

# Government Relations Coordinator Report

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The [2017-19 AAUW Biennial Action Priorities](#) are:

- To support a strong system of **public education** that promotes gender fairness, equity, and diversity;
- To achieve **economic self-sufficiency** for all women;
- To guarantee **equality, individual rights, and social justice** for a diverse society.

## OVERVIEW

This report covers legislative and other news since [my last report](#) dated November 17, 2017. The Michigan Legislature met until December 13, 2017, and returned January 10, 2018. They will meet Tuesday through Thursday until March 22, the beginning of a two week spring break, returning on Tuesday, April 10.

## LOOKING BACK TO 2017

**Women's March** – The January 21, 2017 Women's March in Washington DC was the largest single-day protest in U.S. history according to the Washington Post. The organizers of the march, which was sparked by Trump's inauguration, stated that their mission was to “create a society in which women — including Black women, Native women, poor women, immigrant women, disabled women, Muslim women, lesbian queer and trans women — are free and able to care for and nurture their families, however they are formed, in safe and healthy environments free from structural impediments.” The first anniversary of the Women's March will be in Las Vegas on Sunday, January 21, 2018 with the theme of *Power to the Polls*. Sister marches around the country are being held including on the Capitol steps in Lansing and many cities in Michigan.

**#MeToo** – In 2017 women spoke out openly and forcefully about their sexual harassment and sexual assault experiences at the workplace and in their schools using the Twitter hash tag #MeToo. Many powerful, yet abusive, men have seen their careers disintegrate after they were outed. The #MeToo movement includes women of all ages, races, and classes — showing the power of the collective voice in creating meaningful, substantial progress in the movement for gender equality.

**African-American women in Alabama** - In early December, 2017, Republican senate candidate Roy Moore — an accused child molester and sexual predator — lost to Doug Jones, who became the first Democratic senator from Alabama in 25 years. According to exit polls, 63 percent of white women in Alabama voted for Moore — an echo of how, in last year's presidential election, 53 percent of white female voters cast their ballots for a man who consistently degraded women and espoused anti-women's rights or paternalistic public policy positions. Crucial to Moore's defeat, however, were the 98 percent of black women who voted for Jones — who similarly had voted to defeat Trump in the 2016 election.

**Feminism, Word of the Year** – On December 12, Merriam-Webster declared that the word of 2017 was “feminism” based on the overall frequency with which the word was searched on Merriam-Webster's website, but particularly on spikes in searches related to a number of specific events throughout the year.

## STATE LEGISLATIVE ACTIVITY

**Nearly Full House** – With the two new female State Representatives winning their special elections last November (Rep. Sara Cambensy (D-Marquette) and Rep. Tenisha Yancey (D-Detroit), the Michigan House was, in December, at full complement with 63 Republicans, 47 Democrats, and 30 percent female representation, the highest in many years. Due to his election to mayor of the City of Lansing, Rep. Andy Schor (D-Lansing) resigned at the end of the year creating a vacancy which will be filled during the 2018 election cycle.

**Second Year** - The Michigan Legislature is entering the second year of the two-year 2017-18 legislative session. In 2017 the big stories were failed efforts by the House to reduce the income tax and to reform Michigan's No-Fault Auto Insurance system. Other attention-grabbing issues were making changes to school employee pensions again and some reforms to municipal employee pension systems. Going into the 2018 election year, it is less likely that highly controversial issues will be taken up due to the large number of legislators on the ballot in November. An increased personal income tax exemption has already had hearings and is likely to pass very soon.

**2018 Election Information** – The 2018 elections have been the focus of heightened political activity, much of it focused on women's increased political engagement and the large number of female candidates nationally. The Michigan primary is August 7 and the election is November 6, 2018.

- One of our state's US Senate seats is up for election. Debbie Stabenow (D-Lansing) is the incumbent running for re-election. The favored Republican challenger recently withdrew (Robert Young, Jr., former State Supreme Court Chief Justice).
- All 14 of Michigan's US Congressional seats are up for election and 3 are open seats. Sander Levin (D-Royal Oak, in the 9<sup>th</sup>) and Dave Trott (R-Birmingham, in the 11<sup>th</sup>) chose not to seek re-election; John Conyers (D-Detroit, in the 13<sup>th</sup>) resigned in December after sex harassment charges came to light.
- All 38 State Senate seats are up for election. The current partisan composition is 27 Rs and 11 Ds. 26 Senators are term limited and cannot run again (19 Rs, 7 Ds).
- All 110 State House seats are up for election. The current partisan composition is 63 Rs, 46 Ds with 24 termed out (11 Rs, 13 Ds). Several term-limited and non-term-limited House members have announced bids for open Senate seats resulting in a projected large turnover in the House. Democrats would need to retain 47 and flip 9 seats from R to D to gain the majority control of the House. Republicans need to retain at least 56 seats to maintain control.
- Governor, Lt. Governor, Secretary of State, and Attorney General positions are on the 2018 ballot due to term limits. The gubernatorial candidates run in the August primary so they are circulating nominating petitions at this time. The current favorites of the two major parties for Governor are current Attorney General Bill Schuette (R) and former Senate Democratic Leader Gretchen Whitmer (D). The Democrats will have an endorsement convention on April 15 at Cobo Hall in Detroit to choose candidates for Secretary of State and Attorney General. To vote there, one must be a member of the Michigan Democratic Party 30 days before the convention. There is a possibility of an all-female top of the Democratic ticket.

The Michigan Republican Party will have its nominating convention August 25 at the Lansing Center. To vote there, one must be a Republican precinct delegate selected by the voters in the August 6 primary and then elected at county Republican Party conventions in mid-August to be a delegate to the August 25 convention.

- Additionally, there are two Michigan Supreme Court seats, two seats on each of the three university boards and the State Board of Education on the state-wide ballot. Local judicial, county, and other local government races will be on the ballot as well.

In addition to electing candidates to office, voters will likely be asked to vote on a number of statewide ballot proposals though none yet have been approved by the Board of State Canvassers at this writing. Repeal of the prevailing wage on public construction projects, marijuana legalization, and redistricting reform ballot committees have all submitted petitions for review by the Board. Other circulating petitions would raise the minimum wage, establish a part-time legislature, and require earned paid sick leave benefits. A constitutional amendment petition drive called *Promote The Vote* sponsored by the ACLU, League of Women Voters, NAACP and others to expand voter rights will be announced January 22.

## **PUBLIC EDUCATION**

**Weapons in Schools** – [SB 584](#) and [SB 585](#) allow those with concealed pistol licenses with an additional 8 hours of training to carry pistols in gun-free zones, including daycare centers, schools, sports arenas, bars, hospitals, college campuses, and places of worship. The bills passed the Senate in early November. [SB 586](#) would forbid schools and any other public bodies other than the state from regulating firearms. The bills have been referred to the House Judiciary Committee and could be scheduled for a hearing at any time.

Governor Snyder vetoed similar bills in 2012 after the shooting of school children and school personnel at Sandy Hook Elementary School in Connecticut and has signaled no change of position on the issue.

Meanwhile the Michigan Supreme Court has granted oral argument in two cases involving the open carry of firearms in a school zone by concealed pistol licensees. Plaintiff open-carry gun rights advocates have lost at the appellate level, the court essentially affirming the right of school districts to ban guns on school property. Defendants are the Clio Area School District and the Ann Arbor Public Schools. SB 586 if enacted into law would nullify any Michigan Supreme Court decision adverse to plaintiffs.

**Public Funding of Private Schools** – On January 18, the Michigan House narrowly passed [SB 574](#) to allow charter schools access to regional enhancement millages. Eight Republicans joined all Democrats in opposing the bill for a vote of 55-52.

The bill would make public school academies eligible to receive a portion of funds obtained through regional enhancement property tax levies by an intermediate school district. The bill is not retroactive and would apply only to future renewals and millages. Charter schools are not eligible for property taxes, sinking funds or bond issues.

Two amendments were adopted to the bill on the House floor. They would require 100 percent of a cyber school's students to live in the same ISD to have access to the millage dollars, and make a charter school ineligible if in its two most recent financial audits there were unresolved material findings. Charter schools would also have to provide documentation that they have a special education program to have access to the dollars. The Senate will have to concur in the changes before the bill goes to Governor Rick Snyder.

**Union Leave Time** – The House Liability and Reform Committee held a hearing January 18 on [HB 5368](#), introduced by Representative Pamela Hornberger (R-Chesterfield), to prohibit public school employees from counting union leave time toward their pension credit. Although the bill would primarily impact those who are on full-time paid union leave, it could potentially affect any worker who took union leave in order to conduct business for the collective bargaining unit (including contract negotiation, grievance procedures, etc.). The committee did not take a vote on the bill at the hearing.

**Ed Development Plans** – The Senate Economic Development and International Investment Committee has reported out along partisan lines [SB 684](#) and [685](#). SB 684 would require educational

development plans to provide information on various careers and potential wages, give opportunities for students to explore potential career interests and allow students to develop a talent portfolio.

SB 685 would require that school improvement plans include programs to provide students in grades six through 12 with work-based learning activities to allow contact with experts in various fields as well as ensure students are capable of making and using a resume, reference letters, school records and talent portfolios. From the testimony at the hearings it appears that employers want the schools to expose students to a variety of careers, not just steer all students toward college preparation curricula. No appropriation is attached to the bills.

**School Deed Restrictions** – On the way to the Governor is [SB 702](#) which would amend the Educational Instruction Access Act to prohibit a school district or local government from refusing to sell property to a charter or public school or from taking other actions designed to keep those entities from using the property for a legitimate educational purpose. SB 702 is intended to prohibit deed restrictions on school buildings. The bill was introduced December 5 and went through committees and both chambers by January 16. Apparently the bill was in response to a Detroit Public Schools Community District lawsuit in which the district transferred a school building to the Detroit land bank, which had then refused to sell it to a new charter school because a deed restriction prohibited its sale to another educational institution.

**Sex Ed and Sex Harassment** – State Rep. Abdullah Hammoud (D-Dearborn) has introduced [HB 5336](#) which would modify the statute concerning sex education to include sexual harassment and sexual violence prevention.

**Enhanced Education Savings Accounts** – [SB 544](#) -48 and [HB 5428](#) would create a Part 2 within the Michigan Education Savings Program (MESP) Act, to establish an “enhanced” MESP, or E-MESP. E-MESP would allow parents to create a savings account for each of their dependents, with funds to be used for “eligible services” (typically non-core instructional courses). The bills have had one hearing in the House Education Reform Committee. Those opposing the bill include the Michigan League for Public Policy, the Department of Education, and the Michigan Association of School Boards.

## **ECONOMIC SELF-SUFFICIENCY**

**Pay Equity** –The 2018 **national and Michigan Equal Pay Day in Lansing will be Tuesday, April 10, 2018**. Save the date and plan events in your branch and community to draw attention to the wage gap between men and women.

The [equal pay package of bills](#) introduced on April 25, 2017 have not moved since their introduction.

**State Income Tax Fever** – The federal Tax Cuts and Jobs Act zeroed out the federal personal income tax exemption of \$4000. Since that exemption was carried over to the Michigan income tax, the effect would increase Michiganders income taxes to the tune of \$1.5 billion. The Governor suggested a \$4,500 state personal exemption as an opener. On January 17, the Michigan Senate unanimously passed [SB 748](#), which would increase the personal income tax exemption to \$5,000 by 20121. The estimated cost of the tax cut is \$210 million, with the average cut for a family of four being about \$125. [SB 749](#) would allow a tax credit equal to 100 percent of the federal Household and Dependent Care Credit, also known as the child care credit. The child care credit would reduce state revenues \$81.2 million annually.

The House Tax Policy Committee on the same day took up [HB 5420](#), [HB 5421](#) and [HB 5422](#). The first two bills increase the personal exemption to \$4,800. HB 5422 is a proposed \$100 tax credit for those 62 and older. Education groups and the Michigan League for Public Policy expressed concern

about how the state could continue to fund education, social programs and other commitments, like road funding, with increasing tax expenditures in these bills.

**Pre-nuptial agreements** - [HB 4751](#) sponsored by Rep. Klint Kesto (R-Commerce Township) would amend current law concerning prenuptial agreements, which is a contract relating to property made between persons in contemplation of marriage. Generally speaking, the bill would render a prenuptial agreement unenforceable if certain factors can be proven, such as duress or unconscionable terms, putting into statute what is generally in common law.

The measure passed the House along party lines and was referred to the Senate Families, Seniors and Human Services Committee where a hearing was held on November 29. Senator Bert Johnson (D-Highland) attempted two amendments that failed. The bill was reported for consideration by the full Senate.

## **EQUALITY, INDIVIDUAL RIGHTS, AND SOCIAL JUSTICE**

**Sex Harassment in the Legislature** - From 2000 through 2010, the Michigan Senate spent \$269,000 investigating and settling sexual harassment complaints according to reports from the Senate Business Office provided to Gongwer News Service. Since 2011 it had spent nothing on such cases, it claimed. Specific detail on the amount of money involved for each case and the identity of those accused was not provided. The Legislature is exempt from the Freedom of Information Act so Gongwer used the Constitutional provision concerning disclosure of public spending to surface the information.

In the wake of sexual misconduct allegations sweeping legislatures across the country, both the Michigan House and Senate are planning to step up their training to prevent sexual harassment. The legislative Progressive Women's Caucus formed a task force regarding sexual harassment last year and has sent the House Business Office some recommendations on changes in procedures and training.

State Representative Gary Glenn (R-Midland) has introduced [HB 5405](#) which would prohibit use of public funds to settle sexual harassment claims against public officials. However, shifting the cost of the remedy to the individual public official might have the effect of denying compensatory or punitive damages to the complaining party. The bill has been referred to House Appropriations Committee.

**Nassar Case** – Reportedly bills are being developed to strengthen Michigan laws to increase transparency, reporting, and the statute of limitations on cases of sexual assault and abuse in response to Michigan State University's handling of complaints about the sexual assaults by former physician Larry Nassar. One idea is to include language in the next higher education budget to require university presidents to receive all complaints of sexual assault or abuse. Another is the creation of an appeals process for students who have filed Title IX complaints, to allow them an appeal through Children's Protective Services or an independent prosecutor. Legislation to make coaches mandatory reporters of sexual assault or abuse to Children's Protective Services is likely to be introduced. Raising the penalties for those who are required to report abuse but fail to do so is also being considered.

The Michigan Senate has already passed unanimously [SB 52](#) sponsored by Sen. Steve Bieda (D-Warren) that would allow a prosecution at any time for second-degree sexual conduct if the victim was younger than 16. In cases of third-degree criminal sexual conduct, the bill would increase the statute of limitations from 10 to 20 years after the offense or the victim's 31st birthday, whichever is later. The bill has been referred to the Michigan House Committee on Law and Justice.

**Embryo and Fetus As a Person** – [HB 4500](#), legislation that would count an embryo or fetus as a person when calculating the number of victims of a crime that passed the House in early November



despite our opposition, has been assigned to Senate Judiciary Committee chaired by anti-abortion zealot Sen. Rick Jones (R-Grand Ledge). I will again use the National Advocates for Pregnant Women legal analysis with Senators in trying to defeat the bill. Michigan already has a well-written law to enhance penalties for injury to a pregnant woman. Including an embryo or fetus as a person in sentencing guidelines is one step toward enlarging fetal rights over a pregnant woman's rights that could be used in other contexts by the courts and anti-abortion advocates to criminalize abortion.

**Female Genital Mutilation** – The Governor signed an extensive package of bills on July 11, 2017 establishing criminal penalties for female genital mutilation under Michigan law. [HB 4716](#), would require termination of parental rights for subjecting a child to undergo female genital mutilation. The bill passed both chambers and the Governor signed it on December 7.

**Prostitution** – The Governor signed on December 13 [HB 4355](#) which amends the Michigan Penal Code to remove the immunity from prosecution of a law enforcement officer for various prostitution-related offenses if the officer engaged in sexual penetration while in the course of his or her duties.

**Cyberbullying** – PA 241 of 2011, known as Matt's Safe School Law for Matt Epling, an East Lansing student who committed suicide after being bullied, requires all school districts in the state to implement, and publicize, an anti-bullying policy. Cyberbullying was added to the law in 2014.

[HB 5017](#) and [5018](#) are amendments to the penal code to make cyberbullying a criminal offense in Michigan. A cyberbullying misdemeanor would be those acts on the internet that cause the victim to suffer an assault or an assault and battery—whether the person committed the assault or it was committed by another. A cyberbullying felony would cause death of the victim and the perpetrator would be subject to imprisonment for not more than 20 years or a fine of not more than \$5,000 or both. The bills had three hearings in the House Committee on Law and Justice in December and January.

**Voter rights** – In late November Democrats introduced yet more voting rights bills addressing electronic voter registration ([HB 5262](#), [5263](#)), requiring landlords to provide new tenants with voter registration information ([HB 5266](#)), expanding absentee voting to first-time voters ([HB 5267](#)), automatic voter registration ([HB 5268](#) – 70), changing high-dollar campaign contribution limits to \$1 ([HB 5276](#)). Republicans introduced bills to modify campaign statement filing schedules ([HB 5322](#)), prohibit use of public funds to settle claims or pay judgments involving gross negligence, intentional misconduct or criminal conduct of public officials ([HB 5397](#)), and a procedure for the governor to fill House or Senate vacancies by appointment from three names selected by the former legislator's local political party ([HB 5410](#)).

**Get involved!** – If you want to stay informed about the AAUW of Michigan's legislative activities, "Friend" the [AAUW of Michigan's Facebook page](#) where I post directly from hearings and articles related to our public policy program issues are posted. Join the AAUW of Michigan's Virtual Lobby Corp by emailing [mivoter@aauwmi.org](mailto:mivoter@aauwmi.org) , or get involved with your local branch's Public Policy Committee. And be sure to sign up for national AAUW's Two-Minute Activist at [www.aauw.org](http://www.aauw.org) .