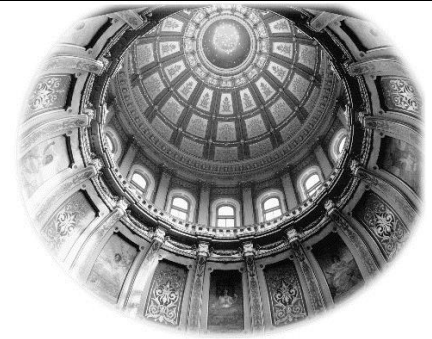


CAPITOL NEWS UPDATE

WEEK OF August 15, 2016

Integrity. Individual Attention. Precision Strategy. Proven Results



MICHIGAN'S STRAIGHT-TICKET VOTING BAN BLOCKED BY FEDERAL COURT

A three-judge federal appellate panel has denied an emergency motion by Secretary of State Ruth Johnson for a stay of a federal district court preliminary injunction that halted the state's attempt to continue implementation of a straight-ticket voting ban.

In denying the motion, the panel said district Judge Gershwin Drain did not abuse his discretion by granting his injunction, which found in favor of the AFL-CIO and several other groups serving as plaintiffs in the suit.

However, it doesn't mean straight-ticket voting is here to stay.

First, Judge Ronald Le Gillman, in a concurring opinion, said the court decision does not "establish a permanent constitutional entitlement to straight-party voting," and called that framing of the issue "misleading."

Second, Attorney General Bill Schuette has said he will file a new emergency appeal.

MDE PREPARING FOR NEW STATE TESTS

With State Superintendent Brian Whiston expressing interest in revising state assessments, the Michigan Department of Education (MDE) has issued a request-for-information (RFI) to gather information on the administration, scoring and reporting for statewide benchmarks and summative assessments.

At this point, the process is only information gathering.

However, Whiston wants to move from the current M-STEP student test of education progress to a system that involves using multiple benchmark assessments in grades 3, 4, 6 and 7. The proposed vision would leave M-STEP in at least grades 5 and 8.

Responses to the RFI are due back to the state by Aug. 29.

LEGISLATION WOULD BREATHE NEW LIFE INTO ASSISTED SUICIDE

Democrat Representatives Sam Singh of East Lansing and Tom Cochran of Mason have introduced a pair of bills that would legalize assisted suicide in Michigan.

However, with Republicans controlling the House, the measures are not likely to receive little if any life support.

Proponents of assisted suicide were successful in getting a proposal on the ballot in 1998, but voters soundly defeated the measure by a 3-1 margin.

STATE UNEMPLOYMENT RATE IS BELOW NATIONAL LEVEL

Michigan's unemployment rate dropped to 4.5 percent in July, the lowest point since January 2001 – and four-tenths of a percent below the national rate of 4.9 percent, according to figures released by the state Department of Technology, Management and Budget (DTMB).

The Michigan jobless rate in July was seven-tenths of a percentage point below the state's 2015 rate of 5.2 percent.

According to Jason Palmer, director of the state's Bureau of Labor Market Information and Strategic Initiatives, "payroll jobs have increased during the year, with the state averaging 8,000 job gains per month."

Gov. Rick Snyder applauded the news, but said that demanding challenges remain. Snyder said the state's infrastructure has to be strengthened and efforts have to continue to build a talented work force.

POLITICS AND POLLS

Bureau of Elections approves Gilbert replacement.

The Bureau of Elections is not going to stand in the way if local Democrats want to replace 8th Congressional District nominee Melissa Gilbert with Suzanna Shkreli, due to Gilbert's medical condition.

Bureau of Elections Director Chris Thomas said its reading of state law and a 1950 Attorney General opinion is that "The role of the Secretary of State and County Boards of Election Commissioners is limited to the receipt of the party's certification of its new nominee and ensuing that his or her name is printed on the general election ballots."

Once the Board of State Canvassers officially certifies the results of the Aug. 2 primary, the process of replacing Gilbert with Shkreli at the state level will begin.

Suzanna Shkreli, is an assistant Macomb County prosecutor, who lives in Clarkston.

Bentivolio to run as an Independent...if. If the State Board of Canvassers says "ok" on Monday, former U.S. Rep. Kerry Bentivolio will be on the November ballot seeking to win back his old 11th Congressional District seat. He will be running against incumbent U.S. Rep. Dave Trott (R-Birmingham) and the Democrat nominee Anil Kumar.

Judge O'Connor loses ballot bid. Court of Appeals Judge Peter O'Connell's motion to order the Bureau of Elections to put him on the 2016 ballot as an incumbent when his current term doesn't expire until 2018 has been rejected by Court of Claims Judge Cynthia Stephens. Stephens may be trying to run two years early to avoid the state's mandatory judicial retirement age of 70. O'Connell can appeal the decision with his colleagues in the Court of Appeals in enough time to conceivably make Elections Director Chris Tomas's drop dead deadline of getting names on the November ballot by Sept. 9.

M M & A BRIEFS

Date is set for Grether hearing. The Senate Natural Resources Committee has set Sept. 7 for the advice and consent hearing on new Department of Environmental Quality (DEQ) Director Heidi Grether. Since the Senate Republicans brought back the advice and consent power over gubernatorial appointees this term, none of Gov. Rick Snyder's appointments have been seriously challenged and the Grether hearing is likely to be no exception.

Anti-fracking lawsuit is dismissed. The Court of Claims has dismissed a lawsuit filed by the Committee to Ban Fracking's effort to have the 180-day time limit for gathering petition signatures ruled unconstitutional. Judge Stephen Borrello, who wrote the order, said the committee's claims were unripe, in that the suit was filed in anticipation of having their signatures largely rejected by the State Board of Canvassers.

Banks to stand trial. Rep. Brian Banks (D-Detroit) face trial in Wayne County Circuit Court on three felonies and a misdemeanor related to loans Banks obtained under allegedly fraudulent circumstances, according to a ruling by Detroit Judge Deborah Langston.

CALENDAR OF IMPORTANT EVENTS

- August 20 Sen. Dale Zorn (R-Ida) Famous Hawaiian Luau & Clam Bake
Location: 5:30 p.m., 7498 Ida East Road, Ida
- August 23 Rep. Winnie Brinks (D-Grand Rapids) Evening Reception
Location: 5:00 p.m. Home of David and Nancy Hejna, 256 Greenwood Dr. East Grand Rapids
- August 29 Rep. Henry Yanez (D-Sterling Heights) Evening Reception
Location: 5:30 p.m., Century Banquet Club, Sterling Heights
- September 7 Rep. Jon Hoadley (D-Kalamazoo) Breakfast Reception
Location: 8 a.m., Grand Traverse Pie Company, Lansing
- September 7 Rep. Vanessa Guerra (D-Bridgeport) Breakfast Reception
Location: 8 a.m., Michigan Municipal League, Lansing
- September 7 Rep. David LaGrand (D-Grand Rapids) Breakfast Reception
Location: 9 a.m., Mich. Health & Hospital Assn., Lansing
- September 7 Rep. Winnie Banks (D-Grand Rapids) Brunch Reception
Location: 10:30 a.m., Michigan Municipal League, Lansing
- September 7 Rep. Bill LaVoy (D-Monroe) Evening Reception
Location: 5:30 p.m., Governors Room, Lansing
- September 8 Rep. Sam Singh (D-East Lansing) Breakfast Reception
Location: 8 a.m., Michigan Municipal League, Lansing
- September 8 Rep. Adam Zemke (D-Ann Arbor) Brunch Reception
Location: 10:30 a.m., Governors Room, Lansing