



This Week in Lansing

MHSA • Muchmore Harrington Smalley & Associates, LLC

Highlights of the Latest Major Legislative, Administrative and Regulatory Activity in the State Capitol

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FORMER PRESIDENT BARACK OBAMA VISITS MICHIGAN – Last Saturday, *former President Barack Obama* visited southeast Michigan to campaign for Michigan Democrats in advance of the November 8th General Election.

In the gymnasium at Renaissance High School, the former president, *Governor Gretchen Whitmer* and other top Democrats urged supporters to keep fighting to elect Democrats. *Mr. Obama* spoke on the different issues facing Michigan voters, as well as promoting the different Democratic candidates on the ballot. *Mr. Obama* praised *Governor Whitmer's* work in her first term, specifically highlighting the record funding for education and fighting to protect reproductive rights for women, among others. *Mr. Obama* contrasted the *Governor* against *Tudor Dixon*, who the former president lumped in with most Republican leaders whom he said lack policy ideas or solutions to problems facing residents but seek to be divisive and angry. *Governor Whitmer, Lt. Governor Garlin Gilchrist, Attorney General Dana Nessel, and Secretary of State Jocelyn Benson* all spoke at the event.

Michigan Republican Party Communications Director Gustavo Portela bashed the event in a statement released prior to the start of the rally, referring to it as a last-ditch effort to prop up what he called a failing campaign. Specifically, *Mr. Portela* said, “*Gretchen Whitmer's* desperation is showing as she brings in establishment reinforcements to campaign with her ahead of Election Day. *Barack Obama's* presence in Michigan does not signal what she thinks it does, as he reminds voters of a broken economy, corruption, and the DC elite politicians Michiganders continue to reject. *Tudor Dixon* handily beat *Whitmer* in both gubernatorial debates, and *Whitmer* knows it. *Whitmer's* sinking ship is on its way down due to her own failures and not even a last-ditch effort by *Barack Obama* can save her.”

MSC SUSPENDS COURT ORDER INVALIDATING ELECTION CHALLENGER GUIDANCE – On Thursday afternoon in a 5-2 ruling, the *Michigan Supreme Court (MSC)* suspended a *Michigan Court of Claims* order supported by Republicans that requires revisions to the instructions for election observers planning to monitor polling locations and absentee ballot counting rooms for the upcoming General Election. The court's order leaves in place the poll challenger guidelines used in the recent August Primary Election for the General Election.

Secretary of State (SOS) Jocelyn Benson and other election officials in Michigan raised concerns over the last-minute revisions ordered by the *Michigan Court of Claims*, claiming they would cause confusion at the polls and counting rooms. *MSC Justices Elizabeth Welch* and *Richard Bernstein*, both Democratic Justices, echoed these concerns in their concurring statements. Specifically, *Justice Welch* rebuked those who brought the lawsuits for waiting until the midterm election was just over a month away. She continued to highlight that the lawsuits were not filed until late September, but the manual on election challenger guidelines was issued in May. *Justice Bernstein* said that inaction by the *MSC* to suspend the

lower court order could create massive challenges for election administrators. **Chief Justice Bridget Mary McCormack**, as well as **Republican Justice Elizabeth Clement** and **Democratic Justice Mary Cavanagh** sided with **Justices Welch** and **Bernstein**.

SOS Benson and Michigan's election director **Jonathan Brater** originally filed an appeal with the **Michigan Court of Appeals** a day after the **Court of Claims** ordered revisions to the manual. When the appeals court did not weigh in on the matter by the deadline requested by **SOS Benson** and **Mr. Brater**, the two of them asked the **MSC** to stay the lower court order pending appeal.

Republican Justice Brain Zahra in a dissenting statement doubted the claims by election officials that the lower court's last-minute changes to the poll challenger manual would create logistical hurdles and require retraining thousands of election workers. **Republican Justice David Viviano** sided with **Justice Zahra**.

MICHIGAN GOP TO APPEAL POLL WATCHER CASE IN FLINT – This week, the **Michigan Republican Party** expressed outrage over a Genesee County judge's dismissal of a lawsuit the GOP filed last week alleging Flint election officials did not properly appoint poll watchers.

The lawsuit was filed last Friday in the **Genesee Circuit Court** and alleges the city failed to appoint an equal number of Republican inspectors as required. However, **Genesee County Judge Mark Latchana** dismissed the complaint filed by the **Michigan Republican Party** and **Republican National Committee** after a hearing on Wednesday. **Judge Latchana** said the two organizations do not have the legal standing to bring the complaint under state law. **Judge Latchana** said only county chairs can bring forward such complaints.

Following this ruling, the **Michigan Republican Party** released a statement through their communications director, **Gustavo Portela**, saying, "Flint has over 80 percent Democrat inspectors, and over 90 percent Democrat inspectors for the Absentee Vote Counting Boards. This is unacceptable. The **Republican Party** sued to enforce this provision and Flint hired **Gretchen Whitmer's** counsel to defend them. Today, a **Whitmer** appointed Judge agreed with **Whitmer's** counsel that the **Republican Party** doesn't have standing to litigate and defend Republicans. This is wrong and will be appealed."

ELECTIONS

- **Secretary of State (SOS) Jocelyn Benson** announced this week that almost two million absentee ballots have been requested by Michigan voters with a week to go before the election. Of the two million requested ballots, 1.1 million have been returned so far.
- **Former Attorney General Bill Schutte** announced he has endorsed Republican candidate **Matt DePerno** in **Michigan's Attorney Generals** race. Notably, **Mr. Schutte** called for people to vote for Republican's up and down the ticket. He did not directly name **Secretary of State** candidate **Kristina Karamo** but did mention **Tudor Dixon** and **Mr. DePerno**.
- **Representative Amos O'Neal (D-Saginaw)** denounced the use of his likeness in a recent political mailer sent out by the campaign of **Representative Annette Glenn (R-Midland)** in her 35th Senate District race, saying his colleague had not sought his permission to do so. **Representative Glenn's** mailer makes it look like **Representative O'Neal** supports her for the Senate seat, which is untrue. **Representative O'Neal** has endorsed Democratic candidate **Kristen McDonald Rivet**.
- **U.S. Representative Elissa Slotkin (D-Lansing)** was joined by **U.S. Representative Liz Cheney (R-Wyoming)** Tuesday night at a rally to showcase the Michigan congresswoman's ongoing bipartisan effort. **Congresswoman Slotkin** is the first Democrat **Congresswoman Cheney** has ever campaigned for. A crowd of approximately 600 people heard the two speak at East Lansing High School.

- With less than a week until election day, the Michigan Chamber of Commerce announced its endorsement of **Tudor Dixon** for Governor. Governor. The Michigan Chamber previously stated that it was undecided on whether it would endorse a gubernatorial candidate. This was somewhat surprising considering the Michigan Chamber is a longstanding ally of Republicans, in addition to the fact the group endorsed **Ms. Dixon** in the Republican primary.

ODDS AND ENDS

- The **Office of the Auditor General (OAG)** found the **Department of Technology, Management and Budget (DTMB)** did not correct problems regarding the **Michigan State Employees' Retirement System's** allocations and schedules of pension and other benefits, a report released Monday said. The independent review had the one finding, which the **OAG** called a significant deficiency. **DTMB** agreed with the recommendation.
- A survey conducted by a longtime Republican strategist and now University of Michigan Ford School of Public Policy lecturer shows former **Legislators** overwhelmingly support abolishing or changing term limits in Michigan. Specifically, the survey found 67 percent favored reforming term limits, and 27 percent favored abolishing term limits all together.
- According to the **Department of Health and Human Services (DHHS)**, approximately 99 percent of the city's water service lines have been inspected and replaced where older lead lines were found. Federal, state and local leaders praised the near completion of the project, which hopes to bring the city closer to a sense of normalcy after the lead in water issues were first brought up in 2018.
- **Governor Gretchen Whitmer** launched a new [webpage](#) to help the graduating class of 2023 apply for the **Michigan Achievement Scholarship** and lower their cost of college by thousands of dollars a year. To read more about the **Michigan Achievement Scholarship** and the launching of its website, please click [here](#) to view a press release from **Governor Whitmer**.

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