

July 2019

IDEAS FLOATED ON ROAD FUNDING

Even though the Michigan Legislature is on recess, work continues on a road funding plan in an effort to find at least \$2 billion to address the issue.

House Republicans have moved a budget premised on the idea that the 6-cent sales tax stop being collected on gasoline and a penny-for-penny gas tax or excise tax be installed in its place to collect close to \$1 billion in road revenue.

That would amount to about a 15-cent-per-gallon gas tax increase.

Another idea making the rounds is to issue a 30-year \$10 billion bond that would prefund the teacher retirement system and would free up \$1 billion in the School Aid Fund currently being diverted from classrooms to pensions.

With the new savings, lawmakers could then remove the sales tax on gasoline and raise the per-gallon gas tax by the same amount generated by the sales tax.

The plan would also transfer ownership of the Michigan Lottery to the state's Public School Employees' Retirement System, thus dedicating the lottery's profits to the pensions.

No matter what, with lawmakers on summer break, don't expect any solution to the road funding problem until sometime in October at the earliest.

HOUSE DEMS ROLL ROAD FUNDING BILLS

Four alternative road funding bills that would increase the 6 percent Corporate Income Tax another 2.5 percent, raise the fees on heavy trucks, and make a pension income exempt from the income tax have been introduced by House Democrats.

VNP LOOKING TOWARD ANOTHER BALLOT ISSUE?

Still basking in its 2018 passage of the independent redistricting commission amendment to the state constitution, the grass roots group Voters Not Politicians (VNP) is mulling over running a ballot proposal in 2020 or 2022 that would either extend or eliminate term limits.

VNP Executive Director Nancy Wang said, "term limits are definitely on the list" the group is considering for a potential petition drive.

Wang said term limits are on the front burner again thanks to Senate Majority Leader Mike Shirkey's (R-Clarklake) announced interest in putting term limits before the voters in 2022.

The committee hopes to make a decision on whether or not to pursue another campaign by this fall.

REDISTRICTING APPS BEING FINALIZED

It is a slow process, according to Secretary of State Jocelyn Benson, but procedures to create a 13-member Michigan Reapportionment Commission are beginning to take shape with the finalization of the application.

Secretary Benson said before the application is finalized there will be a chance for public comment which will begin in a couple of weeks. Once that is finalized, they will be available at the SOS branch offices, local libraries and through some civic organizations. There is no application fee.

LEGISLATION INTRODUCED TO WIPE OUT MARIJUANA CRIMES

Sen. Jeff Irwin (D-Ann Arbor) has introduced legislation (SB 416) that would automatically clear misdemeanors involving low-level marijuana use and distribution from Michiganders' records.

The measure would allow some 235,000 people to have those records automatically expunged without having to go through the courts.

Both Governor Gretchen Whitmer and Attorney General Dana Nessel have said they favor clearing low-level marijuana crimes from people's records.

BILLS WOULD REDUCE GUN PENALTIES

Two gun-related bills (HBs 4200 and 4201) have been introduced by Representative Gary Eisen (R-St. Clair Twp.) that would reduce the penalty for license holders who conceal and carry in "no-carry" zones. They were referred to the House Judiciary Committee last month.

Under current law, the state's handgun licensure act, gun owners, including those who hold a concealed pistol license, are prohibited from carrying a concealed gun into certain areas such as day-care centers, churches or schools.

Under House Bill 4200, the licensure act would be amended for first time offenses to a fine of up to just \$100 instead of up to a \$500 fine, and having their license revoked for six months on the first offense.

SUPREME COURT: GERRYMANDERING ISSUE BEYOND REACH OF FEDERAL COURTS

In a 5-4 decision the U.S. Supreme Court declined to rule on partisan gerrymandering opening the issue presents political questions beyond the reach of the federal courts.

The decision effectively ends Democrats' chances in Michigan to get new districts in place by 2020 as ordered by a federal District Court panel ruling in a lawsuit, Michigan's League of Women Voters v. Secretary of State Jocelyn Benson.

The high court left open the possibility of bringing litigation in state courts and also left open independent redistricting commissions like those put in place in Michigan by a 2018 referendum. That commission will take over drawing Michigan's political lines in 2022.

ATTORNEY GENERAL NESSEL FILES SUIT TO SHUT DOWN LINE 5

Attorney General Dana Nessel has filed a lawsuit in Ingham County Circuit Court seeking to close the controversial pipelines in the Straits of Mackinac.

She also filed a motion to dismiss Enbridge's Court of Claims suit that seeks enforcement of agreements made in the waning months of former Governor Rick Snyder's administration that allows the company to build a 4.5 mile, \$500 million tunnel under the Straits of Mackinac.

Attorney General Nessel's lawsuit seeks a declaratory judgment that a 1953 agreement "violates the public trust doctrine and is, therefore, void."

MPSC HAS A NEW COMMISSIONER

Governor Gretchen Whitmer has appointed Tremaine Phillips, a former Granholm-era official, to the Michigan Public Service Commission (MPSC). He will replace Norm Saari, who was appointed by former Governor Rick Snyder in 2015 with a term that ended July 2.

Mr. Phillips formerly served as the assistant deputy director of the Michigan Department of Energy, Labor and Economic Growth (DELEG) in the Granholm administration.

He is the second Whitmer appointment to the three-member commission and is currently the director of the Cincinnati 2030 District and former vice president of strategic initiative for Empower Gas and Electric.

IS THIS THE END?

U.S. District Judge Gordon J. Quist of the Western District has granted the request of the House of Representatives to dismiss former Representative Todd Courser's lawsuit alleging conspiracy and stalking related to his resignation following public disclosure of his affair with a fellow lawmaker.

In a 33-page opinion, Judge Quist rejected Courser's arguments that potential evidence on his House-issued computers and electronic devices were deleted, overwritten, tampered with or manipulated while in possession of the House.