

CAPITOL NEWS UPDATE

WEEK OF SEPTEMBER 12, 2022



McAlvey Merchant
& ASSOCIATES

MICHIGAN SUPREME COURT CHIEF JUSTICE MCCORMACK ANNOUNCES NEXT STEPS

Supreme Court Chief Justice Bridget McCormack announced this week that she will resign before the end of the year. The announcement from the chief justice, who will become the new president and CEO of the American Arbitration Association and the International Center for Dispute Resolution, was met with many well wishes and applause for her time spent on the bench.

McCormack is praised for moving the court away from partisan contentiousness and infighting, and for her ability to explain complicated judiciary issues. She is also credited with bringing the court into the digital age by outfitting many of the state's lower courts and higher courts with technology like courtroom cameras even pre-pandemic, making the courts more accessible and pushing to create a more accessible central data repository for the courts to share information.

McCormack was elected in 2012 and named chief justice in 2019 when the court had a Republican majority. Her departure will mean that Gov. Gretchen Whitmer will be able to have at least one Michigan Supreme Court appointment during her time as governor. The current court is made up of four directly elected Democratic justices and three Republicans who were originally appointed to the court by former Gov. Rick Snyder and have won elections since. Because there are six years remaining on McCormack's term, the person appointed to fill in for McCormack would hold the position until the 2024 election, and then seek election to fill the remainder of McCormack's eight-year term.

Gov. Whitmer praised McCormack saying, "The deep dedication and sound leadership she brought to our judiciary were matched only by her keen intellect, genuine warmth, and disarming wit. Whatever she touched, she made better, and we are grateful for all she has done to serve Michiganders and our state."

Her Republican colleagues on the bench also spoke highly of McCormack. "Bridget sets the standard for what a Chief Justice should be: independent, positive, fair, clear thinking, and engaging. In a world that has become increasingly partisan and angry, she is a voice of reason, compassion, and thoughtfulness," said Justice Elizabeth Clement in a statement.

CANVASSERS CERTIFY ABORTION MEASURE FOLLOWING MICHIGAN SUPREME COURT RULING

Michigan voters will be deciding in November on the proposed abortion amendment after the Michigan Supreme court voted 5-2 that the Board of State Canvassers must certify the proposal

despite alleged issues with typography. Following the Supreme Court ruling, the Board of State Canvassers certified the proposals for inclusion in the ballot by a vote of 4-0.

Last month, the board voted in a deadlock 2-2 along party lines regarding certifying the proposal, which led to the appeals to the Michigan Supreme Court.

The deadlock on the abortion rights proposal, which had more than 750,000 signatures, was caused by a disagreement over whether or not a lack of spacing between multiple words in the proposed agreement was enough of a flaw or typo to keep it off the ballot.

After the Supreme Court ruled that the Board must certify the proposed constitutional amendment despite alleged typographical and other issues, the board quickly voted to certify.

"There was never any doubt in my mind that once the court spoke what we were going to do, and that's follow what they have requested of us," said Board Chair Tony Daunt (R-DeWitt). Daunt and Board member Richard Houskamp (R-Grand Rapids) originally voted against certification, which set off the appeals. Daunt also said the ruling provided needed clarity on spacing or typographical issues.

Chief Justice Mary McCormack, along with Justices Richard Bernstein, Elizabeth Clement, Megan Cavanagh and Elizabeth Welch were in the majority, with Justices Brian Zahra and David Viviano in the minority.

DEMOCRATIC MUSKEGON PROSECUTOR TO REVIEW DEPERNO TABULATOR TAMPERING INVESTIGATION

Muskegon County Prosecutor D.J. Hilson is serving as a special prosecutor in an alleged Michigan vote tabulator tampering scheme involving Republican attorney general candidate Matt DePerno, Rep. Daire Rendon (R-Lake City), Barry County Sheriff Dar Leaf and others.

Hilson, a Democrat, was assigned by the Prosecuting Attorneys Coordinating Council, at the request of Attorney General Dana Nessel, who removed herself from the case due to a conflict of interest as DePerno's primary opponent in the upcoming general election.

Nessel requested the special prosecutor in August after an investigation by the Department of Attorney General reportedly showed that DePerno, Rendon and others "orchestrated a coordinated plan to gain access" to voting machines in multiple jurisdictions after the 2020 presidential election.

Hilson will review the investigation for possible charges. Following his election in 2012, Hilson has maintained his position as the Muskegon County Prosecutor for a decade and is also the current president of the Prosecuting Attorneys Association of Michigan. His record includes trying more than 80 felony cases in Muskegon.

The state investigation began in February following Democratic Secretary of State Jocelyn Benson's request, and a state Senate committee hearing that had asked Nessel to investigate "those who have

been utilizing misleading and false information about Antrim County to raise money or publicity for their own ends.”

As part of the probe, Nessel’s office alleged potentially criminal attempts to access these voting machines to try and prove Trump's unsubstantiated claims of voter fraud. Chief Deputy Attorney General Christina Grossi said that DePerno, Rendon and others “gained unauthorized access and compromised tabulators" in Roscommon County, Richfield Township, Lake Township and Irving Township between March and June of 2021.

MM&A BRIEFS

OVERALL SCHOOL ATTENDANCE DOWN IN MICHIGAN

The Michigan Department of Education recently announced that student attendance overall statewide has fallen during the pandemic with the 20-22 K-12 school year attendance at 89 percent, down from 93 percent during the 2019-20 school year. Data released by the MDE showed a total student count of 1,418,747 students during the 2021-22 school year.

CALENDAR OF EVENTS

Sept. 20 Rep. Carol Glanville (D-Walker) - Autumn Fundraiser
Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

108th House District Candidate Dave Prestin (R) - Lansing Reception
Location: 3 p.m., The Capitol White House, 322 W. Ottawa St., 2nd floor, Lansing

Rep. Alex Garza (D-Taylor) - Fall Fundraiser
Location: 4:30 p.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

Rep. Amos O'Neal (D-Saginaw) - Fall Fundraiser
Location: 5 p.m., UA Local 85, 3535 Bay St., Saginaw

Sept. 21 Rep. Scott VanSingel (R-Grant) Breakfast Reception
Location: 7:30 a.m., Karoub Associates, 121 W. Allegan St., Lansing

Rep. Bryan Posthumus (R-Cannon Twp.) Majority Fund Reception
Location: 8 a.m., MLBA, 101 South Washington Square, Ste. 800, Lansing

Sept. 21

Rep. Roger Hauck (R-Mount Pleasant) Breakfast Reception

Location: 8 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

Rep. Julie Rogers (D-Kalamazoo) - Breakfast Fundraiser

Location: 8 a.m., Michigan Municipal League, 208 N. Capitol Ave., Lansing

23rd House District Candidate Jason Morgan (D) - Breakfast Reception

Location: 8:30 a.m., 120 N. Washington Square, #110, Lansing

Rep. Kara Hope (D-Holt) Breakfast Fundraiser

Location: 8:30 a.m., Grand Traverse Pie Company

Rep. John Roth (R-Interlochen) Breakfast featuring Petey's Donut Truck

Location: 9 a.m., The Capitol White House, 322 W. Ottawa St., Lansing

Rep. Lori Stone (D-Warren) Back to School Lunch

Location: 11 a.m., Michigan Municipal League, 208 N. Capitol Ave., Lansing

Rep. Phil Green (R-Millington) Reception

Location: 11:30 a.m., Karoub Associates, 121 W. Allegan St., Lansing

Rep. Nate Shannon (D-Sterling Heights) Fall Fundraiser

Location: 11:30 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

Rep. Mike Harris (R-Clarkston) Reception

Location: 12 p.m., Freedom Embassy, 115 W. Allegan St., Lansing

48th House District Candidate Jason Woolford (R) Meet and Greet

Location: 4 p.m. Karoub Associates, 121 W. Allegan St., Lansing

95th House District Candidate Bill Schuette (R) Reception

Location: 4:30 p.m., MLBA, 101 South Washington Square, Suite 800, Lansing

Rep. Jim Haadsma (D-Battle Creek) Fall Fundraiser

Location: 4:30 p.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

Rep. Helena Scott (D-Detroit) Fall Fundraiser

Location: 5 p.m., Heany's Room, Kelly's Downtown, 220 S. Washington Square, Lansing

- Sept. 22 Rep. Ken Borton (R-Gaylord) Lansing Leadership Event**
Location: 8 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing
- Sen. Doug Wozniak (R-Shelby Twp.) for State Rep. Reception**
Location: 5:45 p.m., Marcus Grill, 55690 Vandyke Ave., Shelby Twp.
- Sept. 27 Rep. Joe Tate (D-Detroit) Fall Happy Hour**
Location: 4:30 p.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing
- Sept. 28 Rep. Graham Filler (R-Greenbush Twp.) Majority PAC Reception**
Location: 7:30 a.m., Michigan Municipal League, 208 N. Capitol Ave., Lansing
- Rep. Ben Frederick (R-Owosso) Leadership Breakfast**
Location: 7:30 a.m., Marketing Resource Group, 215 S. Washington, Ste. F, Lansing
- Rep. Luke Meerman (R-Coopersville) Majority Fund Breakfast Reception**
Location: 8 a.m., Freedom Embassy, 123 W. Allegan Ave., Suite 600, Lansing
- Breakfast Reception with Rep. Matt Hall (R-Comstock Twp.)**
Location: 8 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing
- 87th House District Candidate Will Snyder (R) Fall Breakfast Reception**
Location: 8 a.m., County Road Association of Michigan, 101 S. Washington Square, Unit 200, Lansing
- Rep. Stephanie Young (D-Detroit) Fall Breakfast Fundraiser**
Location: 8 a.m., Grand Traverse Pie Company, 200 S. Washington Square, Lansing
- Rep. Christine Morse (D-Texas Twp.) - Building Energy Breakfast**
Location: 8:30 a.m., Michigan Association of Counties, 110 W. Michigan Ave., Unit 200, Lansing
- Rep. Mary Cavanagh (D-Redford Twp.) - Hispanic Heritage Month Reception**
Location: 9:30 a.m., Karoub Associates, 121 W. Allegan St., Lansing, 9:30 a.m.

Sept. 28

Rep. Helena Scott (D-Detroit) Fall Fundraiser

Location: 10:30 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

Rep. Jack O'Malley (R-Lake Ann) Brunch

Location: 11 a.m., Marketing Resource Group, 215 S. Washington Square, Suite F, Lansing

Rep. David Martin (R-Davison) Reception

Location: 11:30 a.m., The Capitol White House, 322 W. Ottawa St., Lansing

54th House District Candidate Donni Steele Reception

Location: 11:30 a.m., Michigan Restaurant and Lodging Association, 225 W. Washtenaw St., Lansing, 11:30 a.m.

31st House District Candidate Dale Biniiecki (R) - Reception

Location: 11:30 a.m., The Boji Conference Room, 126 W. Allegan, 21st Floor, Lansing

Rep. Laurie Pohutsky (D-Livonia) - Back to Session Luncheon

Location: 11:30 a.m., Michigan Municipal League, 208 N. Capitol Ave., Lansing

80th House District Candidate Jeff Johnson (R) Reception

Location: 12 p.m., MLBA, 101 S. Washington Square, Suite 800, Lansing, 12 p.m.

Rep. Regina Weiss (D-Oak Park) - Fall Fundraiser

Location: 4:30 p.m., Kelly's Downtown, 220 S. Washington Square, Lansing

Sept. 29

22nd House District Candidate Cathryn Neracher (R) - Reception

Location: 7:30 a.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing

20th House District Candidate Noah Arbit (D) Fall Reception

Location: 2 p.m., Michigan Beer and Wine Wholesalers Association, 332 Townsend St., Lansing