

# Government Relations Coordinator Report AAUW of Michigan Board

January 16, 2017

By Mary Pollock, Government Relations Coordinator

*The 2015-17 AAUW Biennial Action Priorities are:*

- *To support a strong system of **public education** that promotes gender fairness, equity, and diversity;*
- *To achieve **economic self-sufficiency** for all women;*
- *To guarantee **equality, individual rights, and social justice** for a diverse society.*

## 99<sup>th</sup> Legislature Sworn In

Michigan's 99<sup>th</sup> Legislature was sworn in on January 11, 2017. There are 42 new House members and 1 new Senator (Ian Conyers D-4 replacing Virgil Smith, who resigned).

The November election kept the partisan split in the House exactly the same as the 98<sup>th</sup> Legislature although the Dems lost one incumbent and gained a new flipped seat. Republican women's representation increased and the Dems lost one woman. The representations now is:

	Men		Women		Total
	#	%	#	%	
Republican	47	75	16	25	63
Democrat	32	68	15	32	47

The Senate remains 27 Republicans and 11 Democrats with 3 female Republicans and 1 female Democrat.

New leaders were elected in the House. They are:

Republican	Democrat
Speaker: Tom Leonard	Minority Leader: Sam Singh
Speaker Pro Tempore: Lee Chatfield	Minority Floor Leader: Christine Greig
Associate Speaker Pro Tempore: Gary Glenn	Minority Assistant Floor Leader: LaTanya Garrett
Associate Speaker Pro Tempore: Jim Tedder	Minority Assistant Floor Leader: Patrick Green
Majority Floor Leader: Dan Lauwers	Minority Assistant Floor Leader: Yousef Rabhi
Majority Caucus Chair: Eric Leutheuser	Minority Assistant Floor Leader: Brian Elder
Majority Assistant Floor Leader: Triston Cole	Minority Caucus Chair: Adam Zemke
Majority Assistant Floor Leader: Lana Theis	Minority Caucus Whip: Jeremy Moss
Majority Caucus Whip: Robert VerHeulen	Minority Assistant Leader: Vanessa Guerra
	Minority Assistant Leader: Darrin Camilleri

The Senate has not announced any changes in its leadership line-up, which is.

Republican	Democrat
Majority Leader: Arlan Meekhof	Minority Leader: Jim Ananich
Majority Floor Leader: Mike Kowall	Minority Floor Leader: Morris Hood III
President Pro Tempore: Tonya Schuitmaker	Minority Caucus Chair: David Knezek
Assistant Majority Leader: Goeff Hansen	Assistant Minority Leader: Steve Bieda

Majority Caucus Chair: Dave Robertson	Minority Caucus Whip: Curtis Hertel Jr.
Majority Caucus Whip: Jack Brandenburg	

## 2015-16 Session Recap

State Senators introduced 1192 bills and State Representatives introduced 2113 bills during the 98<sup>th</sup> Legislature from January 1, 2015 through December 2016. The Governor has signed 563 bills into law from the 98<sup>th</sup> Legislature.

Gongwer's News Service identified its top ten laws of 2016, repeated below. Note that three of these pertain to education and the AAUW of Michigan took a position and communicated with legislators and the Governor on two of them – third-grade reading and the Detroit Public School reform. The top ten topics from Gongwer are:

**10. NEW RIDESHARING/TAXI REGULATIONS:** *A multiyear slog to set regulations for new ridesharing companies like Uber and Lyft concluded with legislation that met concerns from taxicabs by setting both providers, as well as limousines, under the same new statute and pre-empting nearly all local ordinances regulating them (HB 4637, HB 4639, HB 4640, HB 4641 and SB 392).*

**9. AUTONOMOUS VEHICLES:** *Michigan became the first state with regulations for testing and the eventual general use of self-driving motor vehicles with SB 995, SB 996, SB 997 and SB 998.*

**8. FLEXIBILITY ON STUDENT SUSPENSION/EXPULSION:** *Rigid laws requiring the expulsion or suspension of K-12 pupils for certain actions were relaxed to give school districts more flexibility amid a consensus that simply kicking a student out of school often backfires (HB 5618, HB 5619, HB 5620, HB 5621, HB 5693, HB 5694 and HB 5695).*

**7. COMPENSATION AND SUPPORT FOR THOSE WRONGLY CONVICTED:** *Sen. Steve Bieda's (D-Warren) years-long effort to assure the possibility for compensation to those wrongly convicted of crimes, imprisoned and eventually exonerated succeeded with the passage of SB 291 and HB 5815, which also ensures those exonerated receive the same type of transition programs as those paroled from prison.*

**6. UNEMPLOYMENT BENEFIT SCANDAL BRINGS CHANGES:** *Amid a major fiasco in how the state used computers to determine whether someone receiving unemployment benefits did so fraudulently, a House subcommittee spent months on the issue, leading to legislation Mr. Snyder signed requiring staff to make those determinations, improving the notice requirements to beneficiaries and reducing how many years the Unemployment Insurance Agency could check for fraud from six to three (HB 4982).*

**5. MEDICAL MARIJUANA:** *Landmark legislation setting new regulations on medical marijuana growers, transporters and dispensaries, while also allowing the use of edible forms of medical marijuana, came to fruition after years of debate about how to tighten up the 2008 voter-initiated act legalizing medical marijuana. The bills (HB 4209, HB 4827 and HB 4210) also legalized marijuana provisioning centers, allowed local governments to regulate them and created a seed-to-sale tracking system.*

**4. THIRD GRADE READING:** *Legislation requiring intervention for K-12 pupils not reading at grade level in third grade and that those pupils unable to read at grade level be held back from advancing to the fourth grade was enacted. Parents could appeal the decision to hold their child back and there are questions about how school districts will pay for reading intervention specialists, but the enactment of HB 4822 ended a years-long debate on the issue.*

**3. FLINT WATER CRISIS:** *Little in the way of new policy was enacted coming out of the Flint water crisis, but the HB 5120 requiring faster public notification of high lead levels in public water systems did win enactment as did several budget measures appropriating more than \$200 million in aid to deal with the crisis.*

**2. ENERGY:** *SB 437 and SB 438, after two years of intense work, did not bring about massive change, but they did overhaul several major energy regulations. There is a new system for the state to consider requests for new power plants, a new regulatory scheme to manage customer choice, an increase in the percentage of electricity that must be generated from renewable sources and bigger incentives for energy optimization. The most radical proposals - ending customer choice/full customer choice, going to more than 20 percent in the renewable portfolio standard and an immediate major new charge on those generating their own power - did not make the cut. In the end, all sides (and there were many) were able to claim some type of victory.*

**1. DETROIT PUBLIC SCHOOLS OVERHAUL:** *Legislation setting up a new public school district for Detroit, unburdening it from the debt plaguing the original Detroit Public Schools, and restoring local elected control of the district won passage after a bitter fight (HB 5383, HB 5384, HB 5387, SB 711, SB 820 and SB 822). The legislation included \$617 million for the district, \$467 million for debt retirement. Substantial oversight measures were installed. However, the final plan did not include a proposed Detroit Education Commission to have siting and closing authority over all K-12 public schools in the city, including charters. That mechanism, which was in the original Senate-passed plan and backed by Mr. Snyder, was blocked in the House and the Senate eventually relented, dropping the measure, to the fury of Democrats. Nonetheless, 2017 began with the district no longer under the control of an emergency manager and an elected school board in charge for the first time in years.*

## **Other 98<sup>th</sup> Legislature News**

**Public funding of private education** – Recall that there was a provision in the 2016-17 education budget that would reimburse private schools for certain expenses related to meeting state mandates such as safety codes. The Governor himself was concerned enough to ask the Michigan Supreme Court for an advisory opinion on whether or not the appropriation violated Michigan's constitutional ban on public funding of private schools, but the MSC declined the invitation. Subsequently I contacted the Michigan Association of School Administrators Executive Director Don Wotruba to make him aware of our interest in supporting any legal challenge in some way. I have received no news about any challenge of this funding.

**Pay Equity** – There was no movement on the 11 bills in the House and 4 in the Senate related to pay equity. Our main champion, Rep. Marcia Hovey-Wright, was termed out and Kara Spencer, her staff working on the bills, is no longer working in the Legislature. The Progressive Legislative Women's Caucus has not met yet to pick new leadership such as a Pay Equity Task Force Chair. I will seek new sponsors for the bills.

The House and Senate issued their session schedule in December and they will be on vacation on national Equal Pay Day, April 4, 2017. I therefore quickly changed the reservations for the morning Issues Briefing at Central United Methodist Church and noon Rally on the Capitol Steps for **Tuesday, April 25** when both chambers will have returned.

**Fetal Tissue Transport bills** – In response to a heavily-edited video purporting to show that Planned Parenthood clinics were attempting to sell the remains of aborted fetuses, the Harris County Texas prosecutor's investigation identified three Planned Parenthood clinics in

Washington, Oregon, and California that were receiving reimbursement for costs associated with transferring donated fetal tissue to medical researchers.

Current Michigan law already prohibits selling, collecting any fee for, transferring, distributing or giving away an embryo, fetus, or neonate. Nevertheless two bills to criminalize receiving payment for transport of fetal tissue, [SB 564](#) and 565, were passed by the Senate in spring 2016 and by the House during Lane Duck. The AAUW of Michigan opposed the bills. The University of Michigan and the hospital association lobbyists were able to get amendments in the bills to defang the legislation by exempting labs and hospitals from the scope of the law. So Right To Life gets to have a publicity win that is relatively meaningless. The Governor has signed the bills.

**Method Ban Bills** – HB [4833](#) and SB 704 that would ban "dismemberment" abortion, more accurately called Dilation and Evacuation method that is most often used in the second trimester of a pregnancy, were reported out of House Criminal Justice Committee in November 2015 but were never taken up by the full House. This method ban bill has passed in other states and has been challenged in court based on the U.S. Supreme Court's *Whole Women's Health v Hellerstadt* decision on June 27, 2016 reaffirming that restrictions on abortion that cause an undue hardship are unconstitutional.

**State ERA/Constitutional Equality** – [HJR GG](#) to add "sex" to the protected classes in the equal protection clause of Michigan's Constitution, Article I, Section 2 received no further action after one hearing in House Judiciary Committee. I will look for a new sponsor for this session.

**Human Trafficking** – Human trafficking bills [HB 5542](#) – 44, were passed in the Senate and signed into law during Lane Duck. HB 5542 allows a victim of human trafficking to petition a court to expunge one or more convictions under local ordinances corresponding to the prostitution statutes. HB 5543 requires a court to set aside the juvenile adjudications of a victim of human trafficking for statutory and local ordinance-related prostitution offenses. HB 5544 extends the Safe Harbor Law to include prosecutions of violations of local ordinances substantially corresponding to the prostitution statutes. The law would also make a violation of certain Human Trafficking offenses a 15-year felony if the violation resulted in an individual being engaged in commercial sexual activity.

HB 5838 and HB 5839, which would create a new crime of knowingly selling or offering to sell travel services for the purpose of prostitution or human trafficking passed the Senate during Lane Duck and have been signed into law.

[HB 5808](#) which would have allowed testimony of expert witnesses regarding the behavior pattern of human trafficking victims in certain circumstances saw no further action.

Four human trafficking related bills, SB 1115, SB 1116, HB 5969, and [HB 5970](#) introduced October 19 saw no further action.

**Breast Milk bills** – The breast milk bills, [HB 4206](#) and [HB 4691](#), were reported out of the House Health Policy Committee in November 2016 but saw no further action. AAUW of Michigan put in a card supporting the measures. Rep. Erika Geiss will re-introduce the bills this session.

**Parental Alienation bills** - [HB 4141](#) sponsored by Rep. Jim Runestad (R-White Lake Township) that would replace the Child Custody Act with a mandated joint custody system unless there was clear and convincing evidence against it had a very heated hearing in September but saw no further action. AAUW of Michigan opposed the bill.

**Expansion of Ethnic Intimidation Act** – As expected, the bill adding sexual orientation and gender identity to Michigan’s Ethnic Intimidation Act, [SB 1035](#), died in the Government Operations Committee without a hearing.

## 2017

Making headlines are Republican-sponsored bills in both the House and Senate to roll back or repeal the state income tax. The sponsors do not suggest ways to replace the revenue nor identify which state programs to cut should these measures pass. 44 percent of all major state tax revenues come from the income tax. The January 12 Consensus Revenue Estimating Conference predicts limited near-term revenue growth and the Legislature and Governor have approved at least \$700 million in new commitments on the General Fund, which would bear the brunt of any income tax cut.

Again introduced is HB 4019 sponsored by Rep. Pam Faris (D-Clio) that would require reimbursement for dispensing of a 365-day supply of covered prescription contraception. Other states have passed similar measures.

HB 4033 sponsored by Rep. Bob Wittenberg (D-Oak Park), HB 4034 sponsored by new Rep. Jim Ellison (D-Royal Oak) and HB 4035 sponsored by new Rep. Abdullah Hammoud (D-Dearborn) would require election administrators to issue absent voter ballot upon request without requiring justification. HB 4037, HB 4038, and 4039 provides for automatic voter registration when receiving driver license or identification card.

The Governor’s State of the State address is scheduled for Tuesday evening, January 17. The state budget will be introduced February 8.

## 2018

2018 is an election year for Governor, Attorney General, Secretary of State, two Michigan Supreme Court Justices and the education boards. Only one candidate, former State Senator Gretchen Whitmer, has announced for Governor. U.S. Senator Debbie Stabenow is expected to run for re-election.

2018 ballot issues mentioned are for legalization of marijuana, earned paid sick time, and changing redistricting authority from the legislature to non-politicians.

**Get involved!** – If you want to stay informed about the AAUW of Michigan’s legislative activities, “Friend” the [AAUW of Michigan’s Facebook page](#) where I post directly from hearings and articles related to our public policy program issues. Join the AAUW of Michigan’s Virtual Lobby Corp by emailing [mivoterred@aauwmi.org](mailto:mivoterred@aauwmi.org), or get involved with your local branch’s Public Policy Committee.