



## GOVERNMENT POSITIONS

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### ELECTION LAW

**Statement of Position originally adopted 1977; revised and amended 1984, 1961, 1993, 1997, completely revised 2001; Section IX revised 2003. DEI review 2023.**

LWVMI supports:

- I. Uniformity in Michigan's election laws in regard to:
  - A. Simplification of the election process. This could be accomplished in part, by
    1. Combining elections currently held at different times.
    2. Holding all Michigan election on the same day of the week or closing all elections in the case of extended voting periods, on that same day.
  - B. Consistency of application of election laws in all jurisdictions.
  - C. Provisions in ensure accuracy and security in all aspects of the election process and in privacy in voting.
- II. Retention of primary authority for administering the election system by local clerks in cooperation with all election officials.
- III. Provisions for sufficient information on the location and substance of every election, and pertinent registration and voting procedures and deadlines. These should include but not be limited to:
  - A. Standardized, easily readable identification of each polling place
  - B. Extensive notification in all media;
  - C. General availability of sample ballots.
- IV. Provisions to increase the ease and accessibility of voting, such as:
  - A. A requirement that each voting precinct in the state and each absentee ballot have

adequate, simple, legible, highly visible instructions on using the voting device and on write-in voting.

- B. Provision of an absentee ballot to any registered voter upon request
  - C. Ballot design to enhance accuracy in voting and counting.
  - D. Use of technology, such as electronic voting, with safeguards for ensuring accuracy, security, and privacy.
  - E. Accommodation for voters with disabilities and special needs.
- V. The principles of initiative, referendum, and recall. Requirements for petitions such as the number of signatures and restrictions on the process of gathering signatures should be sufficient to prevent frivolous proposals, but not so high as to discourage grassroots efforts to initiate legislation, to amend the constitution or to recall our elected officials.
- VI. Fair and uniform regulation by state law of all political parties including those procedures relating to the nomination and election of candidates for public office.
- A. Minor political parties are important in providing opportunities for the expression of diverse views. State requirements should allow minor political parties the opportunity to participate in the election process.
  - B. A political party must demonstrate its viability through an approved method including, but not necessarily limited to, petition filing or receiving a specified percentage of the vote in a previous state general election contest.
- VII. An open primary system for state and local candidates for office, whereby a voter declares political party affiliation only in the privacy of the voting booth.
- VIII. Michigan's participation in a regional presidential primary.
- IX. The selection of qualified judges free from political pressures:
- A. Nonpartisan selection regardless of methods of appointment or election.
  - B. Gubernatorial appointment of judges to Supreme and Appellate Courts based on merit, as determined by an authorized, nonpartisan, broad based and diverse review panel; with subsequent retention election.
  - C. Election of judges for local courts from a nonpartisan ballot, based on the candidate's submission of nomination petitions.
  - D. Public funding of judicial elections
  - E. Incumbent judges should not be so indicated on the ballot.



## GOVERNMENT POSITIONS

### INTERGOVERNMENTAL RELATIONS WITHIN MICHIGAN

**Statement of Position originally adopted 1963; revised and amended 1977, 1979, 1981, 1982, 1985, 1991, 1993, 1998, and 2009. DEI review 2023.**

#### **LWVUS Principles**

The League of Women Voters believes that democratic government depends upon the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

The League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing and coordination among the different agencies and levels of government.

The League of Women Voters believes that responsible government should be responsive to the will of the people; that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution of economic and social problems that affect the general welfare, promote a sound economy and adopt domestic policies that facilitate the solution of international problems.

LWVMI supports measures to allow flexibility in solving metropolitan area or regional problems, and to encourage orderly growth and efficient government:

- I. Full cooperation among governmental units.
- II. Coordination by the State of state agency policies and programs as they relate to both regions and to local governments. LWVMI actively promotes the coordination by state agencies of their rules and regulations for local governments.
- III. Long-range planning for all regions in the state. A regional planning organization is important to the process
  - A. Membership in regional planning and development commissions (RP & Ds)

should include local units of government, special purpose districts, community college districts, intermediate school districts, local school districts and citizens.

- B. Board members of the regional organization should be appointed by the governing bodies of the member units. LWVMI does not support direct election to membership in RP&Ds.
- C. RP&Ds should be funded primarily through local assessments and then by state and federal appropriations. LWVMI opposes regional taxation.
- D. The role of the RP&Ds should be advisory and/or that of review, and should include:
  - 1. Regional planning in land use, economic development, farmland preservation, parks, transportation, housing, environmental functions (water and air quality, solid waste and water and sewage systems), health, law enforcement and population forecasts;
  - 2. Review of local plans for conformity to regional plans;
  - 3. Contracting with local governments and/or agencies for planning services.
- E. Support legislation to permit formation of multipurpose districts and to authorize RP&Ds to coordinate special service boards. LWVMI opposes granting RP&Ds power of appointment of special service board members.

IV. Machinery for long-range planning for metropolitan areas.

V. County Government

- A. Choices for the reorganization of county government to include:
  - 1. The selection of an elected or appointed chief administrative officer (unified county government), and
  - 2. Self determination by county charter.
- B. All county governments should satisfy the following standards:
  - 1. Separation of legislative and administrative roles (with the possible exception of counties with small population);
  - 2. Provision of long-range planning for services by county or region; and
  - 3. Establishment of mechanism for implementing plans at county or other levels of government.
- C. The State constitution should permit counties to transfer the functions traditionally performed by the clerk, treasurer, sheriff and the road commissioners to positions or departments established by the county. If the functions are transferred, the county should empower its manager or executive officer to supervise and coordinate those functions.
- D. The State constitution should require counties to transfer the functions traditionally performed by the drain commissioner and the register of deeds to positions or departments established by the county

and should empower its manager or executive officer to supervise and coordinate those functions.

- E. The State constitution should require counties to hold nonpartisan elections, and should permit counties to elect county commissioners either by districts, or at large, or by combination.
  - F. State law should permit charter counties to choose whether the chief administrative officer should be an appointed county manager or an elected county executive.
  - G. In addition to the standards listed in Sec. V.A., county charters should meet the following standards:
    - 1. Central administrative control over county operations, county departments, appointive positions, boards and commissions in general;
    - 2. Central administrative coordination of elective offices with the rest of county government.
- VI. LWVMI does not support any one single type of metropolitan government, but strongly recommends enabling legislation to allow flexibility for local areas to determine that form which best meets their needs.
- VII. Township government as an optional form of local government.
- A. Township government is effective for rural areas which require limited financial services.
  - B. Township government is an alternative to city hood when it meets the following standards:
    - 1. Separation of legislative and administrative roles;
    - 2. Provision of long-range planning of services and their delivery.
  - C. The state constitution should require township elections to be non-partisan.
  - D. The state constitution should require terms of township board members to be staggered.
- VIII. LWVMI supports sharing of services and consolidation of local governments.
- A. The state should provide incentives to encourage sharing of government services such as fire, police, parks and recreation, water, and sewage treatment among local units of government.
  - B. The state should provide incentives to encourage consolidation of local units of government.
- IX. A central role for the State Boundary commission in the determination of boundary adjustment proposals.
- A. Proposals for incorporation, consolidation or annexation should be subject

to approval by the Commission before they may take effect.

B. Legislated criteria should be used when the Commission considers each proposal.

C. Qualified electors in all affected areas should be permitted to petition for a referendum on a boundary change proposal and to vote on the proposal.

1. In consolidation proceedings, if a petition is filed, majority approval by citizens in each of the participating municipalities counted separately should be required.
2. Future annexation decisions should be based on an urban growth plan for multiunit urban growth area. The plan should be approved by a local urban growth planning committee composed of representatives of all of the governmental units. It should also be subject to the approval of the Boundary Commission and the Regional Planning Commission. Qualified electors of the units included in the urban growth plan should be permitted to vote on the plan.



## GOVERNMENT POSITIONS

### GOVERNMENT FINANCE (Formerly, Taxation and Budgeting)

Adopted 1963, revised 1971, 1980, 1995, 2017. DEI review 2023.

LWVMI supports the development of a state-local tax structure which is adequate, equitable, flexible and moderately progressive. LWVMI supports measures to ensure revenues that are both sufficient and flexible to meet changing needs for state and local government services.

- I. All three broad-based taxes on income, sales and property should be relied upon, with more reliance on the income tax.
  - A. Both local and state property taxes should be levied, based on statewide use of scientific and uniform assessment methods and administrative procedures. Property exemptions should be reappraised periodically to assure accuracy and equitability in the process.
  - B. Food and drugs should be exempt from the state sales tax.
  - C. The state income tax should be graduated as to rate.
  - D. There should be provisions in place to relieve the income and property tax burdens on low-income citizens.
  - E. Safeguards (such as Earned Income Tax Credit-EITC) should be in place to protect against "regressiveness" of sales and use tax.
  - F. Businesses should pay their share of the income, sales and property taxes for services and benefits they use.
  - G. Other ways to obtain additional revenues should be used, such as nuisance taxes and user fees.
  - H. The impact of fees on low-income residents should be considered when establishing the amount of the fee.
  - I. Endorse the concept of tax base sharing, a system for sharing the property tax base that is subject to taxation among units of government.
  
- II. The Legislature should have broad and fundamental taxing powers, free of constitutional restrictions except for constitutional provisions requiring a balanced budget and property tax millage limits.

### III. Budget

#### A. Budget Process

1. The legislative and executive branches of government should have equal responsibility for allocating the state's resources.
2. The proposal, adoption and administration of the state budget should be transparent and accessible to residents throughout the appropriate process.
3. Tax exemptions and credits should be reviewed periodically by the legislature.
4. Business tax credits should be reviewed on a regular basis to see if they are achieving their purpose.
5. The budget process should emphasize performance and outcomes and incorporate accountability through annual executive department evaluations.
6. Michigan's budget process should include a budget review committee in the legislature, supported by a legislative budget staff similar to the federal Congressional Budget Office.

#### B. Budgeted Revenues and Expenditures

1. The distribution of revenue should ensure adequate, equitable and flexible funding of public programs.
2. The state should maximize the use of federal funds to increase revenue for state and local programs.
3. Transportation taxes and fees on fuel should be indexed to inflation.
4. Transportation taxes and fees should be used to pay for maintenance and building of roads and mass transit.
5. Hybrid and electric vehicle users should pay their fare share of transportation funding.

IV. The Legislature should exercise its authority to delegate to local units of government a variety of alternatives to the property tax to enable the local units to meet responsibilities delegated to them. Local units of government should have more options for offsetting the loss of property taxes for tax exempt properties.

V. State-collected revenues which are returned to local units should be distributed on the basis of need, minimum level of local support, and cost of needed services.

- A. The authorized amount of state statutory revenue sharing funds should be provided by the state.
- B. The state should provide the funding when it requires local units to provide specific services.
- C. Local units should periodically reappraise the impact of property tax exemptions





## GOVERNMENT POSITIONS

### REDISTRICTING FOR THE STATE LEGISLATURE AND THE U.S. HOUSE OF REPRESENTATIVES

**Position adopted 2012. DEI review 2023.**

The League of Women Voters of Michigan (LWVMI) supports the formation of an independent redistricting commission in lieu of the legislature as the primary redistricting body. Such a commission should afford equal representation to the major parties and provide for independent and diverse representation. This commission should be established through legislation and/or a constitutional amendment.

The LWVMI reaffirms its support for the LWVUS goals of transparency and citizen partnership in the redistricting process. To implement these goals the following procedures should be used:

1. Meetings of the redistricting body should be subject to the Open Meetings Act.
2. Proposed maps should be published in a timely manner, in print, online and on television with an explanation of the rationale involved.
3. A period of at least 30 days following publication of the proposed maps should be allowed for public review and comment.
4. Public hearings should be held at different locations throughout the state.
5. Census data and relevant census software should be made available online.

The list is open ended. Technological and other improvements should be employed as they become available.

The LWVMI supports population as the primary criterion for redistricting. Other factors of importance are contiguity, maintaining political and geographical boundaries and minority representation. Additional factors to be considered are communities of interest, competitiveness and compactness. There should be no preferential treatment for any party and no protection of incumbents. Redistricting should take place only once a decade following the decennial census.



## GOVERNMENT POSITIONS

### LAME DUCK LEGISLATIVE SESSIONS IN MICHIGAN

**Position adopted 202. DEI review 2023.**

The League believes that democratic government depends upon informed and active participation at all levels of government and that government bodies must protect the citizen's right to know by giving adequate notice of proposed action, providing printed documents in a timely manner, and publishing written records of actions taken. The League also believes that holding open meetings and hearings on pending legislation should be required during both regular legislative sessions and Lame Duck sessions (the session that begins after the November election and lasts until the legislature adjourns in even numbered years)

The League supports these best practices for Michigan's Lame Duck sessions:

- Bills should be published and available for a reasonable period of time.
- Public hearings, with the opportunity for public comment should be held before the enactment of any legislation.
- A Substitute Bill (a/k/a Vehicle Bill, a bill introduced earlier in the legislative session that amends the same section of the Michigan Compiled Laws and replaces the content of the original bill, but avoids both the constitutionally required 5-day layover rule and public hearing) should be prohibited.
- A citizen-initiated law that is scheduled to appear on an upcoming ballot as a statewide ballot proposal, should not be enacted by the Michigan Legislature and then amended in the same session to significantly change the intent of the proposed ballot petition circulators. This "Adopt and Amend" strategy denies citizens the opportunity to vote on the original ballot proposal, undermining the will of the voters.
- Recorded roll call votes, rather than voice votes, should be required.
- A supermajority of 2/3 of those elected and serving in the Legislature should be necessary for a bill to pass in order to encourage bi-partisan support.
- Bills introduced should be limited to those agreed by the bi-partisan quadrant that would meet prior to the November election.

If no reforms to Lame Duck sessions are enacted to improve transparency, citizen participation and accountability, the League would support a constitutional amendment to either restrict practices that impede democracy or eliminate a Lame Duck session in even-numbered years, keeping protections for an emergency session intact.