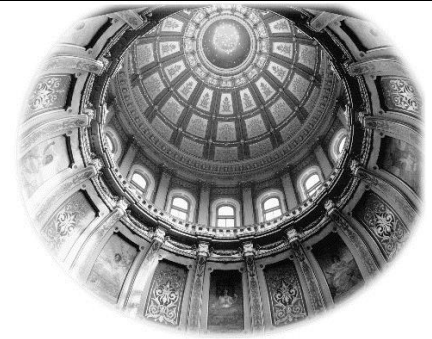


# CAPITOL NEWS UPDATE

WEEK OF October 17, 2014

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## **SNYDER SIGNS HUMAN TRAFFICKING BILLS**

Legislation (SB 584 and HB 5158) designed to protect Michigan citizens by making human trafficking punishable by imprisonment for life was signed into law this week by Gov. Rick Snyder. The measures also permanently create the state Human Trafficking Commission within the Attorney General's office.

The two bills are part of a large 21-bill package strengthening punishments and providing support for victims (Public Acts 324 through 344).

Among the legislation is making it a felony to solicit a person under 18 years old for prostitution, increasing fines for operating a place of prostitution, and holding individuals who do not report human trafficking practices accountable.

Support for victims includes ensuring access to medical assistance benefits for psychological and medical treatments through Medicaid or other insurance coverage as a result of being trafficked, vacating prostitution-related offenses from a victim's record, and allowing a victim's convictions as a result of forced trafficking to be set aside.

## **PUSH IS ON FOR 'DEBTORS PRISONS' BILLS**

A three-bill package of legislation (SBs 1113, 1114 and 1115) meant to address the concept of "debtors prison," where those unable to pay fines or court costs are placed in jail and incur additional fees is getting a bipartisan push for passage in the Senate before the end of this legislative session.

The measures would require socioeconomic status to be considered in a defendant's sentence and would allow for alternative payment plans or community service options if determined a defendant cannot afford legal costs. A mandatory fee cap a court can charge would also be set.

The bills' provisions would not apply if the court determined a defendant was able to pay, but unwilling to do so.

The legislation is likely to be referred to the Senate Judiciary Committee when the Legislature meets briefly on Oct. 22.

Committee Chair Rick Jones (R-Grand Ledge) says he likes the concept but isn't sure the bills can be pushed all the way to the governor's desk before session is finished.

## **NO SUPPORT FOR UTILITY INCENTIVES/PENALTIES**

A Michigan Public Service Commission (MPSC) staff report filed Oct. 1 has recommended against the use of utility incentives or penalties based on outages – something the utilities are not wild about either.

The staff report was a scheduled check-in on DTE Energy and Consumers Energy and their response to the December 2013 ice storm.

The utilities told the MPSC staff that "any financial incentives or penalties would be better spent on reliability works that would directly benefit customers." The staff agreed, reporting to the commission that

it “does not believe it would be appropriate to develop and implement new performance incentives or penalties.”

### **REVAMP OF FILM INCENTIVE PROGRAM IS POSSIBLE**

Identical bills (SB 1103 and HB 5878) in the Senate and House could bring about a revamping of the film incentive program in the lame duck session.

The legislation would remove the gradual sunset on the current law and removes references to Michigan expenditures, replacing them with references to facilities recognized as “qualified” filming studios under state law.

Senate Bill 1103 is up for discussion on Oct. 22 in the Senate’s Economic Development Committee.

The 2015 budget allocates \$50 million to film industry incentives, with \$25 million of the money ongoing into future years.

### **NEW LAWS TARGET DRUGGED DRIVERS**

Two new laws allowing police to conduct a preliminary roadside analysis for controlled and other intoxicating substances were signed into law this week by Gov. Rick Snyder.

The measures also subject drugged drivers to the same driver’s license restrictions as drunken motorists and give court officials the power to decide bail conditions for all driving impairments.

In addition, a conditional bond is to be placed on a motorist arrested for drugged driving with the information to be entered into a law enforcement data base.

Snyder also signed into law legislation requiring all new drivers be instructed on how to share the roads with motorcyclists and bicyclists.

### **TESLA IS TICKED OFF OVER AUTOMAKERS LEGISLATION**

Legislation (HB 5606) that would prohibit automakers from selling a vehicle “directly to a retail customer other than through franchised dealers” is Michigan has Tesla Motors upset. In other states the auto manufacturer sells its electric cars directly to buyers rather than through franchised dealers by operating its own galleries and taking orders over the Internet.

Tesla says a late change in the measure was designed to undercut discussions it was having with the Department of State about opening marketing and service centers in Michigan.

However, the Auto Dealers of Michigan says the language isn’t new because current law, MCL 445.1574, states that a manufacturer cannot “Sell any new motor vehicle directly to a retail customer other than through its franchised dealers, unless the retail customer is a non-profit organization or a federal, state, or local government or agency.”

The bill’s sponsor, Rep. Aric Nesbitt (R-Lawton), says although the bill was amended, “It still doesn’t have anything to do with Tesla.”

The measure has cleared the Legislature and is on Gov. Rick Snyder’s desk. He has until Oct. 21 to sign or veto the bill.

### **HOUSE DEMS: VOTE TO REPEAL PENSION TAX, IF...**

What comes as no surprise, the House Democrats say there will be a vote in the House to repeal the 2011 law that requires certain retirement income to be taxed – if they win control of chamber in the Nov. 4 election.

Democrats view the retirement income issue as a winning one, saying the “pension tax” was unfair and subjected seniors to tax hits they were not prepared for.

Republicans say removing the exemptions was all about fairness.

To be clear, under the law people born before 1946 faced no changes on how their pension income is taxed. People born between 1946 and 1952 got exemptions for the first \$20,000 of retirement income or \$40,000 if they file jointly. A person born after 1952 would have his or her pension taxed.

## **POLITICS AND POLLS**

**No debates.** WXYZ-TV in Detroit has scrapped a proposed debate between U.S. Senate candidates – Democrat Gary Peters and Republican Terri Lynn Land – after the two campaigns failed to come to an agreement on debate style by the station’s deadline. Also, it appears there will be no debate between Attorney General candidates Republican incumbent Bill Schuette and his Democratic opponent Mark Totten.

**Poll: Same sex marriage dead even.** A recent EPIC-MRA statewide poll of 600 likely gubernatorial election voters shows a 47-47 percent split on their support for gay marriage. In May of this year the margin was 47 to 46 percent in favor of the proposition.

**Poll: Affordable Care Act.** In the same poll, a 41 percent plurality said they want to keep the law but improve it. Another 20 percent said repeal and replace. Some 11 percent wanted the law left alone and 25 percent want a full repeal with no replacement. Three percent didn’t know.

## **M & M BRIEFS**

**Unemployment rate drops.** Not since March 2008 has Michigan’s unemployment rate been as low as it was in September when the seasonally adjusted rate fell to 7.2 percent – down 0.02 percent from August and 1.6 percent lower than it was in September 2013, according to the Department of Technology, Management and Budget (DTMB) data.

**MSHDA announces homeless aid.** The Michigan State Housing Development Authority (MSHDA) has announced a \$6.8 million Emergency Solutions Grant (ESG) to help the state’s homeless in 73 counties and will fund short-term leasing assistance, street outreach, case management and emergency shelter services.

**New law makes change in county commissioner requirements.** Gov. Rick Snyder has signed into law (PA 309) legislation (HB 5457) giving counties that have adopted a charter with a population of more than 600,000, flexibility in the number of county commissioners required. The requirement for commissioners under the new law is reduced from 25-35 members to 13-25 members.

**No more harassment from tow truckers.** Under a new law (PA 303), tow truck operators are now prohibited from harassing motorists at the scene of a car accident or disable vehicle. Under the legislation (HB 4545), tow operators who use aggressive badgering or unethical business practices will be fined \$1,000.

**COE judge to retire.** Michigan Court of Appeals Judge William Whitbeck has announced he will retire Nov. 21 after serving 17 years on the court. Appointed to the court by former Gov. John Engler in 1997, Whitbeck served as Chief Judge Pro Tem from 1999 to 2001 and Chief Judge from 2002 to 2007. The timing of his retirement will allow Gov. Rick Snyder to appointment a replacement before the end of the year, regardless of the outcome of the gubernatorial election.

## **CALENDAR OF IMPORTANT DATES**

Oct. 22	One scheduled day of session
Oct. 31	HALLOWEEN
Nov. 4	ELECTION DAY
Nov. 6	House/Senate sessions resume for three days

Nov. 13

House/Senate begin Thanksgiving break