

AAUW of Michigan Votes to Oppose Three Initiated-Law Petition Drives in Michigan

The AAUW of Michigan Board voted to oppose the following petition drives during its November 20, 2021, meeting. The information below was prepared by Mary Pollock, AAUWMI Government Relations Coordinator, in advance of the meeting.

Lively activity in the petition drive arena occurs in Michigan because of the generous initiative and referendum provisions in the [Michigan Constitution, Article II § 9](#). If a group collects voter signatures from 8 percent of the voter turnout in the last gubernatorial election – 340,047 signatures this cycle – within a 180-day period, a proposed initiated statute goes to the Legislature for consideration. If approved by a simple legislative majority vote within 40 session days, it automatically becomes law without the governor’s signature. If not approved, it goes to the ballot. A Constitutional amendment under [Michigan Constitution, Article XII](#) requires signatures of 10 percent of the voter turnout in the last gubernatorial election and must go to the ballot.

There are three proposed initiated laws in circulation or in the Michigan Board of State Canvassers review process that are in conflict with AAUW’s national Public Policy Priorities:

Proposed Motion: That the AAUW of Michigan Board opposes Unlock Michigan 2, Secure MI Vote, and Let MI Kids Learn petition drives and underlying proposed laws, urges members to **decline to sign** the petitions if approached by signature gatherers, and encourages branches to educate themselves and voters about the harmful implications of the three proposed laws.

Unlock Michigan 2

This is a voter-initiated statute to amend the Public Health Code to reduce the authority of the Director of the Michigan Department of Health and Human Services and local health officers to control an infectious disease by issuing emergency orders. The measure limits emergency orders to 28 days unless the State Legislature or a local governing body extends it. Here is the 100-word summary approved by the Michigan Board of State Canvassers :

An initiation of legislation to amend the Public Health Code. The current law authorizes the Director of the Department of Health and Human Services and local health officers to determine that control of an infectious diseases outbreak is necessary to protect the public health and issue emergency orders. The proposal would require determinations to be in writing and would make an emergency order expire after 28 days unless the state legislature or a local governing body extends it.

Public health officials associated with both political parties have been urging residents not to sign the petitions. The opposition ballot committee Public Health Not Politicians has been recently formed to oppose Unlock Michigan 2. Major health organizations are expected to oppose the measure and donate to the opposition campaign.

Unlock Michigan 2 comes on the heels of Unlock Michigan 1 that eliminated the Governor's emergency powers beyond 28 days without legislative approval. Subsequently, the Governor has relied on the Public Health Code for any statewide measures to control COVID-19. Moreover she has generally delegated to local authorities COVID-19 control with resulting spotty results regarding a virus that knows no boundaries. County Commissions and School Boards have been the scene of protest regarding local health officials' emergency orders to require COVID-19 mitigation measures such as masks, testing, quarantines, or vaccinations.

Secure MI Vote

This is a voter-initiated statute to amend Michigan's election laws in response to expanded voter registration and absentee ballot voting after passage of Proposal 3 in 2018. The proposal prohibits absentee ballot application mailings to registered voters by the Secretary of State or local election officials unless requested by the voter, prohibits having a link on a website to download the absentee ballot application form, bars private funding for election administration from charitable or community organizations, and abolishes affidavit voting by those who forgot or do not have a state-issued identification for in-person voting, and other changes. Sponsors of the measure emphasize its voter ID requirements because the issue polls well, but Michigan already has a government-issued voter ID requirement and the very few imposters have been prosecuted. Much of the proposal is based on suspicion of voter fraud in the November 2020 election for U.S. President that has been denied in numerous federal and state court lawsuits, disproven in over 250 audits, and rejected in a Michigan Senate Oversight Committee Report.

Here is the 100-word summary approved by the Michigan Board of State Canvassers:

Initiation of legislation to amend Michigan election law: to require partial social security number for voter registration; require photo ID for in-person voters; require driver's license, state-ID, partial social security number or photo ID on absentee ballot application; require voters who don't provide this ID to present ID in person within 6 days after election to have their vote counted; provide state-funded IDs to applicants with hardships; specify minimum times clerks must accept absentee ballots for in-person or dropbox delivery; prohibit officials from making absentee ballot applications available except upon voter request; prohibit donations to fund elections.

Tax Breaks for Private Schools

HB 5404, HB 5405, SB 687 and SB 688 moved through the Legislature in less than two weeks in October catching all but the astute education watchdogs by surprise. The AAUW of Michigan urged the Governor to veto the bills and she did with a strong veto message. The bills would have allowed donations to student opportunity scholarship accounts to be fully income tax deductible, though the program would have been capped at \$500 million per fiscal year. The bills provided tax credits for scholarships for private school tuition, or for tutoring and other services that supplement educational costs at private or parochial schools. Under the bills, eligible private school students could receive up to \$7,830 per year or 90 percent of the State foundation allowance provided to public school students. In response to the veto, Let MI Kids Learn Committee has proposed two initiated laws mirroring the vetoed legislation. The Michigan Board of State Canvassers has requested comment on the proposed summary of the proposed laws by November 10 and must approve a 100-word summary by December 1.

Public school advocates view Let MI Kids Learn's proposals as a backdoor attempt at legalizing school vouchers, which were banned by a [1970 State constitutional amendment](#), with a similar effort rejected by statewide voters two decades ago with 69 percent voting no.

Here is the 100-word summary proposed to the Michigan Board of State Canvassers:

Proposal 1: Initiation of legislation to create the Student Opportunity Scholarship Act, an act to require the Department of Treasury to establish a Student Opportunity Scholarship (SOS) program; require a uniform process to determine the amount of funds to be allocated to each eligible student's SOS account; specify the qualifying education expenses for which SOS funds could be used; specify that funds allocated to an SOS account and used for qualifying education expenses would not be considered taxable income to the parent or SOS student; and to provide appropriations for the implementation of this act.

Proposal 2: Initiation of legislation amending the Michigan Income Tax Act to allow taxpayers to claim a tax credit for contributions made by the taxpayer for qualifying education expenses pursuant to the Student Opportunity Scholarship program; and to provide appropriations for the implementation of this proposal.

The statutes that would be changed can be found at the Secretary of State, Bureau of Elections, Board of State Canvassers [website](#) under Reference Documents.

Prepared by Mary Pollock, AAUWMI Government Relations Coordinator, November 11, 2021.