



# KELLEY CAWTHORNE

## Prepared for the Fire Service Clients of Kelley Cawthorne

### Legislative Update for April 22<sup>nd</sup> – April 26<sup>th</sup>

A federal district court sent waves through Michigan's political circles on Thursday when it ruled that the state's congressional and state legislative district boundaries were unconstitutionally gerrymandered and ordered the legislature to redraw the maps for special elections to be held in 2020. At least 34 districts must be redrawn, including nine congressional seats, 10 state Senate seats, and 15 state House seats. The ruling has major implications for the state Senate, which would otherwise not be up for reelection until 2022. Republicans quickly indicated that they would appeal the decision.

The Senate Appropriations Subcommittee on Transportation moved its proposed budget this week. The budget fully implemented the 2015 legislative road funding plan early but did not include any money for Governor Gretchen Whitmer's proposed gas tax increase. Gov. Whitmer threatened to veto the bill if it was sent to her in its current form. Democrats and other groups criticized the bill, saying that it did nothing to address the state's infrastructure needs.

Other Appropriations Subcommittees began moving their budget recommendations as well, with the Senate Appropriations Subcommittee on Community Health and Human Services decreasing Gov. Whitmer's recommendation by \$34 million GF/GP for a gross decrease of \$4.2 million. The Senate Appropriations Subcommittee on General Government removed over \$76 million GF/GP from the executive recommendation, while keeping revenue sharing for local governments static. Senate recommendations for higher education and community colleges included only small funding increases, with the universities budget growing 1.4% and the community colleges budget rising 2%.

Resolutions in support of a Sandhill Crane hunting season and the delisting of Gray Wolves as an endangered species were reported by the Senate Natural Resources Committee on party line votes. The resolutions were supported by hunting groups but opposed by environmental and animal rights groups.

The Medical Marijuana Licensing Board met for the final time before its dissolution, approving all but four of the license applications on its agenda. The remaining four applications will be considered by the newly-formed Marijuana Regulatory Agency, which officially takes effect on April 30<sup>th</sup>.

HB 4001, HB 4002, and SB 2 were sent to Gov. Whitmer this week. The bill package requires a criminal conviction prior to the seizure of assets and provides a mechanism in the civil asset forfeiture process for the return of seized property.



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### Miscellaneous

The Senate Health Policy committee met this week and voted on SB 228. This legislation establishes a Suicide Prevention Commission. The commission will include a member appointed from the Michigan Association of Fire Chiefs and a member from the Michigan Professional Fire Fighters Union.

The committee also took testimony on SB 282 which was just introduced. The bill would amend the public health code to include:

--Delete a provision that requires a medical control authority to develop and adopt protocols to ensure that each life support vehicle that is dispatched and responding to provide certain medical support is equipped with opioid antagonists and that personnel are properly trained to administer them.

-- Modify a provision requiring a medical control authority to develop and adopt protocols defining the process, actions, and sanctions it may use in holding a life support agency or personnel accountable to refer instead to "emergency medical services personnel".

### Upcoming Committees:

**Committee** Natural Resources and Outdoor Recreation

**Clerk Phone Number** Amy Rostkowycz 517-373-1260

**Location** Room 326, House Office Building, Lansing, MI

**Date** Tuesday, 4/30/2019

**Time** 12:00 PM

**Agenda** [HB 4389](#) (Rep. Allor) Environmental protection; hazardous products; firefighting foam containing PFAS; require reports on use of and require department of environmental quality to accept for disposal.

[HB 4390](#) (Rep. Yaroch) Law enforcement; fire personnel; use of firefighting foam containing certain substances; prohibit in firefighter training, and require certain training on use.

[HB 4391](#) (Rep. Yaroch) Labor; health and safety; firefighting foam concentrate containing PFAS; require promulgation of rules regarding firefighters' use of.

OR ANY BUSINESS PROPERLY BEFORE THIS COMMITTEE

**Chair** Gary Howell



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## Upcoming Events:

Fire Services Coalition Meeting

April 29<sup>th</sup>

Kelley Cawthorne offices

1:00 PM

Fire OPS 101

May 20<sup>th</sup>

LCC Fire Academy

10 am – 2 pm

## Bill Introductions:

[HB 4490 of 2019](#)

Occupations; other; eligibility requirements for certain licenses and regulations under the skilled trades regulation act; revise. Amends sec. 105 of 2016 PA 407 (MCL 339.5105). TIE BAR WITH: HB 4488'19

[SB 0282 of 2019](#)

Health facilities; emergency medical services; protocol related to the use of opioid antagonists by life support agencies and emergency medical services personnel; remove. Amends sec. 20919 of 1978 PA 368 (MCL 333.20919). TIE BAR WITH: HB 4367'19, SB 0200'19

## Bill Activity:

### **PASSED, ENROLLED or ADOPTED By the CHAMBER**

[SB 0019 of 2019](#)

Public employees and officers; other; 1968 PA 317 regarding contracts of public servants with public entities; modify certain population thresholds. Amends sec. 3a of 1968 PA 317 (MCL 15.323a).

## Articles of Interest

Gongwer April 19<sup>th</sup>



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### Prepared for the Fire Service Clients of Kelley Cawthorne **[Bipartisan Bill To Allow For Microgrids Introduced In House](#)**

Legislation allowing critical facilities like hospitals to operate their own microgrids to receive power during outages and emergencies was introduced in the House this week with bipartisan effort.

**[Rep. Steve Johnson](#)** (R-Wayland) introduced **[HB 4477](#)** with co-sponsors including **[Rep. Yousef Rabhi](#)** (D-Ann Arbor). The bill would allow critical facilities to disconnect from the main electric grid and use electricity generated through alternative sources, like solar, during outages and emergencies.

Currently, facilities like schools, police and fire stations and emergency response centers are prohibited from generating their own renewable energy during main grid outages.

"During power outages and blackouts, customers that generate renewable energy aren't readily able to disconnect from the grid and use the energy they produce," Mr. Johnson said in a statement. "My legislation would promote resiliency by allowing energy customers to establish their own 'microgrids' to keep the lights on when the main grid fails."

The bill would require a study to determine how microgrids could be implemented broadly for residential users.

Mr. Rabhi said the bill would allow facilities like hospitals to have power during outages through their own energy sources.

"One of the reasons that is important is we saw in some places that have seen massive power outages, like Puerto Rico, people who had solar could not operate in island mode, even though they had the power to do that," he said.

Island mode means operating in isolation from the main grid.

Ed Rivet, the executive director of the Michigan Conservative Energy Forum, said the bill is a step in the right direction for energy independence, reliability and resiliency.

"This commonsense, bipartisan legislation will enable distributed energy producers to keep the power flowing during times of outages, utilizing their energy systems to their full potential," he said. "This is crucial for powering essential services and maximizing the value of renewable energy systems."



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The Michigan League for Conservation Voters said the bill would help protect the environment and make the grid safer.

"Ensuring critical facilities can use those systems during emergencies and power outages is win for public safety and the environment," Nick Occhipinti, government affairs director for the group, said in a statement. "We applaud Reps. Johnson and Rabhi for taking the lead on promoting clean, affordable and resilient energy in Michigan and we urge lawmakers on both sides of the aisle to support this legislation."

A similar bill was introduced last term as part of a broader package that saw opposition from Consumer's Energy and DTE Energy. Neither group could provide comment on the newly introduced bill before publishing time Friday.

MIRS April 19<sup>th</sup>

### **Panel Looks At How Much Corporations, Unions Can Put To Fundraiser**

How much a corporation, or "connected organization," can put toward fundraising events or raffle prizes for a political action committee (PAC), or "separate segregated fund," is the key issue in legislation proposed by Rep. Julie [CALLEY](#) (R-Portland).

The current number is 2.5 percent in Michigan. So, if that organization wanted to thank a contributor for a \$200 donation with a lapel pin, it couldn't be worth more than \$5, GOP elections attorney Eric **DOSTER** told the House Elections and Ethics Committee this week.

Federal election law allows up to one-third value of the funds raised.

🐾 [HB 4446](#) would raise the number to "a more modest" 10 percent.

"I would argue that if your true goal is transparency, you will adopt this," Doster told the committee.

Secretary of State Jocelyn **BENSON** disagrees, Legislative Liaison Jenita **MOORE** said. She believes it will expand the use of dark money by allowing corporations or unions to subsidize PAC fundraising.



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"I can understand, sort of, the claim that this would lead to less transparency because . . . those costs by the connected fund wouldn't be reported," Doster said. ". . . But I would tell the committee that electricity always flows to the path of least resistance."

His point being that the easier it is to comply with reportable, hard-dollar disclosure rules, the more often corporations and unions will go that route, as opposed to using soft-dollar routes like 527s or 501(c)4s, where contributions are not disclosed.

"They can put their money into independent expenditures, which are 100 percent discloseable, or they can put their money into, as you have seen for the last number of election cycles, in the non-discloseable unregulated issue ads," he said.

Doster contended that when the Legislature in 2017 clarified how independent expenditures are regulated, there was a huge shift away from issue ads back to PACs.

"So, if your goal is transparency, you need to adopt this, because the same thing will happen here," he said.

Moore disagrees. She contended it would expand the use of corporate and union funds in the political process by allowing fundraising expenses to be paid by those connected organizations.

"In effect, the funds will be used to subsidize the PAC with expenditures that the connected organization pays moving forward. These will be more funds for the PAC to distribute. It also very unclear to us as to the reporting of these expenses and it will be difficult for us to monitor those types of expenses," Moore said.

Calley said she's open to amendments on the bill and would be willing to accept a cap on the amount. She explained it is currently difficult to thank contributors for \$50 donations because, at 2.5 percent, it is difficult to find a gift or reward for less than \$1.25.

"I wasn't focused on the big money and I don't want to go there," Calley explained. "I'm looking for ways to allow organizations to bring new people into the system who are interested to learn more about it. Usually, once you give to an organization then you find out



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about the volunteer opportunities, or the chances to do doors and how to support a candidate. It's a starting step."

The bill would also make a series of technical cleanups to Michigan's campaign finance system, and Moore said the Secretary of State supports all of those proposed changes.

🐾 [HB 4446](#) would also:

- Eliminate the reference to "written instruments" for contributions and specify that credit and debit cards are acceptable methods.
- Allow for the use of secondary deposits to make joint fundraisers possible.
- Allow ballot question committees to file for a waiver if they will raise or spend less than \$1,000.
- Makes it clear that affirmative consent lasts until it is revoked, so that connected organizations don't have to get annual reaffirmation.
- And it eliminates the requirement for ballot question committees to file February quarterly reports.

"The reason that is not necessary any more is that we no longer have February elections. We had that requirement when we had February elections. A few years ago, the Legislature took out the February elections date so we don't need a February report. You already have the annual report that is due a couple weeks before that," Doster said.

Gongwer April 23<sup>rd</sup>

**EMERGENCY RESPONDERS:** Senate members voted to allow more communities have local elected leaders serve double duty as emergency responders.



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Under [SB 19](#), which passed 32-6, the population threshold would be raised from 25,000 to 40,000 for public servants elected in cities, townships and villages to also serve as emergency services