

February 2020

SENATE INTRODUCES VAPING LEGISLATION

Vaping would be treated like a tobacco product under legislation (SB 781) introduced in the Senate.

The approach, according to bill sponsor Senate Minority Leader Jim Ananich (D-Flint), is more in line with what former Governor Rick Snyder and Governor Gretchen Whitmer support. It is part of a six-bill bipartisan package of legislation that requires a license to sell vaping products, creates marketing restrictions, age verification, and changes the legal smoking age from 18 to 21.

SUPREMES TO HEAR ARGUMENTS ON 15% PETITION SIGNATURE LAW

March 11 is the date set for the Michigan Supreme Court to hear oral arguments in a suit challenging changes in statewide ballot drives.

The court has asked the parties involved in *League of Women Voters v. Secretary of State* whether it should grant the Legislature's request to intervene in the lawsuit and whether the 15% cap on ballot proposal signatures per congressional district is constitutional.

HOUSE DEMS SEEKING AN ELECTION HOLIDAY

Would you like another holiday? Employees would get another day off for Election Day under a legislative package sponsored by House Democrats.

The five bill package (HBs 5447 through 5451) would allow, in addition to the employees' day off, clerks and inspectors to begin the process of counting absentee ballots early and set aside another \$3 million for local governments to purchase high-speed tabulators and other equipment as well as allow election workers to work in shifts and set aside \$1.5 million for clerks to increase the pay for election workers and hire new staffers.

After voters amended the state constitution in 2018 to allow all voters to vote by mail, there has been a surge in absentee ballot applications. Compared to approximately one month prior to the 2016 primary elections, the state has seen a 63 percent increase to more than 540,000 absentee ballot applications requested, according to a Secretary of State news release.

BENSON/CLERKS CALL FOR NO BALLOT CHANGES WITHIN 75 DAYS OF ELECTIONS

Secretary of State Jocelyn Benson and a bipartisan group of clerks have called on the state Legislature to pass a joint resolution that no new questions will be placed on ballots within 75 days of an election. The current deadline for the Legislature to add ballot questions is 60 days, leaving only 20 subsequent days for numerous processes to take place before the first absentee ballots must be mailed to voters.

GOVERNOR WHITMER SIGNS TELEPHARMACY LEGISLATION

Under legislation (SB 340) signed into law by Governor Gretchen Whitmer, people will be able to fill their prescriptions at “remote pharmacies” staffed by a pharmacist available through a live video feed.

The bill allows parent companies to operate telepharmacies supervised by a pharmacist at a parent pharmacy if located in Michigan. It also sets requirements for telepharmacies to meet in order to be approved by the Michigan Department of Licensing and Regulatory Affairs (LARA).

HORSE RACING LEGISLATION BACK AT THE STARTING GATE

If legislation introduced by Senate Minority Leader Jim Ananich (D-Flint) makes it around the legislative track to Governor Gretchen Whitmer’s desk, it is possible that horse race handicappers would be able to play a new form of betting known as “historical horse racing (HHR).”

Senate Bill 661 would allow race tracks to add HHR terminals that draw old races from a database of 100,000 races. In testimony given before the House Regulatory Reform Committee, Patrick Neely of Exacta Systems indicated the betting would be done in pari-mutuel fashion.

Mr. Neely contends that because the state already allows pari-mutuel racing on horse racing, historical horse racing would not count as an expansion in gaming and, therefore, would not require a referendum.

DEMS MOVE TO OVERTURN 2018 ENVIRONMENTAL LAWS

The green ooze that was found flowing onto I-696 from an old electro-plating business in Madison Heights is being used by House Democrats to highlight a package of eight bills they say will “provide real, tangible ways to hold bad actors accountable for the destruction they cause.”

The package (HBs 4386, and 5452 through 5456) would increase financial and criminal penalties for companies that poison the air, water, and land while incentivizing corporate leaders to behave more responsively, according to a press release.

SECRETARY BENSON: BRANCH SECURITY “A SIGNIFICANT ISSUE FOR US”

Secretary of State Jocelyn Benson is acknowledging that safety at branch offices is a top priority for her. Her comments came following published reports documenting more than 50 cases of disruptions in branch offices in 2019.

Ms. Benson asked Governor Gretchen Whitmer to spend \$790,000 on a pilot program in five branch offices to hire uniformed personnel.

The frustration is being triggered by persons waiting up to 58 minutes to get a driver’s license renewed, deal with a vehicle title problem, or apply for a driver’s license, and the frustrations are being taken out on the clerks.

ANOTHER TAX? THIS ONE ON PAINT CANS

Representative Rachel Hood (D-Grand Rapids), along with seven other House Democrats, is leading an effort (HBs 5366 and 5367) to put a 25-cent tax on a can of paint with the money to be used for lead abatement programs.

The ten-bill package would also require lead screenings to be part of a minor's immunization record, lower the threshold for the lead action level, shift burden of proof for lead-based paint hazards in rental housing units from the tenant to landlord, require a lead-based paint inspection and abatement for rental units upon a complaint from a renter, require a lead-based paint inspection before the sale or transfer of any house built before 1978, and prohibit the sale, manufacture, distribution and warehousing of adulterated cosmetic products.

WANT TO KNOW MORE ABOUT THE NEW NO-FAULT AUTO INSURANCE LAW?

The Department of Insurance and Financial Services is rolling out new resources to help Michigan drivers better understand the new no-fault auto insurance reforms that take effect July 1, 2020.

The department has launched a new website, www.michigan.gov/autoinsurance that details changes in the law. One can also talk to a live person by calling toll free at 833-ASK-DIFS (275-3437).

POLL: VOTE BY MAIL

A recent poll shows that a 60% majority of Michigan voters support moving to a vote-by-mail election system, while 32% object.

Likely voters were asked what state Legislators could do to improve the issue. Improving the voting process to make it more secure (31%), protecting voters from disinformation online (17%), both (40%), neither (5%) or didn't know or refused to answer.

The 1,200-voter survey was commissioned by the State Innovating Exchange, a non-profit that provides model progressive legislation.