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# 2012 STATEWIDE BALLOT PROPOSALS

**M**ichigan voters participating in the statewide general election this November will have the opportunity to vote on six policy questions. These questions will be in addition to the partisan and non-partisan races such as President, U.S. Senate, U.S. Congress, State Representative, Michigan Supreme Court and various local races. The six statewide questions will be the highest number of ballot proposals Michigan voters will have witnessed in some 25 years. Five of the questions are proposed constitutional amendments while the sixth, Proposal 1, is a referendum on an existing state law.

**Proposal 1:** Uphold Public Act 4 of 2011, the Emergency Manager Law

**Proposal 2:** Enshrine collective bargaining rights in the Michigan Constitution

**Proposal 3:** Require at least 25 percent of Michigan's energy to come from renewable energy sources by 2025

**Proposal 4:** Create a registry for home health care workers and allow such workers to bargain collectively

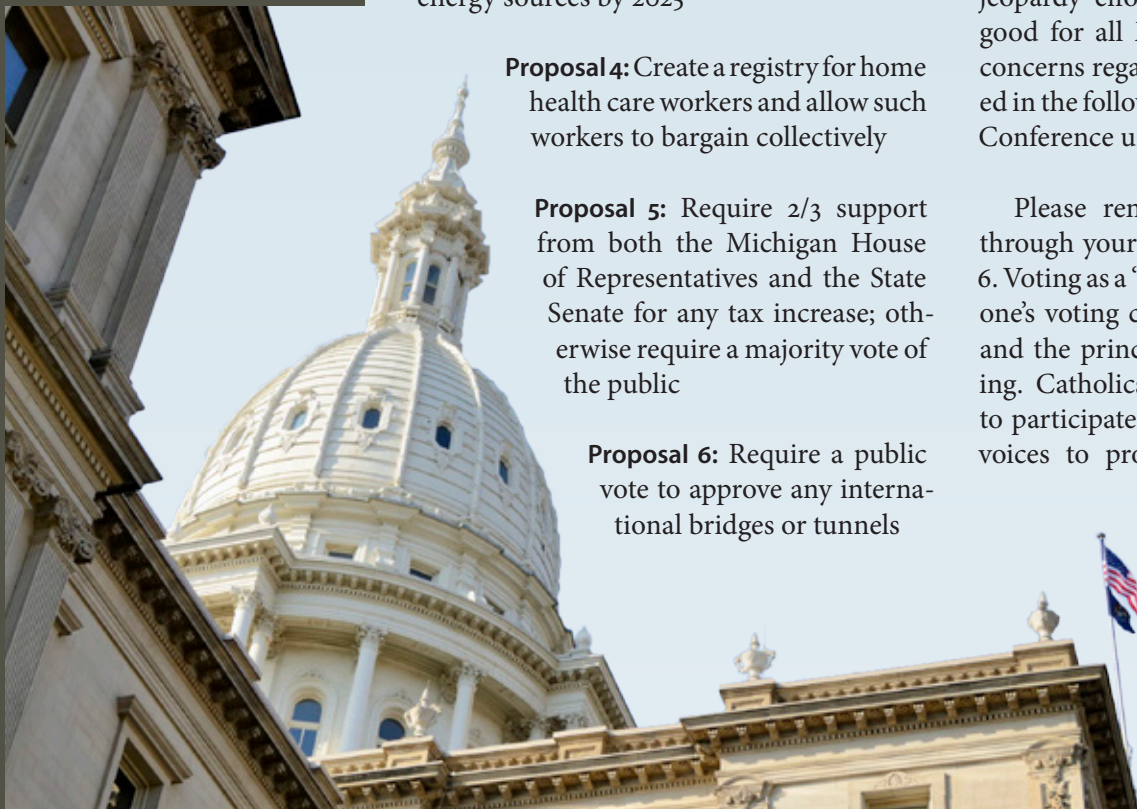
**Proposal 5:** Require 2/3 support from both the Michigan House of Representatives and the State Senate for any tax increase; otherwise require a majority vote of the public

**Proposal 6:** Require a public vote to approve any international bridges or tunnels

With these six questions certified for the ballot, it is important for voters to learn about their implication for the future of the state. The following pages detail the actual language for each proposal voters will see on the ballot. Arguments in favor and in opposition to the specific proposal are also provided for each question. These arguments come directly from the supporters and opponents.

It is important to note that the Michigan Catholic Conference Board of Directors, which includes the seven (arch) diocesan bishops in Michigan, five laypersons, one religious sister and one diocesan priest, has voted unanimously to oppose Proposal 5. Requiring two-thirds supports from both chambers of the Michigan Legislature for any revenue increase, no matter how small, means that only 13 elected officials could decide tax policy in Michigan. According to the MCC Board, this proposal is an affront to representative democracy and places in jeopardy efforts to promote the common good for all Michigan citizens. Additional concerns regarding this measure are provided in the following pages. Michigan Catholic Conference urges a "no" vote on Proposal 5.

Please remember to vote all the way through your ballot on Tuesday, November 6. Voting as a "faithful citizen" means to form one's voting conscience based on Scripture and the principles of Catholic social teaching. Catholics have a moral responsibility to participate in public life and to use their voices to promote issues that contribute to the achievement of the common good. ■



## A REFERENDUM ON PUBLIC ACT 4 OF 2011—THE EMERGENCY MANAGER LAW

### PUBLIC ACT 4 OF 2011 WOULD:

- Establish criteria to assess the financial condition of local government units, including school districts.
- Authorize Governor to appoint an emergency manager (EM) upon state finding of a financial emergency, and allow the EM to act in place of local government officials.
- Require EM to develop financial and operating plans, which may include modification or termination of contracts, reorganization of government, and determination of expenditures, services, and use of assets until the emergency is resolved.
- Alternatively, authorize state-appointed review team to enter into a local government approved consent decree.

SHOULD THIS PROPOSAL BE APPROVED?  YES  NO

### SUPPORTERS OF PROPOSAL 1 (KEEP LAW) SAY:

- The current law, Public Act 4 of 2011, ensures the state has the ability and flexibility to provide assistance to struggling local governments before financial crises erupt.
- If the law is repealed it will be harder for the state to provide assistance when needed, instead placing a greater burden on the taxpayers to solve local debt problems.
- The repeal could force existing emergency managers to step down, thereby hindering their city or school district's progress towards addressing financial concerns.

Supporters include Citizens for Fiscal Responsibility, a ballot question committee, Governor Rick Snyder, Michigan Farm Bureau, Michigan Republican Party and Michigan Retailers Association also support the proposal.

### OPPONENTS OF PROPOSAL 1 (REPEAL LAW) SAY:

- The law, Public Act 4 of 2011, gives too much power to unelected emergency managers that are not held accountable for their actions and takes too much power away from local elected officials.
- The law could bring about large expenses for local governments and school districts without adding new revenue to help address those costs.
- Emergency managers, under Public Act 4, have a wide ability to change existing collective bargaining agreements and invalidate contracts.

Opponents include Stand Up for Democracy, a ballot question committee, Michigan Democratic Party, and United Auto Workers.



PROPOSAL  
**12-2**

# A PROPOSAL TO AMEND THE STATE CONSTITUTION REGARDING COLLECTIVE BARGAINING

## THIS PROPOSAL WOULD:

- Grant public and private employees the constitutional right to organize and bargain collectively through labor unions.
- Invalidate existing or future state or local laws that limit the ability to join unions and bargain collectively, and to negotiate and enforce collective bargaining agreements, including employees' financial support of their labor unions. Laws may be enacted to prohibit public employees from striking.
- Override state laws that regulate hours and conditions of employment to the extent that those laws conflict with collective bargaining agreements.
- Define "employer" as a person or entity employing one or more employees.

SHOULD THIS PROPOSAL BE APPROVED?  YES  NO

## SUPPORTERS OF PROPOSAL 2 SAY:

- The proposal will ensure that employees have a voice at work by giving them the right to negotiate a fair contract.
- All employees, not just ones in specific sectors or with specific employers, would have the right to collectively bargain.
- The proposal protects workers' jobs, wages, and benefits from large cuts.

Supporters include Protect Working Families, a ballot question committee that includes Michigan AFL-CIO, Michigan Democratic Party, Michigan Education Association, Michigan Nurses Association, Michigan United Auto Workers and others.

## OPPONENTS OF PROPOSAL 2 SAY:

- The proposal will grant organized labor excessive power over lawmakers and make it difficult for the state to regulate labor activities.
- The full impact of the proposal is not known- it would invalidate or repeal anywhere between 80 and 170 existing laws concerning employees and job providers.
- Having a proposal that would amend the constitution locks Michigan into these words, rather than allowing lawmakers and elected officials to adapt to situations that may arise in the future.

Opponents include Citizens Protecting Michigan's Constitution, a ballot question committee that includes Associated Builders and Contractors of Michigan, Michigan Association of Realtors, Michigan Chamber of Commerce, Michigan Manufacturers Association, Small Business Association of Michigan, and others. Governor Rick Snyder, Michigan Farm Bureau, Michigan Republican Party, and Michigan Retailers Association are also opposed.



PROPOSAL  
**12-3**

# A PROPOSAL TO AMEND THE STATE CONSTITUTION TO ESTABLISH A STANDARD FOR RENEWABLE ENERGY

## THIS PROPOSAL WOULD:

- Require electric utilities to provide at least 25% of their annual retail sales of electricity from renewable energy sources, which are wind, solar, biomass, and hydropower, by 2025.
- Limit to not more than 1% per year electric utility rate increases charged to consumers only to achieve compliance with the renewable energy standard.
- Allow annual extensions of the deadline to meet the 25% standard in order to prevent rate increases over the 1% limit.
- Require the legislature to enact additional laws to encourage the use of Michigan made equipment and employment of Michigan residents.

SHOULD THIS PROPOSAL BE APPROVED?  YES  NO

## SUPPORTERS OF PROPOSAL 3 SAY:

- The proposal will increase the number of clean energy jobs in the state and require energy providers to make large investments in the state of Michigan.
- The proposal sets a cap for rate increases caused by renewable energy regulations at 1%, protecting the consumers of Michigan from rising energy bills.
- In addition, by drawing more of Michigan's energy from clean, renewable sources, it will help to reduce pollution and pollution-related disease while at the same time making Michigan more energy independent.

The primary supporter is Michigan Energy, Michigan Jobs, a ballot question committee that includes American Wind Energy Association, Great Lakes Renewable Energy Association, Michigan Education Association, Michigan League of Conservation Voters, Michigan Nurses Association, NAACP, United Auto Workers and others.

## OPPONENTS OF PROPOSAL 3 SAY:

- The proposal will lock Michigan into energy sources that do not allow enough flexibility to deal with a changing industry as well as hinder lawmakers from adapting to new conditions.
- Energy rates are already high for Michigan consumers, and despite the cap, consumers will experience long-term rate inflation until investments in renewable energy are paid off.
- Bi-partisan clean energy standards have already been passed by the Legislature in 2008 to incorporate renewable energy standards into Michigan (10% by 2015). They need to be met and evaluated before Michigan proceeds with such a proposal.

Opponents include Citizens Protecting Michigan's Constitution, a ballot question committee, and Clean, Affordable, Renewable Energy for Michigan, also a ballot question committee that includes Consumers Energy, DTE Energy, Michigan Chamber of Commerce, Michigan Manufacturers Association, Michigan State Utility Workers Council, Lansing Regional Chamber of Commerce, and others. Governor Rick Snyder, Attorney General Bill Schuette, Michigan Farm Bureau, and Michigan Retailers Association are also opposed.



PROPOSAL  
**12-4**

# A PROPOSAL TO AMEND THE STATE CONSTITUTION TO ESTABLISH THE MICHIGAN QUALITY HOME CARE COUNCIL AND PROVIDE COLLECTIVE BARGAINING FOR IN-HOME CARE WORKERS

## THIS PROPOSAL WOULD:

- Allow in-home care workers to bargain collectively with the Michigan Quality Home Care Council (MQHCC). Continue the current exclusive representative of in-home care workers until modified in accordance with labor laws.
- Require MQHCC to provide training for in-home care workers, create a registry of workers who pass background checks, and provide financial services to patients to manage the cost of in-home care.
- Preserve patients' rights to hire in-home care workers who are not referred from the MQHCC registry who are bargaining unit members.
- Authorize the MQHCC to set minimum compensation standards and terms and conditions of employment.

SHOULD THIS PROPOSAL BE APPROVED?  YES  NO

## SUPPORTERS OF PROPOSAL 4 SAY:

- The proposal will give in-home care workers the right to collectively bargain.
- The Michigan Quality Home Care Council will improve safety as well as accessibility to good workers by establishing a registry of in-home care workers who have passed criminal background checks. The council will also provide training for in-home care workers.
- Proponents say that Proposal 4 will save taxpayer money by encouraging home care rather than forcing patients into nursing homes, which is more expensive.

Supporters include Citizens for Affordable Quality Home Care, a ballot question committee that includes Area Agencies on Aging Association in Michigan, Michigan Disability Rights Coalition, Michigan Paralyzed Veterans of America, and others. Keep Home Care a Safe Choice, Michigan Campaign for Quality Care, Michigan Democratic Party, Service Employees International Union, and United Auto Workers are also in support.

## OPPONENTS OF PROPOSAL 4 SAY:

- Services provided by this proposal are already available, and this proposal could force in-home workers, including relatives of the patient, to join a union and pay union dues out of their paychecks.
- In-home care workers, although they are directly employed by elderly and disabled individuals who need services, would be treated as public employees simply so they could be unionized.
- This proposal should not be locked into the Michigan Constitution, which hinders the ability of the state to adapt in the future to changing conditions.

Opponents include Citizens Protecting Michigan's Constitution, a ballot question committee, Governor Rick Snyder, Michigan Farm Bureau, Michigan Republican Party, and Michigan Retailers Association.



PROPOSAL  
**12-5**

# A PROPOSAL TO AMEND THE STATE CONSTITUTION TO LIMIT THE ENACTMENT OF THE NEW TAXES BY STATE GOVERNMENT

## THIS PROPOSAL WOULD:

- Require a 2/3 majority vote of the State House and the State Senate, or a statewide vote of the people at a November election, in order for the State of Michigan to impose new or additional taxes on taxpayers or expand the base of taxation or increasing the rate of taxation.
- This section shall in no way be construed to limit or modify tax limitations otherwise created in this Constitution.

SHOULD THIS PROPOSAL BE APPROVED?  YES

**NO**

## SUPPORTERS OF PROPOSAL 5 SAY:

- By making tax increases more difficult to pass, the proposal will ensure that raising taxes is a last resort by requiring a greater number of lawmakers to agree to any tax increase.

Supporters include Michigan Alliance for Prosperity and National Federation of Independent Business.

## OPPONENTS OF PROPOSAL 5 SAY:

- The proposal would allow a very small number of elected officials—13 out of 148—to decide tax policy in the State of Michigan, which means fewer Michigan citizens would have a say in their government.
- The proposal would make it impossible for the Legislature to pass balanced solutions to any state budget problem. That would mean partisan gridlock in Lansing, higher local taxes, and more cuts to education, health care, public safety and other essential services.
- The proposal is funded almost entirely by a lone Detroit billionaire, whose agenda is to buy a constitutional amendment that would forever protect his state tax breaks.

Michigan Catholic Conference (MCC) is urging a no vote on Proposal 5. The requirement of a super-majority in both the Michigan House of Representatives and the State Senate to pass a tax increase will give too much power to a very small number of elected officials. Two-thirds support means only 13 legislators would be needed to defeat what may be a necessary revenue increase, no matter how small. This would silence the voices of millions of citizens who sent men and women to Lansing to represent their communities. Lawmakers should have the ability to determine the amount of revenue needed to continue operation of state government and programs that are essential to protecting Michigan's citizens and the common good of the state.

Opponents include Michigan Catholic Conference and the Defend Michigan Democracy ballot question committee, which includes AARP Michigan, Michigan Association of School Boards, Michigan Education Association, Michigan Health and Hospital Association, Michigan League of Human Services and Michigan Municipal League, among others. Governor Rick Snyder, Michigan Chamber of Commerce, Michigan Democratic Party, Michigan Farm Bureau, Michigan Retailers Association and United Auto Workers are also opposed.



PROPOSAL  
**12-6**

**A PROPOSAL TO AMEND THE STATE CONSTITUTION REGARDING CONSTRUCTION OF INTERNATIONAL BRIDGES AND TUNNELS**

**THIS PROPOSAL WOULD:**

- Require the approval of a majority of voters at a state-wide election and in each municipality where “new international bridges or tunnels for motor vehicles” are to be located before the State of Michigan may expend state funds or resources for acquiring land, designing, soliciting bids for, constructing, financing, or promoting new international bridges or tunnels.
- Create a definition of “new international bridges or tunnels for motor vehicles” that means “any bridge or tunnel which is not open to the public and serving traffic as of January 1, 2012.”

**SHOULD THIS PROPOSAL BE APPROVED?**    YES    NO

**SUPPORTERS OF PROPOSAL 6 SAY:**

- The proposal will allow the people to decide how their money is spent on international bridges or tunnels before the Governor or Legislature take action.
- The proposal might put the Michigan-Canadian bridge project on the ballot for voters to decide if they approve or reject.

The main supporter of the proposal is The People Should Decide, a ballot question committee that is entirely funded by businesses owned by an individual who also owns the Ambassador Bridge in Detroit.

**OPPONENTS OF PROPOSAL 6 SAY:**

- The proposal will require excessive referendums due to the wording of the definition of international bridge or tunnel. The wording might be interpreted to force a vote on any state tunnel or bridge project not open to the public by January 1, 2012.
- The Michigan-Canadian bridge project might not apply to this proposal and thus would not be put to the voters for approval.
- Michigan should not lock this proposal into the Constitution and hinder the ability of future lawmakers to adapt to future situations that arise.

The main opponents of the proposal are Governor Snyder, Michigan Farm Bureau, Michigan Retailers Association and Taxpayers Against Monopolies, a ballot question committee that includes the Detroit Regional Chamber, Grand Rapids Chamber of Commerce and others.



# INITIATIVES AND REFERENDUMS: EXPLAINING MICHIGAN'S PETITION PROCESS

## CONSTITUTIONAL AMENDMENT INITIATIVE

For proposed changes to the state constitution, petitions with signatures equal to at least 10 percent of the total gubernatorial vote in the previous election must be filed with the secretary of state at least 120 days before the general election in order for the initiative to appear on the ballot.

The Michigan Board of State Canvassers' certification of sufficiency or insufficiency of signatures is required at least 60 days before the election. Any question submitted to the voters shall be worded so that a "Yes" vote will be a vote in favor of the subject matter of the proposal, and a "No" vote will be against the subject matter of the proposal. If two or more amendments approved by the voters at the same election conflict, the amendment receiving the highest affirmative vote shall prevail. Constitutional amendments take effect 45 days after the election.

## STATUTORY INITIATIVE

Statutory initiative extends only to laws which the legislature may enact under the constitution. Once the necessary number of signatures (8 percent of the total vote cast for governor) are certified, the proposed law is submitted to the legislature which has 40 session days to act. The legislature may:

1. Approve the statutory initiative without change. It becomes law after majority approval in both the House and Senate. The governor cannot veto, nor is his or her approval required. If approved by the legislature, the law can later be amended or repealed by a simple majority vote in the legislature. The law is also subject to referendum.
2. Reject the initiative. The proposal is automatically placed on the ballot at the next statewide election. If voters approve a statutory initiative, it takes 3/4 vote in both the House and Senate to repeal or amend the initiated law.

*"The people reserve to themselves the power to propose laws and to enact and reject laws, called the initiative, and the power to approve or reject laws enacted by the legislature, called the referendum."*

—Michigan Constitution, Article II, Section 9

3. Place an alternative measure on the ballot. If the statutory initiative and the legislature's alternative both receive more "Yes" than "No" votes, the one with the highest number of "Yes" votes is the one which takes effect.

Statutory initiatives that pass take effect 10 days after certification of the election results by the Board of State Canvassers.

## REFERENDUM

Voters have the power to reject laws enacted by the legislature. This power does not extend to laws making appropriations for state institutions or to meet deficiencies in state funds. To invoke referendum, petitions with signatures equal to 5 percent of the total vote for governor in the previous election are needed. Referendum must be invoked within 90 days following the final adjournment of the legislative session in which the law was enacted.

Once the necessary number of signatures has been filed with the secretary of state, the public act is suspended until voters in the next general election vote "Yes" or "No" on the act. (Filing of signatures—not certification—suspends the public act.) Any public act approved by voters in a referendum election may be amended by the legislature in any subsequent session. The legislature may immediately re-enact a law that the voters have rejected by referendum. If voters approve a public act in a referendum election, the suspended act goes back into effect 10 days after certification of the election results by the State Board of Canvassers. ■

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## focus

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