

CAPITOL NEWS UPDATE

WEEK OF NOVEMBER 26, 2018

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SMALL CELL LEGISLATION HEADED TO GOVERNOR'S DESK

Lawmakers approved legislation on Thursday to streamline regulations for the installation of a network of fifth-generation, or 5G, small cells on telephone poles and other infrastructure throughout the state.

The House approved the final SB 637 by 74-35 votes and SB 894 by 77-32 votes. The legislation is expected to be quickly signed by Gov. Rick Snyder.

Small cells are compact and attached to structures such as light poles and streetlights. They will help enable faster internet speeds, provide more network capacity, and improve wireless options in places where large cell towers are not feasible. It will also allow for future use by connected cars.

The bills create the Small Wireless Communications Facilities Deployment Act which streamlines small cell installation, and caps state or municipalities fees at \$20 annually for a wireless provider to install an antenna on each existing utility pole or cell tower (\$125 a year on poles or cell towers built after the law takes effect), with rates potentially rising by 10 percent every five years. Supporters say this is necessary due each county charging a different, and sometimes exorbitant, fee to access public right of ways.

'RAISE THE AGE' BILLS MOVE TO FULL HOUSE

The House Law and Justice Committee on Wednesday sent legislation to the full House that would put an end to automatically treating 17-year-olds as adults in the criminal justice system. The bills would instead send them to juvenile court where records are sealed and the focus is on rehabilitation.

Violent offenders, however, would still be sent through adult court as the current practice allows for all youth.

As passed by the committee on Wednesday, the bills would also create a "raise the age" advisory committee, revise the sentencing procedure for juveniles prosecuted for personal protection order violations, and have a 2021 effective date.

The 21-bill package would also change the definition of juveniles, require the Department of Corrections to develop policies for inmates younger than 21, create a family advisory board, and require an annual report on juveniles tried as adults.

Those concerned with the legislation say adding a new population of older inmates to the current juvenile justice system, and funding for local governments could be problematic.

The committee passed the bills with a 9-2 vote, with Rep. Joe Graves (R-Linden) and Rep. Lana Theis (R-Brighton) voting no.

SENATE REPUBLICANS KICK OFF LAME DUCK WITH CHANGES TO MINIMUM WAGE, PAID SICK LEAVE

On Wednesday, Senate Republicans voted to change Michigan's newly passed minimum wage and paid sick leave laws. The Legislature adopted the citizen-initiated laws in September, making it easier to modify the laws by legislative vote, compared to the difficulty of changing a ballot initiative.

Democrats are questioning the constitutionality of the lame-duck strategy, and that it violates what voters who signed the petitions wanted.

The major modifications to the law came out of the Senate Government Operations Committee just hours before the 26-12 vote, and will now go to the House to be considered next week.

Changes include slowing down the planned minimum wage increase from \$9.25 to \$12 per hour by extending the time until at least 2030 instead of the original 2022, and setting a \$4 per hour minimum wage cap for tipped restaurant workers, instead of the original gradual rise to \$12 per hour.

Modifications to the paid sick leave law would allow companies with fewer than 50 employees to be exempt, and cut in half the minimum number of paid sick leave hours employers are required to provide from 72 hours a year to 36 hours per year.

Senate Majority Leader Arlan Meekhof, R-West Olive said the changes are necessary for business owners to "make sure Michigan continues on its economic progress."

LEGISLATION INTRODUCED TO LIMIT POWER OF INCOMING GOVERNOR, ATTORNEY GENERAL AND SECRETARY OF STATE

As Gov.-elect Gretchen Whitmer, Attorney General-elect Dana Nessel, and Secretary of State-elect Jocelyn Benson prepare to be the first Democrats in decades to take all three statewide offices, Republicans introduced legislation on Thursday designed to limit their powers.

A bill introduced by Rep. Robert VerHeulen (R-Walker) and supported by House Speaker Tom Leonard (R-DeWitt), would change how legal proceedings involving the state are handled, allowing the House of Representatives and Senate to intervene, which is traditionally the responsibility of the state attorney general or governor's office.

Other legislation introduced by Sen. Dave Robertson (R-Grand Blanc), chair of the Senate Elections and Government Reform Committee, would change who oversees campaign finance law, moving it from the secretary of state to instead, a six-person commission appointed by the governor, but nominated by state Republican and Democratic parties.

HOUSES PASSES PET SHOP REGULATIONS

The House narrowly passed legislation Thursday that strengthens standards for pet stores by creating a new designation for qualified pet shops, and limits local governments from implementing more regulations on a qualified business.

HB 5916, which passed 57-52, and HB 5917, which passed 56-52, require that qualified pet shops can only sell dogs that are from qualified breeders that are U.S. Department of Agriculture (USDA) certified.

Although the original bill prohibited local governments from regulating pet shops, the current version limits local government to controlling pet shops through zoning and other local ordinances.

The legislation also sets a minimum age when puppies can be placed for sale, and dogs to be vaccinated and micro-chipped and guarantees all dogs have a certified health certificate from a licensed veterinarian.

MM&A BRIEFS

Perles resigns from MSU Board of Trustees

Former Michigan State University coach and athletic director George Perles, 84, resigned from his position as a member of the Board of Trustees this week after nearly 12 years, citing health and mobility challenges as his reason for leaving the board.

Gov. Rick Snyder now will have a chance to fill the seat with a Republican appointee to replace Perles, who was sitting on the board as Democrat. The move will shift the split from a 6-2 Democratic majority to 5-3 if Snyder chooses to fill the seat.

Simon arraigned on Nassar-related charges

Former Michigan State University President Lou Anna K. Simon was arraigned on Monday, Nov. 26, 2018 on charges of lying to police about being aware of any investigation involving Nassar's abuse of a patient at the MSU Sports Medicine Clinic prior to 2016. Simon said she was aware of a Title IX investigation at MSU in 2014, but she did not know that Nassar was the doctor subject to review.

Simon appeared in front of Judge Julie Reincke in Eaton County District Court. She faces two felony and two misdemeanor counts of lying to a peace officer. She was freed on a personal recognizance bond of \$5,000.