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QUOTE OF THE DAY

"I've not once, at home or away, had anybody complain about it, or anybody ever do anything inappropriate or say anything inappropriate -- it's all in the name of school spirit."

- Michael CARMEAN, superintendent of Sandusky Community Schools, whose Sanilac County-based district bears the "Redskins" nickname. The state may move to reduce funding to schools with offensive mascot names, even where there hasn't been objection.

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Inside Today's MIRS

Monday, March 20, 2017

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MIRS Capitol Capsule Headlines

Some Districts Hearing No Issue With Native American Mascots

A few local school districts with Native American mascots and names said they haven't faced nearly any negative blowback, including some bearing the nickname "redskins."

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Snyder Doesn't Appoint Marihuana Facilities Licensing Panel By Deadline

One portion of the Medical Marihuana Facilities Licensing Act, passed last year, creates a 17-member panel to advise the Department of Licensing and Regulatory Affairs (LARA) on creating specific rules and regulations for the licensing process the Act outlines.

The law says the panel members "shall be appointed within 3 months after the effective date of this act and shall serve at the pleasure of the governor," Rick SNYDER.

The effective date was Dec. 20, making today the end of that window. But no appointments have been made.

"The panel will be appointed once the review and vetting process is complete," said Snyder spokesperson Anna HEATON. "There is a more rigorous vetting process for this appointment due to the nature of the work."

PRESS RELEASES

Legislative Transfer Package, SBO Request 2017-3

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Congressman Dan Kildee Highlights New Analysis Showing Trumpcare Kills Nearly 2 Million Jobs

UPDATED - New Study Links Habitat Destruction to Ethanol Production

Ingham County Educator Wins Excellence in Education Award from the Michigan Lottery

TOMORROW: More than 500 expected at Rally for the Safe Patient Care Act

I-675 ramp closure for freeway lighting upgrades in Saginaw March 23

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They will represent a broad group of stakeholders that will provide input to LARA and the board. It will represent marijuana patients, caregivers, growers, processors, testing facilities, and dispensaries, along with a slew of municipal, agency and law enforcement representatives (See "[Medical Marijuana Regulation Bills Exhaled From Senate](#)," 9/8/16).

Heaton was not clear about what is being vetted, but former Rep. Mike **CALLTON** who sponsored the reforms, said he doesn't know why the appointments have been delayed.

"I'd like to see it done as soon as possible so they can start meeting and making their recommendations," he told *MIRS*, though he acknowledged that evaluating potential conflicts of interest could slow the process.

The delay does seem to underscore the state's challenges in getting a handle on what could be a budding multi-billion dollar industry in Michigan, if Callton's predictions hold true.

At the center of the law, a five-member board will be established to oversee licensing, and also to work out specific regulations for the industry. House Speaker Tom **LEONARD** (R-Dewitt) will nominate three candidates, as will Senate Majority Leader Arlan **MEEKHOF** (R-West Olive). Snyder will choose one member from each of their picks, then appoint the other three. No more than three can be from the same political party.

Callton said "there's a lot of things that aren't specifically laid out in the bill," so the board can work out specifics, much like the Liquor Control Commission. Examples like whether one business can stack multiple grow licenses, to increase the number of plants they can produce, or whether a business can have multiple licenses in the same facility -- remain unanswered.

That's because the board has not yet been appointed either. That body, unlike the panel, has no codified timeframe for appointments.

That leaves LARA to figure things out on its own, as stakeholders begin to ask questions that the department can't answer, according to Shelly **EDGRTON**, the department's director.

"They're bringing up issues for clarification where we need to have some interpretation from the board, through the rules process," she told a House subcommittee in early March. "We would expect that we'll probably do emergency rules because the board has not been appointed yet. ... We would expect that we'll continue to push forward."

Callton provided unsolicited praise for LARA, who he said must build up the regulatory infrastructure before license applications go out in December. He said they have been "very excellent in terms of being very open to meeting with people and admittedly are learning themselves."

The department is reorganizing the Michigan Medical Marijuana Program office, which has 24 full-time employees in the Bureau of Professional Licensing, into its own bureau, which will have up to 108 staff working full-time. They are also looking to get a contract secured later this month with a vendor to provide the IT framework for what will become the statewide tracking system. Snyder's budget has recommended the department receive \$18.4 million for the work this fiscal year.

With less than nine months to go, that is leaving burgeoning business interests with nothing more to go on than uncertainty, said Bob **HENDRICKS** a Grand Rapids attorney specializing in medical marijuana businesses.

"There are all those places in the statute, where the board has authority to establish rules," Hendricks said. "We don't know what they're going to say."

He pointed, prominently, to the lines in statute which gives the board discretion to determine additional criteria that individuals will have to meet to qualify for a license under the law.

Hendricks said LARA's emergency rules could represent "their best guess" as to what the regulatory structure will look like, but could also represent an initial shaping of regulations.

"They are doing that in anticipation that the Governor will shortly appoint the board and the board will look to them for assistance in developing rules and regs," Hendricks said, but added it could be more

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innocuous. "It would signify that it's a difficult process that they care about getting it right, so they'd rather pick the right people than pick the people in the shortest time period."

Hendricks said many stakeholders are waiting with bated breath to learn how the nuances of the coming regulations could impact them before they either start looking to start a business, or in the case of municipalities, draft an ordinance.

He said the appointments in the advisory panel could reflect the direction the state is going with the facilities act.

"People are looking for that to happen so that they can get some sense of, 'Oh, I know those people,' or 'here's the bio in the newspaper about them, that makes me feel better or worse about what the future looks like for the regulatory department.' . . . everybody is waiting to see what the state is going to do."

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### **DPSCD Files Against School Reform Office**

The Detroit Public Schools Community District (DPSCD) has formally filed the suit they [voted to bring](#) last week against the School Reform Office (SRO) in the Court of Claims.

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### **Who's On First? Confusing Budget Exchange Frustrate Lawmakers**

State Budget Director Al **PSCHOLKA** is willing to meet with legislators over which other "major project" requests the Budget Office received before deciding to recommend the Caro Hospital replacement project and the Secretary of State's secondary complex for funding in the Fiscal Year (FY) 2018 budget.

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### **Voters Could Ban Warrantless Searches Of Electronic Data**

Michigan voters would get a chance to say whether the state's Constitution should be amended to protect "electronic data and electronic communications" from warrantless searches under a joint resolution proposed by Rep. Jim **RUNESTAD** (R-White Lake.)

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### **Former Kellogg Executive Looking at MI-6**

George **FRANKLIN**, the former vice president of worldwide government relations of the Kellogg Company in Battle Creek, is beginning the exploratory process of a run as a Democrat in the 6th Congressional District, currently represented by U.S. Rep. Fred **UPTON** (R-St. Joseph).

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### **Pension Work Group Missing Key Groups**

The Governor's work group working to resolve the pension issue at the local government level, is missing some key groups, according to the Michigan Association of Police Chiefs and executive director Robert **STEVENSON**. And Stevenson is not pleased.

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### **Hillsdale College Offers Freebie Course**

Every graduate of Hillsdale College is required to pass a course called Constitution 101 and now the college president is offering it free to anyone who wants to take it on line.

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### **Malott Joins MIRS As House Reporter**

Former *Livingston Daily Press & Argus* Managing Editor Mike **MALOTT** has joined the *MIRS* team of journalists as House Reporter.