

2018 Statewide Ballot Issues

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Metropolitan Affairs Corporation

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Citizens Research Council

- Founded in 1916
- Statewide
- Non-partisan
- Private not-for-profit
- Promotes sound policy for state and local governments through factual research – accurate, independent and objective
- Relies on charitable contributions from Michigan foundations, businesses, and individuals
- *www.crcmich.org*

Two Proposed Constitutional Amendments

Voters Not Politicians
Promote the Vote

Voters Not Politicians

- Creates an independent citizens redistricting commission
 - Authority to draw congressional and legislative district boundaries
 - Modeled after Arizona and California
- Michigan would have a 13-member commission
 - 4 Republican
 - 4 Democrat
 - 5 Independent

Modeled on other states

- Follows examples of other states
 - Arizona
 - Citizens petition in 2000
 - 5 members (2 Rs, 2 Ds, 1 unaffiliated)
 - California
 - Citizens petition in 2008 for legislative redistricting, amended in 2010 for congressional redistricting
 - 14 members (5 Rs, 5 Ds, 4 unaffiliated)



Redistricting proposal goes into great detail

- Assigns responsibilities to Secretary of State to randomly select commissioners and facilitate the commission's work
 - Mailing and receiving applications
 - Secretary of the commission
- Creates a funding stream for the commission's operations and commissioners' compensation
 - 25% of GF/GP Budget for Department of State
- Defines criteria to be incorporated in designing maps (in order of priority)
 - Equal population
 - Geographically contiguous
 - Reflecting diverse population and communities of interest – NEW
 - Shall not provide disproportionate advantage to a political party – NEW
 - Shall not favor or disfavor an incumbent official or a candidate – NEW
 - Shall reflect consideration of county, city, and township boundaries
 - Shall be reasonably compact

More Redistricting Detail

- Establishes procedures by which the commission will receive input from citizens, share its work product
- Establishes procedures by which the commission will adopt congressional and legislative maps
 - Majority vote, including
 - At least two commissioners who affiliate with each political party
 - At least two commissioners who do not affiliate with a political part
 - Rank order voting

Current Redistricting Provisions

1963 Michigan Constitution

- Independent commission
 - 4 from each political party
- Proved unsuccessful because the equal representation from each political party always stalemated
- When other constitutional redistricting provisions ruled in violation of the U.S. Constitution, the commission was eliminated
 - Responsibility given to the legislature

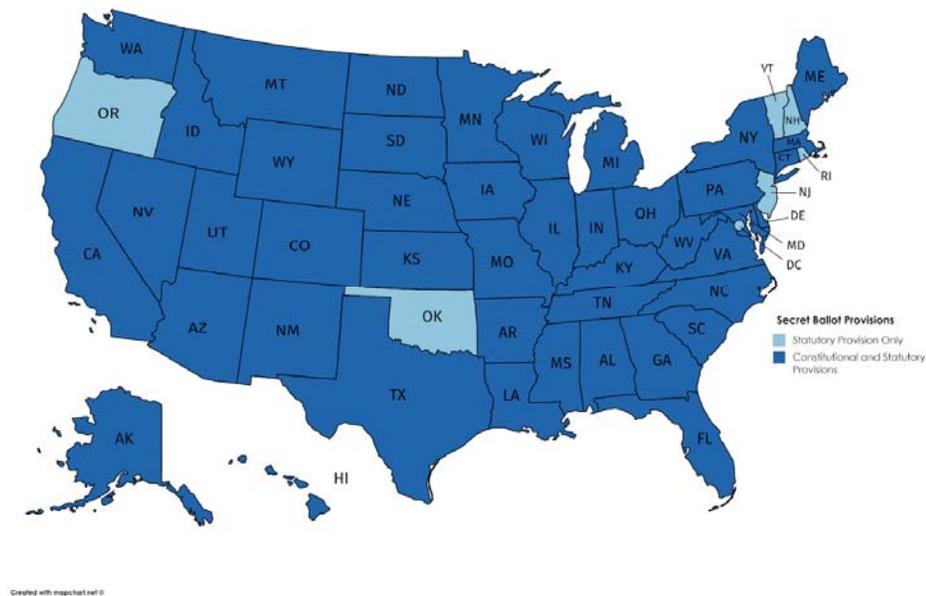
Statutory Practice

- Statutorily defined criteria
 - that can be altered statutorily
- Process controlled by party in majority in session after census
- Freedom of information does not extend to legislature in Michigan

Promote the Vote

- Protect the right to a secret ballot
- Ensure military service members and overseas voters get their ballots in time for their votes to count
- Provide voters with the option to vote straight party
- Automatically register citizens to vote at the Secretary of State's office unless the citizen declines
- Allow a citizen to register to vote anytime with proof of residency
- Provide all registered voters access to an absentee ballot for any reason
- Ensure the accuracy and integrity of elections by auditing election results

Right to a Secret Ballot



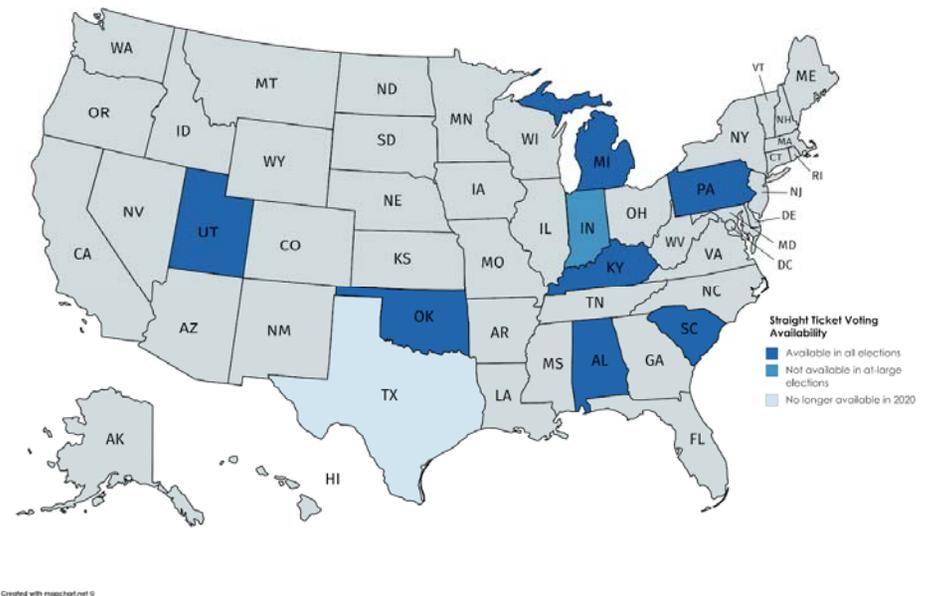
- 50 states and DC protect the secret ballot in some form
 - 44 (including MI (Art. II, Sec. 4)) do it in their constitutions
 - 6 in at least one statute
- Voters can waive secrecy in other states when they vote using fax, email or Internet
- Provision already in Michigan Constitution

Absentee Ballots in time for votes to count

- Requirements already exist in federal law
- The Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA)
 - Established a set of guidelines for states to follow when providing ballots to those not at home to vote
- Amended in Military and Overseas Voter Empowerment Act of 2009 (MOVE Act)
 - Required states to send out absentee ballots to UOCAVA voters at least 45 days prior to Election Day
- Putting into state constitution will make no functional difference

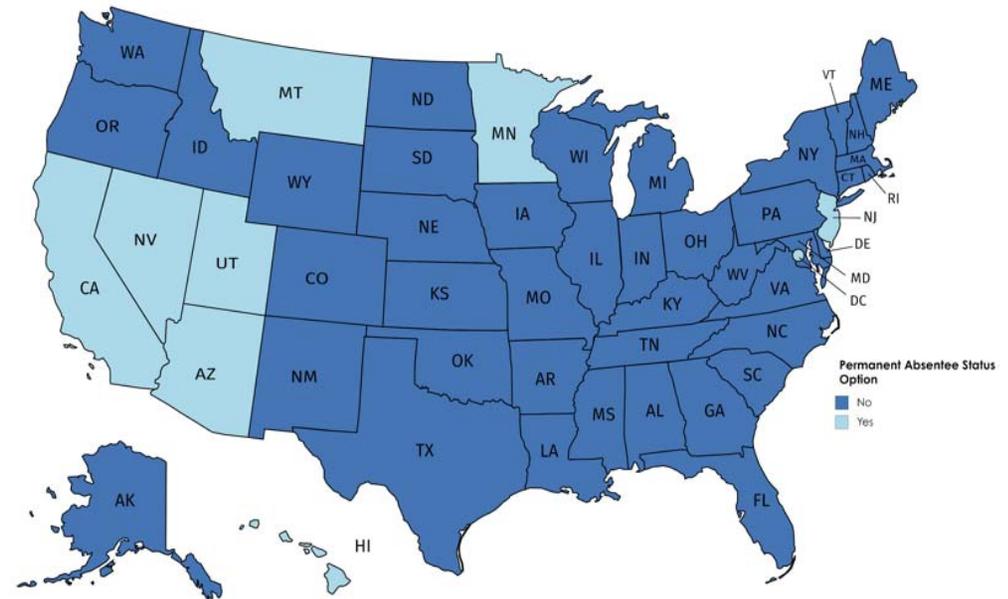
Straight Party Voting

- Would embed in constitution what is currently provided in statute
- Republican-controlled legislatures have tried to ban
 - 1964 and 2002 – bans on SPV reversed by referendum
 - 2016 – ban on SPV successfully challenged in court
- Past analysis shows common use by voters throughout the state voting for both parties

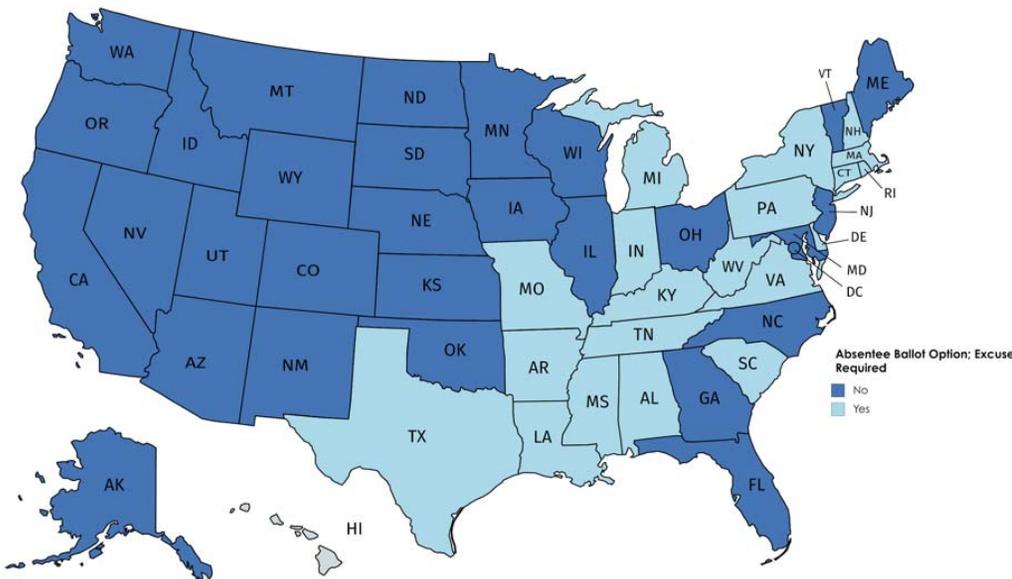


Anytime Voter Registration

- Eligible Michigan residents should have a voter registration deadline of 15 days or less
- Federal law establishes a maximum 30-day deadline
 - Several states have a 15-day deadline
 - Michigan's current registration deadline is 30 days



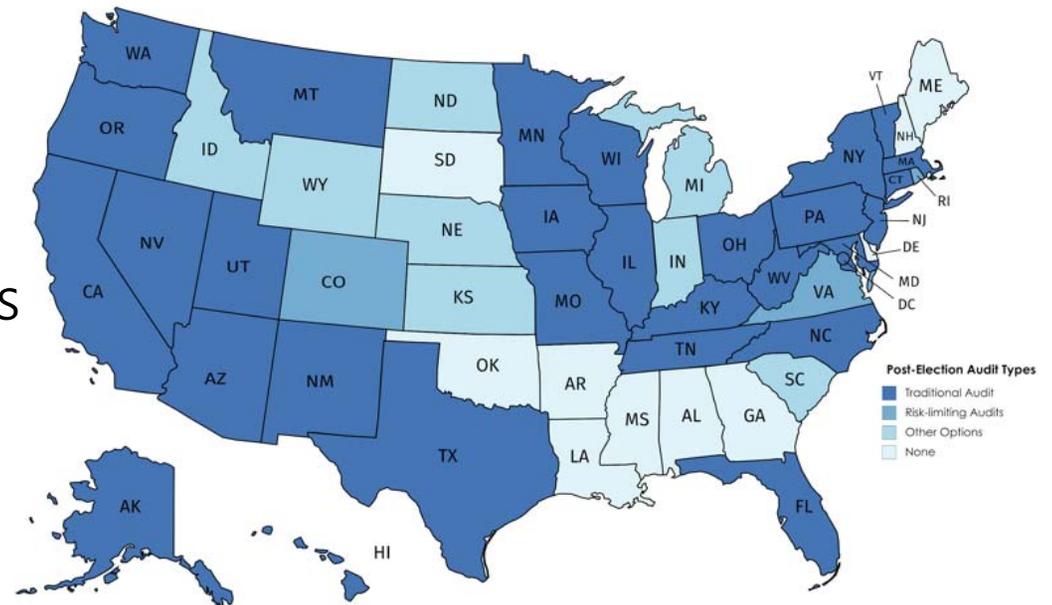
No Reason Absentee Ballot



- Current Michigan law allows only six reasons for obtaining an absentee ballot
- 37 states and DC provide more opportunities to vote before election day
- Increases voter participation

Election Results Audits

- Michigan law provides for audits
- Post 2016 election recount effort showed failings of clerks
- Proposal would require statutory implementation



Three Voter-Circulated Statutory Initiatives

Legalized Marijuana
Increase the Minimum Wage
Mandatory Paid Sick Time

Indirect Statutory Initiative

- Authorized by Article II, Section 9 of 1963 Michigan Constitution
- Each of proposals is submitted to the legislature
 - If legislature chooses not to act on the proposal
- Submitted to the voters
 - Approval would make it law
 - Not subject to gubernatorial veto
 - Amending an initiated law requires another vote of the people or a $\frac{3}{4}$ vote of the members elected to and serving in each house of the legislature

Legalize Marijuana

- Petitions circulated by The Coalition to Regulate Marijuana Like Alcohol
- Different than the medical marijuana law
- Proposal would
 - Require people in the marijuana business and those wishing to use marijuana to be at least 21 years of age
 - Prohibit operating a motor vehicle while under the influence of marijuana
 - Prohibit the open consumption of marijuana
 - Restrict the amounts of marijuana a person may possess

Taxation of Legalized Marijuana

- Sales Tax plus Excise Tax on marijuana retailers and microbusinesses
 - 6% state sales tax
 - 10% excise tax
- Revenues deposited into Marijuana Regulation Fund
 - Implementation, administration, and enforcement of the act
 - Until 2022, or for at least 2 years, \$20M annual for research on efficacy of marijuana in treating the medical conditions of armed services veterans and preventing veteran suicide
- Unexpended balances allocated
 - 15% to municipalities in which retail store or microbusiness is located
 - 15% to counties in which retail store or microbusiness is located
 - 35% to School Aid Fund
 - 35% to Michigan Transportation Fund

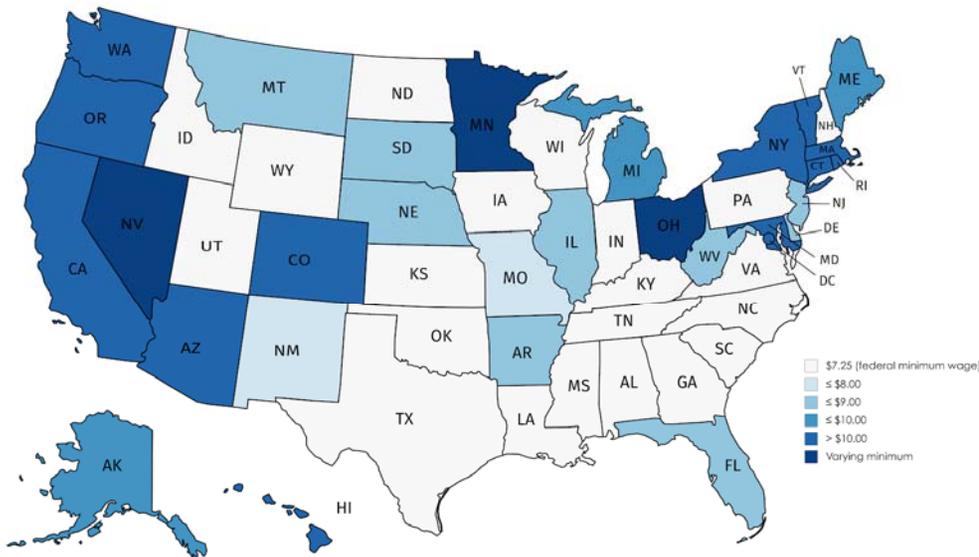
Proposal to Legalize Marijuana

- Similar to the medical marijuana law
 - Municipalities could prohibit or limit the number of establishments authorized to distribute marijuana under this law
 - Municipalities could regulate the location of dispensaries and adopt zoning ordinances related to the conduct of those establishments
- The act would not require employers to permit or accommodate the use of marijuana by employees
 - Marijuana remains a Level 1 banned substance under federal law and employers can continue to require their employees to pass drug tests
 - Employers would not be required to allow employees to use the drug or possess it on company property

Increase the Minimum Wage

- Michigan's minimum wage - \$9.25 an hour
- Federal minimum wage - \$7.25 an hour
- Would raise the rate to
 - \$10.00 in 2019
 - \$10.65 in 2020
 - \$11.35 in 2021
 - \$12.00 in 2022
- Just like current law, proposal provides for lower amounts for
 - training wage
 - teenage employees

Range of Minimum Wages by State

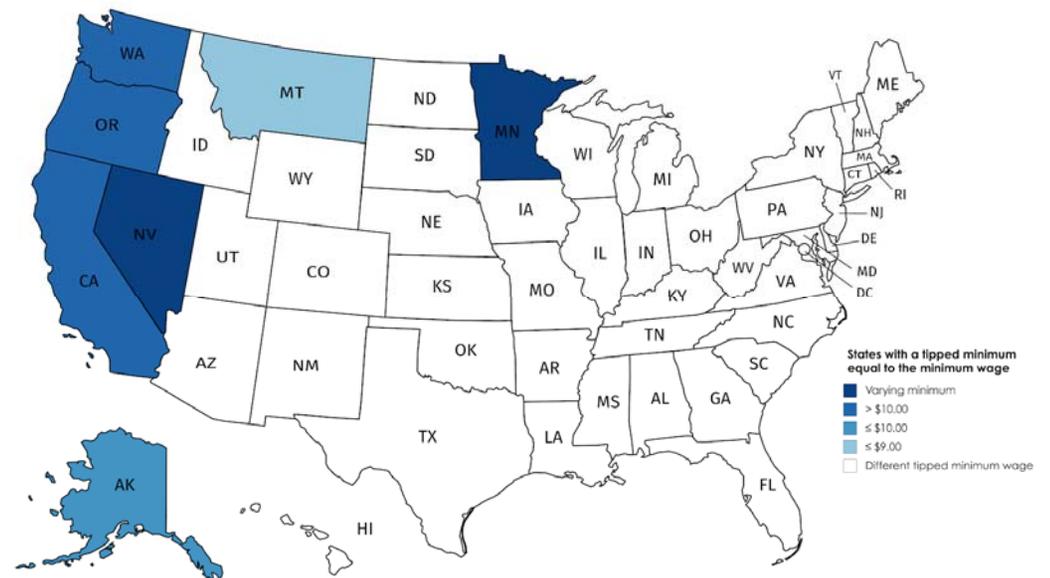


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- 25 states (including Michigan) that have increased their minimum wages above the federal
- 14 states have minimum wages higher than Michigan's current amount
 - California, Massachusetts, and New York on a path to \$15 an hour in a couple of years

Minimum Wage for Tipped Employees

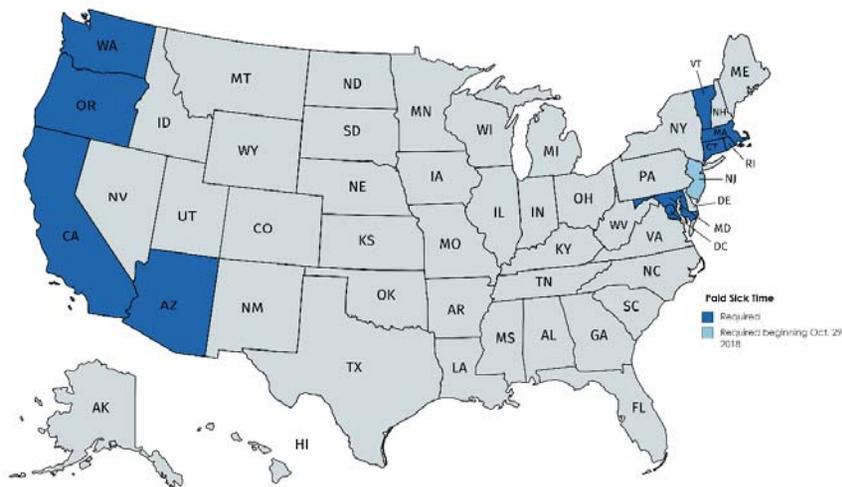
- Current Michigan law allows for a lower minimum wage (\$3.52) for tipped employees
- Proposal would increase minimum wage to bring it on par with non-tipped employees
 - \$12 an hour by 2024
- 7 states currently have eliminated the tipped minimum wage



Mandatory Paid Sick Time

- Paid Sick Time for personal or family health needs (including domestic violence or sexual assault)
 - And school meetings related to a child's disability, health, or issues related to domestic violence and sexual assault
- Require employers to accrue one hour of paid sick leave for every 30 hours worked by each employee with a cap at 72 hours each year
- Employees of small companies (fewer than 10 employees) could accrue up to 40 hours of paid sick time and 32 hours of unpaid sick time each year
- Employees using paid sick time paid at the normal hourly wage for that employee or the state minimum wage, whichever is greater
- Employers are able to require documentation if the employees are using three or more consecutive paid sick days.

Paid Sick Time



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- 10 states plus DC have a paid sick time law
 - NJ takes effect 10/29/18
- Michigan law would provide benefits that extend beyond many of those of other states

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