



WEEKLY LEGISLATIVE REPORT

October 31 2008

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Please route to all interested parties in your township.

COURT UPHOLDS BAN OF CAMPAIGN PARAPHERNALIA IN POLLING PLACES

On Tuesday, federal Judge Patrick Duggan upheld Michigan's law banning campaign materials from the polling place. The American Federation of State, County and Municipal Employees Council 25 had argued that the law, on Michigan's books since the 1950s, oppresses a voter's right to freedom of expression. Meanwhile, the state had argued that the law was intended to prevent intimidation and to preserve the sanctity of the voting place. With the court decision, election inspectors should still enforce the state law, but as always, should do so in such a way that does not deny the voter an opportunity to vote. Voters should be politely asked to remove campaign buttons or hats and cover up campaign t-shirts while in the polling place or within 100 feet of an entrance to the polling place.

U.S. APPEALS COURT DECISION PUTS "REJECTED" VOTERS ON ACTIVE VOTER ROLL

Despite state arguments to the contrary, the U.S. Sixth Circuit Court of Appeals decided to keep voters whose registration identification cards were returned as undeliverable on the registration rolls. The court's 2-1 majority upheld an earlier federal district court decision which blocked state efforts from purging the names from the Qualified Voter File. The decision affects those voters who, since Jan. 1, 2006, were changed from active to rejected because their voter registration cards were returned as undeliverable. The decision applies to approximately 5,500 people statewide, including around 1,500 who had registered in 2008. With the decision, officials with the Department of State are working to reinstate the names, but promise to pursue the matter in the courts for future elections.

GOVERNOR REORGANIZES STATE DEPARTMENT TO EMPHASIZE ENERGY

Earlier this week, Gov. Jennifer Granholm issued an executive order changing the Department of Labor and Economic Growth into the Department of Energy, Labor and Economic Growth. The governor's action is an effort to place a high emphasis on energy as a key component to turn around Michigan's economy and to consolidate related functions in one department. Under the realignment, the department will oversee the development of alternative energy sources and conservation programs. These functions previously resided with the Departments of Agriculture and Environmental Quality, respectively. The governor also named Skip Pruss, her special advisor on energy and former deputy director of DEQ, as the new department director. Executive Order 2008-20 will stand unless both the House and Senate take action within the next 60 days to disapprove the order. In addition, the Senate has 60 days to confirm Skip Pruss as the new director of the reorganized department.

PROPOSAL WOULD AMEND PROCESS TO FILL LIEUTENANT GOVERNOR VACANCY

Before the votes are even counted, many are speculating that Gov. Jennifer Granholm may be off to Washington, D.C., to join a new Obama administration. Should that occur, Lt. Gov. John Cherry would move up to become governor. But who would be the next lieutenant governor? Currently, the state constitution leaves the position vacant. The next person in line to become governor would be Secretary of State Terri Lynn Land, who under the current scenario is from a different political party. Rep. Steve Bieda (D-Warren) has introduced House Joint Resolution (HJR) 000 to allow the person ascending to the position of governor the opportunity to appoint a lieutenant governor. Under HJR 000, the House and Senate would then have an opportunity to approve the appointment. HJR 000 could see action in the lame duck session.

TUESDAY'S ELECTION COULD SEE RECORD TURNOUT

Secretary of State Terri Lynn Land is predicting that more than 5 million Michigan voters could participate in next Tuesday's election. Should that prediction hold true, it would equal roughly 70 percent of all Michigan registered voters who will take part in the election. The MTA legislative staff wishes all clerks a smooth and well run election and best wishes to all candidates!

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