

The Mining Journal

Upper Michigan's Largest Daily Newspaper

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AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN

AFFIDAVIT OF PUBLICATION

For the County of: **MARQUETTE**

In the matter of: Notice of Public Hearing
Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Administrative Rules for Construction Codes - Part 8 Electrical Code
Rule Set 2022-59 LR
September 21, 2023

Size: 3 x 7

State of **MICHIGAN**, County of Marquette ss.

GERALD NEWHOUSE

being duly sworn, says that he is

CIRCULATION MANAGER

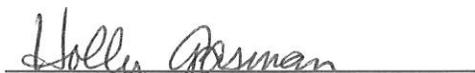
of **THE MINING JOURNAL**

a newspaper published and circulated in said county and otherwise qualified according to Supreme Court Rule; that annexed hereto is a printed copy of a notice which was published in said newspaper on the following date, or dates, to-wit

August 24, 2023


GERALD NEWHOUSE

Subscribed and sworn to before me this 24th day of August, 2023.


HOLLY GASMAN
Notary Public for Marquette County, Michigan
Acting in the County of Marquette
My commission expires: May 25, 2025

State/Nation

South Carolina's highest court upholds strict 6-week abortion ban

COLUMBIA, S.C. (AP) — South Carolina's new all-male Supreme Court reversed course on abortion Wednesday, upholding a ban on most such procedures after about six weeks of pregnancy.

The continued erosion of legal abortion access across the U.S. South comes after Republican state lawmakers replaced the lone woman on the court, Justice Kaye Hearn, who reached the state's mandatory retirement age.

The 4-1 ruling departs from the court's own decision months earlier striking down a similar ban that the Republican-led Legislature passed in 2021. The latest ban takes effect immediately.

Writing for the new majority, Justice John Kittredge acknowledged that the 2023 law also infringes on "a woman's right of privacy and bodily autonomy," but said the state Legislature reasonably determined this time around that those interests don't outweigh "the interest of the unborn child to live."

"As a Court, unless we can say that the balance struck by the Legislature was unreasonable as a matter of law, we must uphold the Act," Kittredge wrote.

Kittredge wrote that "we leave for another day" a determination on what the law's language means for when exactly during a pregnancy the ban should begin, likely forecasting another long court fight on that question.

Chief Justice Donald Beatty provided the lone dissent, arguing that the 2023 law is nearly identical, with definitions for terms including "fetal heartbeat" and "conception" that provide no clarity on when the ban begins, exposing doctors to criminal charges if law enforcement disagrees with their expertise.

Beatty warned that the majority's failure to address such a key question could lead to political retribution. He added that judicial independence and integrity were weakened by the court's decision to backpedal on its prior ruling.

Hearn wrote the majority's lead opinion in January striking down the ban as a violation of the state constitution's right to privacy. She then reached the court's mandatory retirement age, enabling the GOP-led Legislature to put Gary Hill on what is now the nation's only state Supreme Court with an entirely male bench.

Republican lawmakers then crafted a new law to address Justice John Few's concern, expressed in the January ruling, that the Legislature had failed to take into account whether the restrictions were reasonable enough to infringe upon a woman's privacy rights.

Abortion providers, including Planned Parenthood South Atlantic, sued again. Planned Parenthood South Atlantic's lawyer said during oral arguments this summer that both laws limited abortions at the same point in pregnancy and were equally unconstitutional.

The 2023 law restricts most abortions once cardiac activity can be detected, declaring that this happens about six weeks after a pregnant woman's last menstrual period. Lawmakers defined this as "the steady and repetitive rhythmic contraction of the fetal heart, within the gestational sac."

But Beatty wrote that at six weeks, the fetus doesn't exist yet — it's still an embryo — and the heart doesn't develop until later in a pregnancy. The American College of Obstetricians and Gynecologists says it's inaccurate to call such "cardiac activity" a heartbeat.

"The terminology is medically and scientifically inaccurate. As such, it is the quintessential example of political gaslighting: attempting to manipulate public opinion and control the reproductive health decisions of women by distorting reality," Beatty wrote.

The newly sworn Hill joined Wednesday's majority along with Few, who had previously voted to overturn the 2021 law. In a separate concurring opinion, Few wrote that the state constitution's right to privacy does not provide blanket protections against "reasonable" invasions.

The majority opinion found a key difference in the lawmakers' deletion of a reference to a pregnant woman having the right to make an "informed choice." The 2023 law expanded "the notion of choice to the period of time before fertilization, certainly before a couple passively learns of a pregnancy," Few wrote.

That change lengthens the window for couples to avoid unwanted pregnancies by promoting "active family planning." In addition, the new law provides insured contraceptives to "almost all couples" and places responsibility on sexually active couples to actively use pregnancy tests, Few wrote.

Planned Parenthood South Atlantic's lawyer had noted during oral arguments that such analysis ignored the possibility for failures in testing and contraceptives. The lawyer warned that the law's language could extend beyond abortion and be used to outlaw birth control.

Since the U.S. Supreme Court last year overturned Roe v. Wade, the 1973 ruling that provided nationwide access to abortion, most GOP-controlled states have enacted or adopted abortion bans of some kind. All have been challenged in court.

Beatty must retire in 2024 because he, too, will reach the mandated retirement age of 72 for judges. Kittredge is the only judge who applied to replace him. The Legislature is expected to approve Kittredge and choose another new justice next year.

Prosecutor: men accused in Whitmer kidnap plot wanted war

BELLAIRE, Mich. (AP) — Three men accused of aiding a plot to kidnap Michigan Gov. Gretchen Whitmer were anarchists who considered themselves "the new founding fathers" and were preparing for bloodshed, a prosecutor told jurors Wednesday.

"They didn't like the U.S. government. They didn't like the state government. They all desired to start a civil war, if you can believe it," William Rollstin of the state attorney general's office said in his opening trial statement.

"For the average person, it's almost impossible to fathom how brazen, how bold, how dangerous these individuals were," he said.

Eric Molitor and twin brothers William Null and Michael Null are charged in Antrim County Circuit Court with providing material support for terrorist acts — punishable by up to 20 years in prison — and illegally possessing firearms. They have pleaded not guilty.

Defense attorneys were scheduled to make opening statements later Wednesday.

The defendants were among 14 men arrested weeks before the November 2020 election. Nine have been convicted in state or federal court, including four who pleaded guilty, while two were acquitted.

Investigators described them as members of paramilitary groups angered by Whitmer's COVID-19 policies, which shut down schools and restricted the economy.

Eleven women and seven men were selected as jurors in the Republican-leaning county, a rural area popular with tourists. Whitmer has a vacation home in the Lake Michigan village of Elk Rapids.

Rollstin told jurors the three defendants supported a plan hatched by ringleaders Adam Fox and Barry Croft to abduct the two-term Democratic governor there and blow up a bridge to prevent law enforcement officers from aiding her.

Informants and undercover FBI agents were inside the group for months, leading to arrests. Whitmer was not physically harmed.

The Null brothers, both 41, were leaders of a group called the Michigan Liberty Militia and supported the so-called "boogaloo" movement that wanted to overthrow the government, Rollstin said. Molitor, 39, was recruited by Fox to join his "civilian army," the prosecutor said.



Employees of Walt Disney World's governing district are criticizing new board members appointed by Gov. Ron DeSantis for a decision to eliminate free passes and discounts to the theme park resort for 400 of its district workers. The workers say Wednesday during a district board meeting that they earned the benefit and eliminating it would make park visits unaffordable. The Central Florida Tourism Oversight District earlier this week said that \$2.5 million in season passes and discounts provided by their predecessors amounted to unethical benefits and perks. The district has submitted a complaint to a state Inspector General which investigates fraud, mismanagement, waste and abuse.

Disney and DeSantis clash over free passes

By MIKE SCHNEIDER Associated Press

ORLANDO — Employees of Walt Disney World's governing district on Wednesday confronted new board members appointed by Gov. Ron DeSantis over a decision to eliminate their access to free passes and discounts to the theme park resort, saying it makes park visits unaffordable.

During a monthly board meeting, several current and former district firefighters spoke emotionally about how the free passes to Disney parks were a benefit for them and their families that played a major role in their decision to work for the 56-year-old district, which provides municipal services like mosquito control, drainage, wastewater treatment, planning and firefighting to Disney World.

"The removal of this benefit takes away, for some, their entire reason for working here," said firefighter Pete Simon.

The Central Florida Tourism Oversight District earlier this week said that \$2.5 million in season passes and discounts on hotels, merchandise, food and beverages that their Disney-supporting predecessors provided the district's 400 employees amounted to unethical perks that benefited the company, with the district footing the bill. The district on Monday submitted a complaint to a state Inspector General, which investigates fraud, mismanagement, waste and abuse.

The five members of the district's board were appointed by DeSantis earlier this year after his takeover of the district in retaliation for Dis-

ney's opposition to a state law banning classroom lessons on sexual orientation and gender identity in early grades.

Firefighter Aaron Clark, whose father was also a district firefighter, choked up as he recounted how growing up his dad took him to the parks using the passes and how he now does the same thing with his three daughters.

His father, Ricky Clark, called the elimination of the passes "disturbing" and said that the adversarial attitude the district and DeSantis have taken toward Disney "has nothing to do with district employees."

"My family had many memories at the park, spending time together, memories that can never be taken away," Ricky Clark said.

Board chair Martin Garcia defended the decision. The passes and discounts unfairly favored Disney over other restaurants and shops that operated within the district, employees with large families got a greater benefit than single employees and a private company can't give gifts to government workers who provide services to it, Garcia said.

In its place, the district was offering employees more than \$1,400 in a wage increase, he said.

The tussle over whether the free passes and discounts were an unethical benefit came as the new district administrator, who board members appointed last May, faced an ethics dilemma of his own. Glen Gilzean, who earns \$400,000 annually in his new job, also was chair of the Florida Commission on Ethics. A legal opinion last

week said he was unable to simultaneously be a commission board member and work for the district because the commission prohibits public employees from serving on its board.

Gilzean announced at Wednesday's board meeting that he had resigned from the ethics commission.

A fight between DeSantis and Disney began last year after the company, facing significant pressure internally and externally, publicly opposed the state law which critics have called, "Don't Say Gay."

As punishment, DeSantis took over the district through legislation passed by the Republican-controlled Florida Legislature and appointed a new board of supervisors to oversee municipal services for the sprawling theme parks and hotels. But the new supervisors' authority over design and construction was restricted by the company's agreements with Disney-supporting predecessors, which were signed before the new board took over.

In response, Florida lawmakers passed legislation that repealed those agreements.

Disney has sued DeSantis in federal court, claiming the governor violated the company's free speech rights. The district has sued Disney in state court, seeking to nullify the agreements.

During a budget presentation at Wednesday's meeting, Gilzean said that \$4.5 million was targeted for litigation expenses for the 2024 fiscal year, as well as \$1.9 million for the 2023 fiscal year.

Man accused of killing 10 at supermarket is found competent for trial

DENVER (AP) — A Colorado man charged with killing 10 people at a Boulder supermarket in 2021 is competent to proceed toward a trial, prosecutors said Wednesday.

The district attorney's office announced Wednesday that experts at the state mental hospital say Ahmad Al Aliwi Alissa no longer has a mental disability that prevents him from helping in his defense and can now participate in the court case against him.

A judge still must accept their conclusion in order for criminal proceedings to resume, it said in a statement.

Earlier this year, defense lawyers confirmed Alissa has schizophrenia, a mental disorder which causes people to have trouble understanding reality.

Being deemed mentally competent does not mean Alissa has been cured, just that experts think he is able

to understand the proceedings and able to consult with his lawyers about his case, helping them defend him.

The March 22, 2021, attack at a King Soopers grocery shocked a state that has seen its share of mass shootings, including the 1999 Columbine High School massacre and the 2012 Aurora movie theater shooting. The mass shooting killed a police officer, shoppers and several store employees at the supermarket in Boulder, a college town about 30 miles (50 kilometers) northwest of Denver.

Boulder police Officer Eric Talley, a 51-year-old father of seven, was shot and killed while rushing into the store with an initial team of police officers. In addition, Rikki Olds, Denny Stong, Neven Stanisic, Tralona Bartkowiak, Teri Leiker, Suzanne Fountain, Kevin Mahoney, Lynn Murray and Jody Waters were killed inside and outside the supermarket.

Notice of Discontinuance of Local Phone Service by MCI Metro Access Transmission Service LLC

Pending jurisdictional approval where required, Small Business & Residential Local Phone services provided by Verizon subsidiary MCI Metro Access Transmission Services LLC will be discontinued on or after December 31, 2023 throughout the state of Michigan. Verizon will waive any early termination charges associated with discontinued service. In connection with the discontinuance of Small Business and Residential Local Phone service, Verizon will also remove any adjacent items, including any bundled long distance service, from your account. We invite you to call us at 1-888-MCI-LOCAL (1-888-624-5622) to discuss alternative Verizon solutions, as available. You can also contact other providers to discuss their offerings.

Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Administrative Rules for Construction Codes - Part 8. Electrical Code
Rule Set 2022-59 LR
NOTICE OF PUBLIC HEARING
Thursday, September 21, 2023
09:00 AM

Michigan Library & Historical Center, First Floor Forum
Michigan Historical Center, 702 W Kalamazoo St, Lansing, MI 48915

The Department of Licensing and Regulatory Affairs will hold a public hearing to receive public comments on proposed changes to the Construction Codes - Part 8. Electrical Code rule set.

Part 8 of the Construction Code currently adopts by reference the 2017 edition of the National Electrical Code (NEC), which establishes standards for the safe installation of electrical wiring and equipment. Part 8 also includes rules that amend the NEC to address electrical practices that are specific to Michigan. The 2023 version of the NEC, which is the most current edition, contains provisions relating to revised standards and new materials. The proposed rules will adopt by reference the 2023 edition of the NEC with amendments, deletions, and additions deemed necessary for use in Michigan.

The NEC is one of the component codes of the State Construction Code. Rules will be updated to allow the industry to take full advantage of new and improved materials and technologies that have come into use since the 2017 version. Rules may also be rescinded as a result of updates to the national standards.

By authority conferred on the proposed rules is found in Section 4 of the Stille-DeRosset-Hale Single State Construction Code Act, 1972 PA 230, (MCL 125.1504(5)), and Executive Reorganization order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030. MCL 125.1504(5) requires that the director add, amend, and rescind rules to update the code, not less than once every three years, to coincide with the national code change cycle.

The proposed rules will take effect 120 days after filing with the Secretary of State. The proposed rules are published on the State of Michigan's website at www.michigan.gov/ARD and in the 9/15/2023 issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail or electronic mail at the following email address: Lara-bcc-rules@michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 9/28/2023 at 05:00PM.

Attn: Tony Williamson, Bureau of Construction Codes P.O. Box 30254, Lansing, MI 48909
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The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 517-388-3536 to make arrangements.

AFFIDAVIT OF PUBLICATION
2125 Butterfield Dr, Suite 102N • Troy MI 48084

Bureau of Construction Codes/Department
P.O. BOX 30254

Lansing, MI 48909
Attention: Tony Williamson

STATE OF MICHIGAN,
COUNTY OF ISABELLA

The undersigned Cindy Slater *Cindy Slater*, being duly sworn the he/she is the principal clerk of Morning Sun, themorningsun.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

Bureau of Construction Codes/Department

Published in the following edition(s):

Morning Sun	08/24/23
themorningsun.com	08/24/23

VICKI ARSENAULT
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires May 11, 2026
Acting in the County of _____

Sworn to the subscribed before me this 24 August, 2023

Vicki Arsenault
Notary Public, State of Michigan
Acting in Oakland County

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Bureau of Construction Codes
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MICHIGAN GROUP

AFFIDAVIT OF PUBLICATION
2125 Butterfield Dr, Sulte 102N • Troy MI 48084

Bureau of Construction Codes/Department
P.O. BOX 30254

Lansing, MI 48909
Attention: Tony Williamson

STATE OF MICHIGAN,
COUNTY OF OAKLAND

The undersigned Andy Slater *Andy Slater*, being duly sworn the he/she is the principal clerk of Oakland Press, theoaklandpress.com, theoaklandpress.com2, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

Bureau of Construction Codes/Department

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theoaklandpress.com	08/24/23
theoaklandpress.com2	08/24/23

VICKI ARSENAULT
 NOTARY PUBLIC - STATE OF MICHIGAN
 COUNTY OF OAKLAND
 My Commission Expires May 11, 2026
 Acting in the County of _____

Sworn to the subscribed before me this 24 August, 2023

Vicki Arsenault
Notary Public, State of Michigan
Acting in Oakland County

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