

ACLU of Michigan Legislative Docket: Poverty

The ACLU maintains a presence in Lansing that enables us to pass policies that expand civil liberties or prevent the passage of policies that are hostile to civil liberties. Through traditional lobbying techniques lobbying, advocacy, and advocacy the legislative program seeks to advance and protect our civil liberties.

The ACLU of Michigan's legislative program works on a breadth of issues. To give you an idea of what we've been up to, we have provided a brief summary, our position on the issue and where the bill is currently situation in the legislative process. We have stated our position on each bill using brief descriptors:

- **Actively Support/ Oppose:** *The ACLU considers this bill high priority and has taken direct action to support or opposing the bill. The bill has, more likely than not, seen movement in the Legislature during the current session.*
- **Support/Oppose:** *Based on its own policies, the ACLU supports or opposes the bill but has not taken an affirmative action OR the legislation has not moved through the legislature and therefore the ACLU has not needed to take direct action at this point.*
- **Remain Neutral:** *As written, the bill does include some civil liberties issues but the ACLU has taken no direct action to support or oppose the legislation.*

Suspicion Based Drug Testing

House Bill 4118

Sponsor: Rep. Jeff Farrington (R-Utica)

ACLU Position: **Oppose**

Status: Passed by the House and Senate, Amended and Passed by House, Awaiting final vote by Senate

Under the law, applicants and recipients for family assistance would have to submit to substance abuse screenings that determines if there is suspicion to warrant a substance abuse test. If an applicant refuses to take a substance abuse test, he or she becomes ineligible for family assistance for at least six months. The cost of the substance abuse is waived only for those participants who test negative.

Also see duplicate bill in Senate – [Senate Bill 275](#)

Blight Penalties

Senate Bill 35 and Senate Bill 38 and Senate Bill 39

Sponsor: Sen. Virgil Smith (D-Detroit), Sen. Rick Jones (R-Grand Ledge), Sen. Tupac Hunter (D-Detroit)

ACLU Position: **Neutral** after amendments made

Status: Signed into law 12/17/13 as [Public Act 188 of 2013](#) and [Public Act 191 of 2013](#) and [Public Act 192 of 2013](#)

These laws allow certain cities to establish additional civil penalties that can be imposed on a person who has committed a blight violation and fails to pay the resulting fine. Originally these bills provided no mechanism for review to ensure that a person facing blight violations had the ability to pay their fines. It would have a disproportionate and harsher impact on the indigent. Furthermore, this law exempts lending institutions that hold foreclosed property. Many of the blight problems cities face are the result of banks failing to maintain foreclosed, empty homes. The ACLU held that it was unfair to punish poor people who cannot afford to keep up their homes while allowing banks to let homes deteriorate. We were successful at getting the original legislation amended with proper protections for the indigent, which cleared the legislation of any civil liberties concerns and thus, allowing us to go neutral.

[Senate Bill 35](#)

This law authorizes the use of penalties against property owners who fail to pay fines imposed by committees authorized to enforce blight violations. There is an exemption for the primary property of individuals.

[Senate Bill 38](#)

This law allows local governments to garnish the wages of property owners who fail to pay for blight violations. There is an exemption for the primary property of individuals.

[Senate Bill 39](#)

This law allows local governments to place liens on property owned by a person who fails to pay for blight violations. There is an exemption for the primary property of individuals.

Welfare Benefits and School Attendance

House Bill 4388

Sponsor: Rep. Al Pscholka (R-St. Joseph)

ACLU Position: **Actively Oppose**

Status: Passed House, Referred to Senate Families, Seniors and Human Services Committee

The bill would amend the Social Welfare Act to provide the following:

- A Family Independence Program (FIP) assistance group could not receive FIP assistance if a member of the group did not meet compulsory school attendance requirements and were under 16 years old.
 - If a FIP assistance group member did not meet compulsory school attendance requirements and Were 16 years old or older, that member would have to be removed from the group.
-

Poverty Vote Counts**Welfare Drug Testing House Bill 4118– **Opposed******House Vote****Yeas – 77**

Abed	Genetski	Lane	Poleski
Bolger	Gardon	Lauwers	Potvin
Brinks	Goike	LaVoy	Price
Brown	Graves	Leonard	Pscholka
Brunner	Greimel	Lori	Rendon
Bumstead	Haines	Lund	Rogers
Callton	Haugh	Lyons	Schmidt
Clemente	Haveman	MacGregor	Segal
Cochran	Heise	MacMaster	Shirkey
Cotter	Hooker	McBroom	Slavens
Crawford	Jacobsen	McCann	Smiley
Daley	Jenkins	McCready	Somerville
Denby	Johnson	Muxlow	Stamas
Dianda	Kelly	Nesbitt	VerHeulen
Dillon	Kesto	O'Brien	Victory
Driskell	Kowall	Oakes	Walsh
Farrington	Kurtz	Outman	Yanez
Forlini	LaFontaine	Pagel	Yonker
Foster	Lamonte	Pettalia	Zorn
Franz			

Nays – 33

Ananich	Hovey-Wright	McMillin	Singh
Banks	Howrylak	Nathan	Stallworth
Barnett	Irwin	Olumba	Stanley
Cavanagh	Kandrevas	Roberts	Switalski
Darany	Kivela	Robinson	Talabi
Durhal	Knezek	Rutledge	Tlaib
Faris	Kosowski	Santana	Townsend
Geiss	Lipton	Schor	Zemke
Hobbs			

Senate Vote**Yeas – 25**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker
Green			

Nays – 10

Ananich	Gregory	Smith	Whitmer
Anderson	Hopgood	Warren	Young
Bieda	Hunter		

Excused – 2

Hood	Kahn
------	------

Not Voting – 1

Johnson

Blight Penalty, Senate Bill 35 - Neutral**House Vote****Yeas – 105**

Abed	Genetski	LaVoy	Roberts
Banks	Gardon	Leonard	Rogers
Barnett	Goike	Lipton	Rutledge
Bolger	Graves	Lori	Santana
Brinks	Greimel	Lund	Schmidt
Brown	Haines	Lyons	Schor
Brunner	Haugh	MacGregor	Segal
Bumstead	Haveman	MacMaster	Shirkey
Callton	Heise	McBroom	Singh
Cavanagh	Hobbs	McCann	Slavens
Clemente	Hooker	McCready	Smiley
Cochran	Hovey-Wright	Muxlow	Somerville
Cotter	Jacobsen	Nathan	Stallworth
Crawford	Jenkins	Nesbitt	Stamas
Daley	Kandrevas	O'Brien	Stanley
Darany	Kelly	Oakes	Switalski
Denby	Kesto	Olumba	Talabi

Dianda	Kivela	Outman	Tlaib
Dillon	Knezek	Pagel	Townsend
Driskell	Kosowski	Pettalia	VerHeulen
Durhal	Kowall	Phelps	Victory
Faris	Kurtz	Poleski	Walsh
Farrington	LaFontaine	Potvin	Yanez
Forlini	Lamonte	Price	Yonker
Foster	Lane	Pscholka	Zemke
Franz	Lauwers	Rendon	Zorn
Geiss			

Nays – 5

Howrylak	Johnson	McMillin	Robinson
Irwin			

Senate Vote**Yeas – 35**

Ananich	Green	Kahn	Richardville
Anderson	Gregory	Kowall	Robertson
Bieda	Hansen	Marleau	Rocca
Booher	Hildenbrand	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	

Nays – 1

Young

Excused – 2

Hood
Johnson

Blight Penalty, Senate Bill 38 - Neutral**House Vote****Yeas – 95**

Abed	Genetski	Lauwers	Pscholka
------	----------	---------	----------

Banks	Glardon	LaVoy	Rendon
Bolger	Goike	Leonard	Rogers
Brinks	Graves	Lori	Rutledge
Brown	Greimel	Lund	Schmidt
Brunner	Haines	Lyons	Schor
Bumstead	Haugh	MacGregor	Segal
Callton	Haveman	MacMaster	Shirkey
Cavanagh	Heise	McBroom	Slavens
Clemente	Hobbs	McCann	Smiley
Cochran	Hooker	McCready	Somerville
Cotter	Hovey-Wright	Muxlow	Stallworth
Crawford	Jacobsen	Nathan	Stamas
Daley	Jenkins	Nesbitt	Stanley
Denby	Kelly	O'Brien	Switalski
Dianda	Kesto	Oakes	Townsend
Dillon	Kivela	Olumba	VerHeulen
Driskell	Knezek	Outman	Victory
Faris	Kosowski	Pagel	Walsh
Farrington	Kowall	Pettalia	Yanez
Forlini	Kurtz	Phelps	Yonker
Foster	LaFontaine	Poleski	Zemke
Franz	Lamonte	Potvin	Zorn
Geiss	Lane	Price	

Nays – 15

Barnett	Irwin	McMillin	Singh
Darany	Johnson	Roberts	Talabi
Durhal	Kandrevas	Robinson	Tlaib
Howrylak	Lipton	Santana	

Senate Vote**Yeas – 35**

Anderson	Gregory	Jones	Proos
Bieda	Hansen	Kahn	Richardville
Booher	Hildenbrand	Kowall	Robertson
Brandenburg	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren

Green

Johnson

Pavlov

Nays - 1

Young

Not Voting – 1

Whitmer

Blight Penalty, Senate Bill 39 - Neutral**House Vote****Yeas – 103**

Abed	Geiss	Lane	Roberts
Banks	Genetski	Lauwers	Rogers
Barnett	Gardon	LaVoy	Rutledge
Bolger	Goike	Leonard	Schmidt
Brinks	Graves	Lipton	Schor
Brown	Greimel	Lori	Segal
Brunner	Haines	Lund	Shirkey
Bumstead	Haugh	Lyons	Singh
Callton	Haveman	MacGregor	Slavens
Cavanagh	Heise	MacMaster	Smiley
Clemente	Hobbs	McBroom	Somerville
Cochran	Hooker	McCann	Stallworth
Cotter	Hovey-Wright	McCready	Stamas
Crawford	Irwin	Muxlow	Stanley
Daley	Jacobsen	Nesbitt	Switalski
Darany	Jenkins	O'Brien	Talabi
Denby	Kandrevas	Oakes	Tlaib
Dianda	Kelly	Outman	Townsend
Dillon	Kesto	Pagel	VerHeulen
Driskell	Kivela	Pettalia	Victory
Durhal	Knezek	Phelps	Walsh
Faris	Kosowski	Poleski	Yanez
Farrington	Kowall	Potvin	Yonker
Forlini	Kurtz	Price	Zemke
Foster	LaFontaine	Pscholka	Zorn

Franz Lamonte Rendon

Nays – 7

Howrylak McMillin Olumba Santana
Johnson Nathan Robinson

Senate Vote**Yeas – 35**

Ananich	Green	Kahn	Richardville
Anderson	Gregory	Kowall	Robertson
Bieda	Hansen	Marleau	Rocca
Booher	Hildenbrand	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	

Nays – 1

Young

Not Voting – 2

Hood Johnson

Welfare Benefits and School Attendance [House Bill 4388](#) –**Opposed****Yeas – 78**

Abed	Genetski	Lane	Pagel
Bolger	Gardon	Lauwers	Pettalia
Brinks	Goike	LaVoy	Poleski
Brunner	Graves	Leonard	Potvin
Bumstead	Greimel	Lori	Price
Callton	Haines	Lund	Pscholka
Clemente	Haugh	Lyons	Rendon
Cochran	Haveman	MacGregor	Rogers
Cotter	Heise	MacMaster	Schmidt
Crawford	Hooker	McBroom	Shirkey

Daley	Jacobsen	McCann	Slavens
Denby	Jenkins	McCready	Somerville
Dianda	Johnson	Muxlow	Stamas
Dillon	Kelly	Nathan	VerHeulen
Driskell	Kesto	Nesbitt	Victory
Farrington	Kivela	O'Brien	Walsh
Forlini	Kowall	Oakes	Yanez
Foster	Kurtz	Olumba	Yonker
Franz	LaFontaine	Outman	Zorn
Geiss	Lamonte		

Nays – 32

Ananich	Hobbs	McMillin	Smiley
Banks	Hovey-Wright	Roberts	Stallworth
Barnett	Howrylak	Robinson	Stanley
Brown	Irwin	Rutledge	Switalski
Cavanagh	Kandrevas	Santana	Talabi
Darany	Knezek	Schor	Tlaib
Durhal	Kosowski	Segal	Townsend
Faris	Lipton	Singh	Zemke