



## LEGISLATIVE UPDATES

**1.State of the State:** The Governor delivered the State of the State on Wednesday, January 24, 2024. Whitmer called for the policy goals including:

- rebates for buying a new car
- \$14B to build or rehabilitate housing
- free pre-K
- free community college
- \$5000 income tax credit for family caregiver
- finish spending road money
- tax credits for research and development
- revive the Good Jobs for MI program

**2. Composition of the MI Senate and MI House:** The House is 54 D - 54 R until special elections are held for the two vacancies. Democrats keep control in the House. The Senate is still 20 D–18R.

**3.Special Elections:** The Governor called special elections for a primary and general election to replace the two House members who resigned, State Representative Lori Stone, who previously represented the 13th House District, to mayor of Warren and State Representative Kevin Coleman, who previously represented the 25th House District, to mayor of Westland.

The primary was held on January 30<sup>th</sup>, the candidates for the general election to be held on Tuesday, April 16, 2024 are:

The candidates for District 13 are: Ronald Singer (R), Mai Xiong (D)

The candidates for the 25<sup>th</sup> District are: Peter Herzberg (D), Josh Powell (R),

**4. Legislative Session:** The legislature returned on January 10, 2024 and have posted their calendars through June. The Legislature usually meets Tuesday, Wednesday and Thursday. Michigan is one of nine states with a full time legislature.

Laws that have been enacted in 2023 that do not have a specific date in the law or were not given immediate effect will take effect on February 13, 2024.

All bills die at the end of 2024 as well as the terms for people currently serving in the Michigan House of Representatives. All members of the MI House of Representatives (110) will be up for election in November 2024. Senators have two more years in their 4-year terms. Senators will be up for election in November 2026. The Governor's election also will be in November 2026. (MI Constitution Article IV, Section 13, Section 28)

**5. Redistricting:** *Agee v. Benson* (USWDM Docket No. 22-00272) On March 23, 2022, a group of Michigan voters filed a federal lawsuit against Michigan's Secretary of State and the Michigan Independent Citizens Redistricting Commission (MICRC). *Agee v. Benson* is a federal redistricting litigation case challenging Michigan's state legislative maps for violating Section 2 of the Voting Rights Act (VRA) and the Equal Protection Clause of the Constitution. This challenge concerns the ability of Black voters to elect candidates of their choice. The plaintiffs requested a court order requiring the MICRC to either redraw the districts not in compliance with the VRA and 14th Amendment or to adopt a

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proposed remedy map. The lawsuit was tried in the Western District of the Federal Court on November 1-3 and 6-8, 2023 in front of a three Judge panel.

On December 21, 2023, Federal District Court issued two opinions, that the Commission used race as the primary factor in drawing the maps for 12 districts and therefore, violated the 14th Amendment (Equal Protection Clause) of U.S. Constitution so maps will be redrawn. The House maps are being redrawn for the House elections in 2024. The Senate maps will be redrawn later and take effect for the 2026 election.

An appeal was filed in the U.S. Supreme Court and the court decided on January 22, 2024, not to issue a stay in the case.

The schedule for drawing the maps and more information is available at <https://www.michigan.gov/micrc> The MICRC will submit maps to the court by February 2. There will be a public hearings in February. The Federal District Court will decide on final maps for the House by March 29, 2024 for the 2024 elections.

By April 12, the two parties and court will agree on a process for drawing the 6 Senate districts for the election in 2026.

The districts impacted are:

- House District 1: Rep. Tyrone Carter, D-Detroit
- House District 7: Rep. Helena Scott, D-Detroit
- House District 8: Rep. Mike McFall, D-Hazel Park
- House District 10: House Speaker Rep. Joe Tate, D-Detroit
- House District 11: Rep. Veronica Paiz, D-Harper Woods
- House District 12: Rep. Kimberly Edwards, D-Eastpointe
- House District 14: Rep. Donovan McKinney, D-Detroit
- Senate District 1: Sen. Erika Geiss, D-Taylor
- Senate District 3: Sen. Stephanie Chang, D-Detroit
- Senate District 6: Sen. Mary Cavanagh, D-Redford Township
- Senate District 8: Sen. Mallory McMorrow, D-Royal Oak
- Senate District 10: Sen. Paul Wojno, D-Warren
- Senate District 11: Sen. Veronica Klinefelt, D-Eastpointe

**6. Presidential Primary:** Dems voted to move the presidential primary to Tuesday, Feb 27, 2024. The candidates for the Democratic primary are: Joe Biden, Dean Phillips, and Marianne Williamson. The candidates for the Republican primary are: Doug Burgum, Chris Christie, Ron DeSantis, Nikki Haley, Asa Hutchinson, Vivek Ramaswamy and Donald Trump. Republicans are holding a hybrid caucus system. On Feb 27 Republican presidential primary will allocate 16 delegates, and March 2 closed congressional district caucuses will allocate 39 for a total of 55 delegates.

**7. State Legislators Not Running for Re-Election:** Representative Bob Bezotte (R-Howell), Representative Andrew Fink (R-Hillsdale), Representative Dale Zorn (R-Onstead), and Representative Christine Morse (D-Texas Township). Additionally, Senator Kristen McDonald Rivet (D-Bay City) is running for Congress.

**8. Line 5:** In the case *Bad River Band v Enbridge* filed in U.S. District Court, on June 16, 2023, the Judge ruled Enbridge had to shut down. On July 6, 2023, Enbridge filed an appeal with U.S. Court of Appeals for 6<sup>th</sup> Circuit and it is reviewing the previous court decision. The Army Corps of Engineers is reviewing a request for a permit to begin the tunnel project. Federal advocacy efforts are focused on securing revocation by President Biden of the presidential permit required for Enbridge to operate the Line 5 pipeline. On December 1, 2023, the MI Public Service Commission approved a permit to move Line 5 pipeline into an underground tunnel with conditions. Efforts are underway to get President Biden

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to shut down Line 5. [Urge President Biden to Act on Line 5 - Oil & Water Don't Mix \(oilandwaterdontmix.org\)](https://oilandwaterdontmix.org)

**9. Income Tax Lawsuit:** The Mackinac Center and others have filed a lawsuit contending that the income tax rollback from 4.25% to 4.05% is permanent and not for one year. In December 21, MI Court of Claims ruled that the rollback was for one year. *Associated Builders and Contractors et al. v Eubanks*

**10. Right to Life Lawsuit:** *Right to Life v Whitmer* is a federal lawsuit filed 11/8/23 against Governor Gretchen Whitmer and other state officials. It seeks to invalidate Proposal 3 arguing the 2022 ballot proposal created an illegitimate "super-right" to abortion that violates the U.S. Constitution. The case is in federal Western District Court.

**11. Ballot Proposals:** Proposals approved by the Board of Canvassers:

1. Legislative Initiative to expand the Freedom of Information Act to include the executive and legislative branch – circulating petitions
2. Legislative initiative to allow good time credits for prisoners – circulating petitions
3. Legislative initiative to increase the minimum wage – turned in signatures, Board of State Canvassers deadlocked on the decision of whether there were enough valid signatures submitted.
4. Referendum on PA 38 of 2023 – the extreme risk protection order. Circulating petitions
5. Legislative initiative to repeal the siting law recently passed by the Legislature in the climate change package.

**12. Freedom of Information:** Two bills, SB 669 & 670, were introduced on November 9, 2023 that would expand FOIA for the MI Legislature and the Governor's office. LWVMI supports these bills. A hearing may be held on February 7 in the Senate Oversight Committee.

**13. Court Cases about former President Trump:** *LaBrant v. Benson*, *Trump v Benson*, *Davis v Benson* are cases deciding whether former President Trump will be on the ballot. On November 14, 2023, Court of Claims Judge James Redford held for all three cases that the Secretary of State has no authority to decide whether he should remain on the ballot. On December 14, 2023, Court of Appeals rejected challenges to the case. On December 27, 2023, the MI Supreme Court said it would not hear the case. Meanwhile the U.S. Supreme Court is considering similar proposals adopted by other states.

**14. Financial Disclosure by Elected Officials:** The Michigan House of Representatives and the Michigan Senate passed bills at the beginning of November, as required by passage of Proposal 1 in 2022. SBs 613-616 and SB 374 specify what information must be disclosed for public information and when. The first filing will be on April 15, 2024 for the previous calendar year. The Governor signed the bills into law.

**15. SOS Benson Court Case on Voting Rules:** The Secretary of State issued rules in May 2022 that required poll challengers and poll watchers appointed by political parties to obtain credential and be barred from carrying phones or speaking with election inspectors. The rules were challenged in court, *Halloran v. Benson*. On October 17, 2023, the Michigan Court of Appeals ruled the SOS had exceeded her power and not followed proper procedure to implement the rules. The SOS will appeal to the MI Supreme Court.

**17. "Adopt and Amend" Case:** Arguments in *Mothering Justice v. Attorney General* (MSC Docket No. 165325), known as the "adopt and amend" case, was heard by the MI Supreme Court on December 7, 2023. The case also will decide whether two controversial 2018 initiative petitions can take effect: one that called for raising Michigan's minimum wage to \$12 per hour by 2022 and bringing the tipped minimum wage up to the regular minimum wage and another that mandated paid sick time for workers.

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**18. Reproductive Freedom:** On December 13, 2023, the U.S. Supreme Court announced it will hear arguments in *Alliance for Hippocratic Medicine v. FDA* that would threaten access to mifepristone, one of the two drugs used in medical abortions. March 26 is the hearing date before the U.S. Supreme Court. Numerous lawsuits are underway in states that ban abortions.

After new laws take effect on February 13, 2024, Michigan will still have laws that ban Medicaid funding for abortion, require a 24 hour waiting period and parental consent for an abortion.

**19. Voting Rights:** Numerous laws take effect on February 13, 2024. To know more about your voting rights go to the following websites: [Michigan Voter Information Center \(state.mi.us\)](https://www.state.mi.us/voting) and [Michigan Voting](#)

**20. Legislative Interviews conducted by local Leagues:** MI House of Representatives Districts (110) completed - 5, 8, 23, 32, 33, 38, 40, 41, 47, 48, 85, 86, 108, 109. MI Senate Districts (38) completed – 13, 14, 15, 19, 31, 37, 38.

**21. Status of Legislation:** An updated list of legislation supported and opposed by LWVMI and its status is available on LWVMI website. Most take effect on February 23, 2024. Major legislation that passed in 2023 and supported by LWVMI include:

- Climate Change
- Earned Income Tax
- Firearm Safety
- Reproductive Choice
- Voting Rights

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