that the accommodation doesn't go far enough to protect religious freedom.

Health and Human Services spokeswoman Erin Shields said Monday that the department does not comment on pending litigation. When Obama announced the accommodation in February, he said that no religious group will have to pay for the contraceptive services or provide the services directly.

Notre Dame's president, the Rev. John Jenkins, said in a statement that the school decided to sue "after much deliberation, discussion and efforts to find a solution acceptable to the various parties." The university argued that the mandate violates religious freedom by requiring many religiously affiliated hospitals, schools and charities to comply.

“We do not seek to impose our religious beliefs on others,” Jenkins said. “We simply ask that the government not impose its values on the university when those values conflict with our religious teachings.”

Other religious colleges and institutions have already filed federal suit over the mandate, but observers had been closely watching for Notre Dame’s next step.

The university, among the best-known Catholic schools in the country, has indicated past willingness to work with Obama, despite their differences with him on abortion and other issues. Notre Dame came under unprecedented criticism from U.S. bishops and others in 2009 for inviting Obama, who supports abortion rights, as commencement speaker and presenting him with an honorary law degree.

The federal suits were filed Monday in New York, Pennsylvania, Texas, Ohio, Mississippi, Indiana, Illinois, Missouri and the District of Columbia. At a news conference, Pittsburgh Bishop David Zubik, whose diocese is among the plaintiffs, said the law firm Jones Day was handling the lawsuits pro bono nationally.

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Guest column: Bill places women's safety above 'financial interests of abortion industry'

Published: Thursday, December 20, 2012, 12:50 PM Updated: Thursday, December 20, 2012, 12:55 PM



By **Guest writer**

Rebecca Mastee, J.D. is a policy advocate with the Michigan Catholic Conference, which is the official public policy voice of the Catholic Church in this state.

Toward the end of this legislative session the Michigan House and Senate passed a significant number of bills that will have an impact on communities across the state.

Some were more contentious than others. One piece of legislation mischaracterized as “controversial” would protect the health and safety of women who, regrettably, choose the path of abortion.



Rebecca Mastee

While most Republicans and many Democrats supported the bill, a small number of opponents preferred to employ over-the-top hyperbole in order to taint the point and purpose of House Bill 5711. This was unfortunate.

Public policy matters pertaining to abortion tend to be divisive. But HB 5711 is not about pro-life or pro-abortion rights politics. That’s because the bill does not prohibit a woman from obtaining an abortion nor does it create a barrier for that path.

What the legislation does do is make sure that any woman who pursues an abortion would enter a facility that is both licensed and inspected by the State of Michigan for health and safety standards.

Currently, those requirements are lacking. Of the 32 locations in Michigan that perform abortions, only 4 are licensed by the state as surgical facilities. As such, the other 28 clinics are not licensed and are rarely, if ever, inspected for basic standards related to cleanliness and a safe, sterile environment.

The reforms found in HB 5711 are overdue. No person would want to see a loved one, a female relative or friend, walk into a surgical facility where sanitation, cleanliness and confidentiality are, at best, questionable. The public demands better. Women deserve better. Ensuring a safe environment upholds the dignity women expect.

Additional measures included in the bill are both sound and reasonable. Under the legislation, a woman will be informed that coercion to abort is illegal, yet the abortion could proceed provided the patient is aware of the law.

The legislation also provides for the humane disposition of an aborted child. Never again will an abortionist be allowed to dispose of aborted children as “medical waste,” which is what took place in Eaton County last year

when 17 victims of abortion, along with patient names and medical records, deplorably, were found in a common trash dumpster.

In March, this and several other abortion industry abuses emerged during a Senate Licensing and Regulatory Affairs subcommittee hearing. The Bureau of Health Systems testified that the state provides minimal oversight of abortion facilities because "so few clinics are licensed."

House Bill 5711 will remedy this problem. Elected officials on both sides of the aisle agreed and supported the bill to ensure facilities meet basic health and safety standards.

Regardless of one's position on abortion, there is no reason why an abortion facility should be any less clean or safe than a tattoo parlor or a veterinary clinic. HB 5711 is good public policy that makes sure a woman's health and safety is placed ahead of the financial interests of the abortion industry.

*Do you have a guest column to share? Email statewide community engagement director Jen Eyer at **jeyer@mlive.com**.*

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**MICHIGAN
CATHOLIC**
CONFERENCE

**Michigan Catholic Conference
510 South Capitol Avenue
Lansing, Michigan 48933**

**www.micatholic.org
(800) 395-5565 • (517) 372-9310**