

September 2018

WHICH PROPOSALS WILL BE ON THE NOVEMBER BALLET?

In a late move to take control of the paid sick leave and \$12 minimum wage citizen initiated petitions, the House and Senate passed the measures with the intent of Republican leadership to come back in lame duck to amend one, if not both of them.

Therefore, those two initiatives will not be on the November ballot for voters to decide.

Since Initiative Proposal 3 and Initiative Proposal 4 were not given immediate effect, both will initiate with likely changes around April 1 of next year – 90-days after lawmakers adjourn for the year.

Elimination of the “tip credit” for restaurant workers in the \$12 minimum wage proposal is a concern, according to Senate Majority Leader Arlan Meekhof (R-West Olive).

With the paid sick leave proposal, one of the sticking points is no required proof of sickness after three days of absenteeism.

However, the statewide ballot proposal options in the November general election are now set.

- Proposal 1 would allow personal possession and use of marijuana by people older than 21 while regulating the distribution and commercial production of recreational marijuana.
- Proposal 2 would end partisan gerrymandering in Michigan by creating a non-partisan, transparent, and citizen-driven Independent Citizens Redistricting Commission.
- Proposal 3 would amend the state constitution to authorize automatic and Election Day, voter registration, no-reason absentee voting and straight-ticket voting; and add current legal requirements for military overseas voting and postelection audits to the Michigan Constitution.

SCOTUS: NO STRAIGHT-TICKET VOTING THIS ELECTION

Now it is official. Michigan voters will not be able to vote a straight-ticket when they go to the polls in November.

The U.S. Supreme court has opted not to take up the emergency application filed by the Michigan State A. Phillip Randolph Institute. The group wants straight-ticket voting and challenged the Legislature-approved law that banned it.

A federal judge had previously ruled against the straight-ticket ban.

SNYDER CREATES NEW FRAUD UNIT

Governor Rick Snyder has signed Executive Order 2018-10 that creates a new fraud unit division within the Department of Insurance and Financial Services (DIFS).

The new Anti-Fraud unit will be charged with conducting background checks on applicants for licenses and current licensees, looking into insurance fraud claims and working with local law enforcement to promote investigation and prosecution of criminal and fraudulent activities.

Governor Snyder said the new division is in response to fraud that is driving up insurance costs for all Michiganders.

However, groups on both sides of the no-fault insurance debate called the move a “first step,” but believe more legislation is needed and disagree over where the fraud exists in the system.

DUGGAN: DECLARE NO-FAULT ACT UNCONSTITUTIONAL

Detroit Mayor Mike Duggan, along with eight Metro Detroit residents, have filed suit in federal court asking that the state’s No-Fault Act be declared unconstitutional.

They are seeking an order that gives the state six months to amend the No-Fault Act to “ensure that Michigan’s automobile insurance scheme comports” with the U.S. and state constitutions.

“If automobile insurance is unaffordable, the No-Fault Act is unconstitutional,” said attorney David H. Fink, who represents the plaintiffs. Fink added, “We gave up on the Legislature and now it’s time to go to court.”

ENVIRONMENTAL INFRASTRUTURE FEES MAY BE GOING UP

Michigan Farm Bureau and Michigan Chamber of Commerce have joined Governor Rick Snyder in support for \$175 million in increased or new user fees to support a variety of environmental and water infrastructure programs. The Michigan Environmental Council is also on board.

The fees are called for in SB 943 (tipping fee) and HB 5898 (water fee).

Governor Snyder called for the increase in the landfill tipping fees and creation of a new water fee on households and businesses back in February.

UNION GROUP WANTS PA 171 RULED UNCONSTITUTIONAL

Protect Michigan Jobs, a union-backed group, has asked the Court of Claims to declare the initiative and repealed Michigan’s prevailing wage law violates the state constitution.

That group, along with the Michigan Building and Trades Construction Council, wants a permanent injunction placed on any enforcement of PA 171, which was effective June 6 and repealed the 50-year old law than mandated construction workers on state-financed construction projects be paid fair and reasonable wages.

Because the House and Senate adjourn on December 20, Protect Michigan Jobs is asking the court for an expedited decision.

LYON CASE HAS A NEW JUDGE

There is a new judge in the State’s criminal case against Department of Health and Human Services Director Nick Lyon.

Chief Judge Richard B. Yuille re-assigned Director Lyon’s voluntary manslaughter case to Judge Joseph J. Farah, arguably because the initial judge, Judith A. Fullerton is forced to retire at the end of the year because she is prohibited from seeking re-election due to age limits for judges.

Bill Cobb, Director Lyon’s defense attorney, said the defense team is still evaluating whether it will seek a change of venue.

STEUDLE TO RETIRE

After a 31-year career with the Michigan Department of Transportation - the last 12 as director - Kirk Steudle has informed Governor Rick Snyder that he will retire on October 31.

“I hope to leave MDOT with a legacy of collegiality, collaboration, and partnership that shows what we can accomplish when we all work together,” Steudle said in a statement.

Governor Snyder has not decided yet on an interim or permanent appointment for the department director’s position, his office said. Governor Snyder’s term ends at the end of the year.

SNYDER NOT ON DUTY FOR SCHUETTE

Governor Rick Snyder says he will not endorse any of the candidates running to replace him - not even his fellow Republican nominee Bill Schuette.

Governor Snyder says it has nothing to do with the pair’s deteriorating relationship in recent years.

“I have always viewed myself as a traditional politician and there are a lot of things I want to get done before I am finished,” he said.

“I’m staying out of politics,” Governor Snyder said. However, he did support Lt. Governor Brian Calley in the Republican gubernatorial primary.