

Capitol Report

May 28, 2023

By Mary Pollock, AAUWMI Government Relations Coordinator

AAUW is non-partisan, meaning we do not endorse or support political candidates for elective public office or political parties. However, we are not values-neutral nor are we passive. We advocate for or oppose legislative or ballot measures based on our values as expressed in the national AAUW and AAUWMI Public Policy Priorities (PPP).

102ND LEGISLATURE VERY ACTIVE

The 102nd Michigan Legislature elected in November 2022 has produced an astounding number of measures that line up with AAUW's PPP. Of the non-appropriation bills the 102nd Legislature has passed, and Governor Gretchen Whitmer has signed into law at this writing, **over 60 percent concern issues supported in AAUW's PPP**. Additionally, bills are moving on some of AAUWMI's high priority issues.

AAUWMI has identified and is following 340 of the 1238 measures introduced into the 102nd Legislature from January 11, 2023, through May 25, 2023. Of the 38 non-appropriation bills Governor Gretchen Whitmer has signed into law at this writing, 24 concern issues supported in AAUW's PPP.

- Public Act 4 increased the Earned Income Tax Credit for the low-income workers (mostly single-moms) from 6% of the federal EITC amount to 30% of the EITC amount;
- PA 6 added sexual orientation and gender identity or expression to the protected classes covered in Michigan's Civil Rights Act;
- PA 7 removed the mandatory 3rd grade retention law based on just a reading test;
- PA 8 and 9 restored labor union rights to collect agency fees from non-members;
- PA 10 restored the prevailing wage law in Michigan;
- PA 11, 12 and 13 repealed the 1931 anti-abortion laws;
- PA 14 and 15 eliminated taxes on firearm safety devices;
- PA 16, 17, and 18 required safe storage of firearms to prevent minors from accessing them;
- PA 19 and 22 required license or background check for purchase of a firearm;
- PA 25 required tabulation of absent ballots from overseas voters in the uniformed services received within 6 days of election day;
- PA 31 removed exemptions from Michigan's Civil Rights Act coverage for those who have had abortions;
- PA 32 designated January 30 of each year as Fred Korematsu Day;
- PA 35, 36, 37, and 38 established extreme risk protection order (red flag laws) in Michigan to help prevent gun violence from those who are adjudicated as a danger to themselves or others.

Unfortunately, only PA 25 and 32 received the necessary six Republican votes in the Senate to give the new laws immediate effect. The remainder of the new laws will become effective 90 days after the adjournment of the legislature this year. Adjournment is usually near the end of December but there are rumors of early adjournment to advance the effective date of laws

important to the Democratic majority such as the February 27, 2024, date for the presidential primary in Michigan.

CHILD MARRIAGE BILLS ADVANCE

Both the House and Senate have heard dramatic testimony in hearings concerning the impact of currently weak Michigan laws which have permitted marriages of girls under the age of 18. AAUWMI supported the bills through written testimony in the form of our Board-approved statement on the issue. Child marriage interferes with education opportunities and economic security of its victims, usually girls pressured to marry older men.

To address the child marriage problem in Michigan, House Bills 4293 through 4302 and Senate Bills 209 through 217 plus Senate Bill 246 were introduced on March 16 in both chambers. Similar bills championed by State Senator Sarah Anthony (D-Lansing) and State Representative Kara Hope (D-Holt) have been introduced in every session since 2018 but never moved beyond Committee.

The bills would amend Michigan laws to forbid future child marriages without the current exceptions of one parent's consent or judicial approval. The bills recognize previous child marriages or those sanctioned by other states. The House Judiciary Committee **unanimously** reported the House bills on May 17 and the bills await House floor consideration. Senate Civil Rights, Judiciary, and Public Safety Committee heard similar testimony about their Senate versions on May 18. The Senate bills will likely receive a Committee vote soon. **Contact your own State Representative or State Senator urging a Yes vote on the child marriage package of bills.**

OTHER BILLS MOVING RELATED TO AAUWMI PUBLIC POLICY PRIORITIES

Employment/Economic Security For Women

A pay equity/equal pay package of bills similar to the ones introduced over the last 30 years without success is expected to be introduced after the FY 2024 budget is done. AAUW has supported pay equity/equal pay bills over the decades and leads the Michigan Equal Pay Coalition.

The Democratic majority in both chambers re-established **Labor Committees** to handle the bills to restore employee and labor union rights reduced in recent years, such as in newly signed PA 8, 9, and 10. Many bills have been introduced to **return specific collective bargaining rights, particularly for school employees**. Although AAUW PPP is silent on the issue of the right to organize in labor unions, **women in labor unions are closer to equal pay with men than any other demographic of female workers**.

Education Gender Equity

>>>> Passing the full Michigan House recently were three bi-partisan bills addressing the problem of **individuals using their actual or perceived position of authority to intimidate those who would report a crime, sexual assault or sex discrimination to authorities**, including in the context of education. The bills are HB 4123, HB 4124, and HB 4125. The bills

have been referred to the Senate Committee on Civil Rights, Judiciary, and Public Safety Committee.

The Michigan Senate recently passed SB 66 sponsored by State Senator Stephanie Chang (D-Detroit) to require the Department of Education to develop **informational material relating to sexual assault and sexual harassment appropriate for pupils in grades six through 12**; to disseminate the materials to all public schools for distribution to pupils; to require public schools to disseminate to pupils contact information for the school's Title IX coordinator; to require dissemination of the school's policies on sexual assault and sexual harassment; and to encourage public schools to provide sexual assault and sexual harassment response training to all educators and school personnel who have contact with pupils. The House has referred the bill to the House Criminal Justice Committee.

Equality, Individual Rights, and Social Justice

>>>> Weighing in on the **Equal Rights Amendment**, House Concurrent Resolution 3 has passed the Michigan House on a voice vote after discharge from the House Government Operations Committee with no hearing. HCR 3 is now in the Senate Government Operations Committee awaiting a hearing or discharge to the whole Senate for consideration. HCR 3 calls on the Archivist of the United States to certify and publish the ERA as the Twenty-Eighth Amendment to the U.S. Constitution and calls on the U.S. Congress to declare the ERA ratified. AAUW has long supported the ERA.

>>>> State Representative and Speaker Pro Tem Laurie Pohutsky's bill, HB 4202, to **repeal the defense to criminal sexual conduct charges based solely on mental incapacitation of the victim's spouse** passed the House 103-5, was reported out of the Senate Committee on Civil Rights, Judiciary and Public Safety on May 18 and is ready for full Senate consideration. The Michigan Penal Code prohibits **marital rape**; however, it provides exceptions where a person's legal spouse is incapacitated because of being unwillingly under the influence of any intoxicating substance. According to testimony, people have exploited this exception by drugging their spouses and having sex with them in a manner that would otherwise be considered criminal sexual conduct or rape. The bill eliminates this exception.

>>>> SB 90 to **prohibit discrimination based on traits historically associated with race such as hair texture** sponsored by State Senator Sarah Anthony (D-Lansing) was recently approved by the full Senate 33-5. The bill would amend the Elliot-Larsen Civil Rights Act (ELCRA) to prohibit discrimination in employment, public accommodations and public services, educational facilities, and housing and real estate based on religion, race, color, national origin, age, sex, height, weight, familial status, or marital status. The bill would define "race" as inclusive of traits historically associated with race, including hair texture and protective hairstyles. "Protective hairstyles" would include such hairstyles as braids, locks, and twists.

>>>> Continuing passage of bills from previous legislative sessions in **follow up to the Nasser scandal** at Michigan State University, the Michigan House recently approved on a bi-partisan basis with immediate effect HB 4120 sponsored by State Representative Julie Rogers (D-Kalamazoo). It would add a new section to the Child Protection Law to require the creation of **comprehensive training materials for mandated reporters**. The Michigan Department of Health and Human Services, in consultation with the Michigan Domestic and Sexual Violence Prevention and Treatment Board and the Michigan Coalition to End Domestic and Sexual

Violence, would have to create the materials within 180 days after the bill's effective date. DHHS would have to make the training materials publicly available on its website, in addition to any other form it chooses. The intent is to make the distribution of training materials to individuals designated as mandatory reporters for child abuse or child neglect more thorough. Mandatory reporters include teachers, school counselors, school administrators, medical professionals, social workers, licensed counselors, social service technicians, marriage therapists, professionals employed in a Friend of the Court office, law enforcement officers, members of the clergy, and regulated childcare providers.

More Nasser-scandal trailer bills are in SB 67 through 71, bipartisan bills which recently passed the Senate. Senate Bill 67 and 68 would **prohibit a person undertaking medical treatment from misrepresenting to a patient that sexual contact or sexual penetration** between the person and the patient would be necessary or beneficial to the patient's health and inducing the patient to engage in sexual contact or sexual penetration with the person by means of the misrepresentation and prescribe felony penalties for a violation of the proposed prohibition. They await a hearing in the House Committee on Criminal Justice.

Also adopted by the Senate are HBs 69 through 71, which would **modify the conditions under which a health professional or health facility could perform a medical service involving vaginal or anal penetration**. The bills would require a health profession licensee and a health facility or agency to expressly state in a patient's medical record that vaginal or anal penetration was performed during a medical service, unless the service met certain conditions. If the patient were a minor, the bills would require a medical assistant to be in the room during the medical service and the health professional to obtain consent from the minor's parent or guardian. The bills also would require the retention of these medical records for at least 15 years and prescribe administrative fines and penalties, including misdemeanors and felonies, for not complying with the bills' requirements. The bills await a hearing in the House Committee on Health Policy.

>>>> The House Elections Committee recently reported out HB 4413 sponsored by State Representative Rachel Hood (D-Grand Rapids) to **permit campaign funds to pay for childcare expenses**. The bill awaits House floor consideration. If enacted, this might encourage more parents, especially women, to run for public office.

>>>> Following the Governor's recent signature on **firearms safety bills**, SB 22 sponsored by State Senator John Damoose (R-Harbor Springs) which would **prohibit weapons in a sterile area of an airport** recently was reported out of the Senate Committee on Energy and Environment and awaits full Senate consideration. Likewise, HB 4127 sponsored by State Representative Penelope Tsernoglou (D-East Lansing) and HB 4128 sponsored by State Representative Stephanie Young (D-Detroit) would **prohibit firearms within 100 feet on a polling place or an absentee ballot counting board** while ballots are being counted was reported of the House Elections Committee and awaits full House consideration. Many other bills regulating firearms await hearings and yet more are being discussed for introduction as public polling indicates high interest in the topic.

>>>> **Fertility fraud** would be prohibited if HB 4178 through 4182 become law. The bills received dramatic hearings in the House Judiciary Committee with stories about false claims from sperm donors and fertility doctors, sperm substitutions without consent, and surprise half-siblings after DNA testing. The bills would amend different acts to address **fraud in reproductive assistance procedures**. House Bill 4178 would prohibit providing false or

misleading information related to an assisted reproduction procedure and prohibit a health professional from using an embryo, sperm, or egg in such a procedure that is not the one the patient consented to. House Bills 4179, 4180, 4181, and 4182 would make related changes concerning, respectively, sentencing guidelines, health professional sanctions, civil liability, and statutes of limitations (15 years).

>>>> SB 56, State Senator Stephanie Chang's bill to repeal the prohibition on **lewd and lascivious cohabitation**, got a bi-partisan 29-9 vote in the Senate on April 19 and awaits a hearing in the House Judiciary Committee.

>>>> Pursuant to Ballot Proposal 2022-2 requiring an **absentee ballot and voter notification tracking system**, SB 339 sponsored by State Senator Mallory McMorro (D-Oak Park) has been reported out of the Senate Elections and Ethics Committee and awaits full Senate action.

ADVOCACY IS AAUW MISSION

Contact your legislators – Research, education and advocacy are the primary mission and goals of AAUW. Advocacy means taking action on our knowledge. Sign up for your legislator's newsletters and attend their in-district meetings. Contact your legislator by phone or email and let them know you are an AAUW member and what your position is on the bills discussed above.

Find your State House member [here](#).

Find your State Senator [here](#)

Want to be even more powerful? Contact the whole Committee where the bill has been referred.

Find the Committee member information [here](#).

Want to contact the whole Michigan Senate or House? See the **New AAUW directories of the 2023-24 House and Senate** with every legislator's **email address** on the AAUWMI Web site [here](#). Copy and paste all legislators' email addresses from one column into one email. Some email programs have a limit of the number of addresses in one email so you may have to send your message to two or three groups of legislators.

Your voice matters. Legislative staff picking up the call or reading the email for the legislator keep track of what the caller supports or opposes and reports to the legislator what communications are coming in.

The best free source of Michigan legislative information is at www.legislature.mi.gov .

AAUWMI VIRTUAL LOBBY CORPS

The AAUW of Michigan Virtual Lobby Corps has been meeting monthly on the **third Thursday of the month at 7 p.m. by Zoom** or teleconference phone to discuss and share federal and state public policy issues of interest to AAUW and report on local branch public policy activities.

The Lobby Corps is open to all AAUW members (and like-minded friends) and meets at [this link](#) or this phone number - 312 626 6799 (toll charges apply), meeting ID: 863 4245 5027; passcode: 574916.

Help us grow our influence by urging other AAUW members to get on the Virtual Lobby Corps mailing list by letting them know of our existence and letting me know of their email address.

The AAUWMI Lobby Corps Facebook private group is where I post breaking news and relevant articles from national and state media almost daily. Please Friend our [Facebook group](#).

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