

KAROUB REPORT

PRIMARY DATE SET TO FILL THE PLawecki SEAT

August 30 is the date that Governor Rick Snyder has set for the special primary election date for the 11th House District seat vacated by the recent death of Representative Julie Plawecki (D-Dearborn Heights) who suffered a heart attack while hiking in Oregon with her two daughters.

One of the daughters, Lauren Plawecki, was the only Democrat to file to run for the remaining six weeks of her mother's term by the filing deadline. However, since Plawecki is the only candidate, the August 30 primary is likely to be cancelled. November 8 will serve as the general election date.

Both the primary and general election will be to fill the seat through the end of 2016.

Meanwhile, a group of suburban Wayne County Democrats picked Inkster City Councilmember Jewel Jones to replace Plawecki on the August 2 primary ballot for the legislative term beginning in January 2017.

GOVERNOR SNYDER NAMES NEW DEQ DIRECTOR

Governor Rick Snyder has tapped C. Heidi Grether, his administration's deputy director at the Michigan Agency for Energy (MAE), as director of the Michigan Department of Environmental Quality (DEQ).

Ms. Grether will become the permanent replacement to Dan Wyant, who resigned over the department's handling of the Flint water crisis. Interim DEQ Director Keith Creagh will return to his post as director of the Michigan Department of Natural Resources (DNR).

Prior to joining MAE, Ms. Grether worked for BP America. She has served as staff in both chambers of the Legislature, including legislative director for former Speaker Paul Hillegonds.

Environmental groups and Democrats were quick to pour gasoline on the appointment. The Michigan Democratic Party called Ms. Grether a "BP Oil Spill Spin Doctor." Progress Michigan selecting Ms. Grether to run the DEQ was like picking "a fox to guard the hen house."

Yet, according to the Governor's news release, Ms. Grether is an active member of many environmental advocacy organizations, including the Michigan Nature Association, the Nature Conservancy and the American Bird Conservancy.

Her appointment will be effective August 1, and is subject to the advice and consent of the Senate.

JUDGE BLOCKS STRAIGHT-TICKET VOTING BAN

U.S. District Court Judge Gershwin Drain has issued a temporary injunction against the straight-ticket voting ban (P.A. 268) declaring that the new law eliminating the option for voters to cast a straight-ticket ballot disproportionately harms African-American voters.

Both Attorney General Bill Schuette and Secretary of State Ruth Johnson have announced their intentions to file an appeal.

If left standing, the judge's decision would allow voters to vote a straight ticket in the November 8 general election.

Senate Majority Leader Arlan Meekhof (R-West Olive), who is urging an appeal, argues under the current law a voter can still vote a straight ticket. "You just have to check every box," he said.

PREVAILING WAGE WILL STILL PREVAIL...FOR NOW

House Speaker Kevin Cotter has announced the Republicans' effort to repeal the state's prevailing wage law will not be taken up in the House during the balance of this legislative session.

"It remains something that I would very much like to see done, but the Governor has been clear on his position on that issue," Cotter said.

In 2015, Governor Rick Snyder vocally opposed repealing the state's prevailing wage law.

The House and Senate made prevailing wage repeal the first three bills introduced for the 2015-16 session and the Senate passed all three that May. However, support for the repeal in the House has always been a question.

CONCERN RAISED OVER FUTURE OF MICHIGAN'S ELECTRIC RESERVES

The Michigan Public Service Commission (MPSC) is expressing concern about the potential for "reliability challenges" during peak demand times as soon as next summer. The Commission's concern follows a staff review of the adequacy of Michigan's electric generation capacity through 2020.

MPSC Chair Sally Talberg said the state is working with the Legislature on the issue. The energy reform legislation which is mired in the Legislature is, according to utilities and supporters, expected to get at this issue

Ms. Talberg said she is creating a section within the MPSC to work specifically on the resource adequacy issue.

Michigan has been relying on buying power from out of state to shore up its reserves, according to Ms. Talberg. But the issue now is that there is uncertainty on whether the power supply from around the region can help fill that gap.

It can take three years or longer for new generation facilities to come on line.

INJUNCTION GRANTED ON SENATE BILL 571 ELECTION LAW

U.S. Eastern District Court Judge Linda Parker has granted a preliminary injunction on a portion of the election law known as Senate Bill 571 (now Public Act 269) having to do with the section banning businesses from collecting union political action committee (PAC) money from their employees if the business has its own PAC for which it collects money through an automatic deduction.

Several unions brought the suit alleging the Act violates the First Amendment and contract clause of the U.S. Constitution.

Judge Parker said the law cannot survive "public scrutiny" and added there is a "strong likelihood" that the unions would prevail on their claims.

DEMS WANT EARLY VOTING AMENDMENT

A constitutional amendment (HJR PP) has been introduced by Representatives Jon Hoadley (D-Kalamazoo) and Gretchen Driskell (D-Saline) that would expand access to voting through four avenues of reform.

Called the "Voter's Bill of Rights," the amendment would provide for no reason absentee voting, early voting up to 15 days before election day, automatic voter registration and automatic processing of absentee ballots for any military service members overseas.

Should HJR PP make it to the floor, it would require a two thirds vote by both the House and Senate in order to appear on the ballot for voters.

STATE PICKS THE CONTRACTORS, ENBRIDGE PAYS THE BILL

The state has selected two contractors to perform a pair of analyses on the Enbridge pipelines running beneath the Straits of Mackinac. The analyses will be funded by the company but won't be complete until summer of 2017.

Dynamic Risk Assessments, Inc. will do the alternatives analysis. Det Norske Veritas will do the independent risk analysis.

According to a news release from Attorney General Bill Schuette's office, the state will oversee the studies and Enbridge will pay \$3.5 million into an escrow account to pay for them.

Mr. Schuette is a member of the Pipeline Safety Advisory Board.

GOVERNOR SNYDER TO FEDS: FUND NEW SOO LOCKS

A letter has been sent by Governor Rick Snyder to members of the Michigan Congressional delegation formally requesting the federal government pick up the entire tab to fully reconstruct portions of the Soo Locks.

Governor Snyder said if something were to happen with the Poe Lock, it would cause significant disruptions to the shipping of steel, causing production of almost all North American appliances, automobiles, railcars and construction, farm and mining equipment to cease.

SNYDER ASKS SUPREME COURT ABOUT STATE FUNDING FOR PRIVATE SCHOOLS

Governor Rick Snyder is seeking an advisory opinion from the Michigan Supreme Court about the constitutionality of the private school funding provision contained in the state's K-12 budget for next year.

The \$2.5 million in question was included to reimburse private schools for state mandated expenses. Governor Snyder asked the opinion be issued before October 1, when the law would become effective.

STATE: KEEP PRO-MARIJUANA QUESTION OFF THE BALLOT

The state of Michigan has asked the Court of Claims to reject the lawsuit that seeks to place the marijuana legalization issue on the November 8 ballot.

In a 20-page filing, the Attorney General's office rejected all of the plaintiffs' claims that the state imposed limitations on ballot proposals are unconstitutional.

ATTORNEY GENERAL BRINGS MORE CHARGES IN FLINT WATER CRISIS

Six more state employees have been charged in connection with the water crisis in Flint.

Three are employed with the Michigan Department of Environmental Quality (DEQ) and three with the Michigan Department of Health and Human Services (DHHS).

The charges range from misconduct in office, conspiracy to commit misconduct in office, conspiracy to tamper with evidence, tampering with evidence to willful neglect of duty.

Many of the charges against DEQ employees stem from Environmental Protection Agency (EPA) region 5 employee Miguel Deltoral and efforts to discredit his research into the city's water lead levels.

Warrants were requested by Jeff Seipenko, special agent with the Attorney General's Office, before Flint District Judge Nathaniel C. Perry III.

Lead investigating counselor for the Attorney General's probe, Todd Flood, said the six employees charged are not the end of the Attorney General's investigation.

Flood said he believes he has locked down the motive for state employees' actions to cover up reports about the lead levels in Flint, but declined to share specifics. But he said, "it's pretty obvious" there was coordination between the two departments involved in covering up reports.