

August 2019

LEGISLATURE WANTS TO JOIN LAWSUIT AGAINST ATTORNEY GENERAL

Alleging that Attorney General Dana Nessel is trying to “usurp the lawmaking power of her office,” some members of the Michigan Legislature are asking to intervene in Enbridge’s lawsuit against her.

A lawsuit was filed by Enbridge in June, seeking to enforce its Line 5 Tunnel agreement with state, which approved Public Act 359 of 2018 that created the Mackinac Straits Corridor Authority during lame duck session.

The Attorney General issued a subsequent opinion that PA 359 is unconstitutional and sued Enbridge in Ingham County Circuit Court seeking to close the company’s underwater pipelines in the Straits of Mackinac.

SECRETARY BENSON IS SUED OVER REDISTRICTING COMMISSION

More than a dozen Republicans have filed suit in U.S. District Court’s Western Division against Secretary of State Jocelyn Benson seeking to stop the state’s new citizen redistricting commission and invalidate Proposal 2.

The group alleges the voter-approved amendment is unconstitutional and discriminates against participants based on political service or family ties.

Elected officials, former political candidates, state employees, lobbyists, political consultants and their family members would be prohibited from serving on the 13-member commission.

Secretary Benson says she is not rolling over on any federal lawsuit.

Meanwhile, procedures to create the 13-member commission are moving forward with the finalization of the application. The Secretary of State said before the application is finished there will be a chance for public comment.

RECALL PETITION AGAINST REPRESENTATIVE INMAN GETS THE GREEN LIGHT

The Board of State Canvassers has approved a petition to recall indicted Representative Larry Inman (R-Williamsburg) from office.

Representative Inman was indicted in May on three felony accounts—attempted extortion, solicitation of a bribe, and false statement to the FBI.

Representative Inman has filed notice asserting a diminished capacity defense.

Circulators of the petition have 60 days to gather 12,201 valid signatures. If successful it would trigger two elections—a recall primary and a recall general.

CIVIL RIGHTS DIRECTOR GETS REPRIMAND

The Civil Rights Commission (CRC) has reprimanded its director, Agustin Arbulu, for making an inappropriate remark to a colleague about another woman.

According to CRC Chair Alma Wheeler Smith, Mr. Arbulu will undergo “sensitivity coaching” and will not be able to participate in any internal or external training sessions until at least the end of the year.

However, that was not enough to satisfy Governor Gretchen Whitmer who expressed deep concerns about the CRC’s decision not to fire Director Arbulu. As a result, Governor Whitmer has kicked him out of the Governor’s Cabinet and called for his resignation or be fired.

The CRC director is appointed by the commission, not the Governor.

ATTORNEY GENERAL NESSEL SUES THE FEDS OVER IMMIGRATION RIGHTS

Attorney General Dana Nessel has filed suit against the U.S. Department of Homeland Security, joining more than a dozen states charging a new rule denying green cards to legal immigrants who use public assistance, or might use it, is unconstitutional.

The new immigration rule has been in the works for months and goes into effect October 15. It is the Trump administration’s latest effort to reduce legal immigration.

SCHOOL SUPPLIES WOULD BE FREE UNDER NEW BILL

Under legislation, HBs 4824 and 4825, if passed and signed into law, parents and teachers wouldn’t pay the 6 percent sales tax on back-to-school pens, glue sticks, clothing and computers under \$1,000 on the third Saturday in August.

Sales tax holiday proposals have been kicking around the state Legislature since at least 2006.

The bills were introduced by Representatives Nate Shannon (D-Warren) and Matt Koleszar (D-Plymouth).

LEADER SHIRKEY: “...NO GOVERNMENT SHUTDOWN”

In recent comments on WJR, Senate Majority Leader Mike Shirkey (R-Clarklake) said there will be no government shutdown because “there is no reason for it.”

Governor Whitmer had suggested that a continuation budget be prepared in case budget negotiations go beyond October 1—the start of the next fiscal year, but Leader Shirkey said legislative leaders are making “good progress on the budget and some creative ways to address roads.”

However, Leader Shirkey said that because his comments on WJR were not clear, he has reiterated that he is not advocating for \$1 billion in budget cuts to pay for road programs.

All that being said, the bottom line at this time is there still is no budget for FY 2019-20 and no long term solution on fixing the roads.

PRESIDENT TRUMP NOMINATES LEONARD

Former House Speaker Tom Leonard, the Republicans' 2018 Attorney General nominee, has been nominated by President Donald Trump to be the next U.S. Attorney for the Western District.

If confirmed by the U.S. Senate, Mr. Leonard will take over for Andrew Birge, who was put in place by the U.S. District Court in 2017 as a placeholder until President Trump filled the position with an appointment confirmed by the U.S. Senate. Mr. Leonard can expect certain opposition from Democratic U.S. Senator Debbie Stabenow and Democratic Senator Gary Peters.

SAAD TO LEAD OFFICE OF GLOBAL MICHIGAN

Governor Gretchen Whitmer has chosen Fayrouz Saad, former Democratic nominee for the 11th Congressional District, as the first director of the Office of Global Michigan – previously known as the Office of New Americans.

That office is charged with advising the Governor on matters relating to new Americans, immigration policy, enforcement of federal immigration laws in Michigan, and other matters as requested by the Governor.