

ELECTION REPORT

By **Mary Pollock**

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TURN-OUT

November 6, 2018 saw the biggest turnout in Michigan for a mid-term election in 50 years. More than 4 million residents cast ballots – 4,308,781 according to the uncertified results on November 9. More than half the voting age population voted - 52 percent, according to the Associated Press. Beginning January 1, 2019, Michigan will go from a Trifecta Plus state in which all three branches of government including both legislative chambers and the State Supreme Court are held by the same party to a somewhat divided government in which a minority party holds the Governorship.

STATEWIDE

Democrat **Gretchen Whitmer** of East Lansing, the former Michigan Senate minority leader, bested Republican Bill Schuette of Midland, Michigan's current Attorney General, by 9.5 percentage points. Though Schuette won 66 of Michigan's 83 counties, Whitmer won urban and many suburban areas and improved Democratic performance in Republican majority counties compared to 2014 Democratic candidate Mark Schauer. Whitmer's core messages concerned infrastructure – clean water and her "fix the damn roads" mantra – health care and eliminating the unpopular pension tax. Mr. Schuette's core message was a "paycheck agenda" focused on cutting the state income tax. Exit polling indicates Whitmer garnered 59 percent of the women's vote and 50 percent of the men's vote in Michigan.

Newly elected **Secretary of State Jocelyn Benson** garnered 52.8 percent of the vote and **Attorney General-elect Dana Nessel** squeezed by with 49 percent of the vote. She is the first openly LGBTQ person to win a statewide election in Michigan. Incumbent U.S. Senator Democrat **Debbie Stabenow** won re-election with a surprisingly skimpy 52.2 percent against newcomer Republican John James.

In the Michigan Supreme Court race, Republican-nominated incumbent **Justice Elizabeth Clement** and Democrat-nominated attorney **Megan Cavanaugh** won their races for the two available seats on our high court. The court will go from 5-2 Republican nominated to 4-3.

Democrats were able to sweep all 8 statewide education boards despite the lack of straight-ticket voting for the first time in 134 years. But the voter fall off was noticeable, In 2014, statewide votes for the Democratic and Republican candidates for the State Board of Education fell by 16.3 percent from the votes cast for the Democratic and Republican candidates for governor. This year, votes fell by 19.6 percent.

Congress – Two Democratic women flipped Republican-held seats in U.S. House races to create a 7 - 7 U.S. House delegation from Michigan. In the 8th Congressional District, **Elissa Slotkin** unseated 2-term Republican Mike Bishop by just 13,074 votes according to the uncertified returns. In the 11th Congressional District, **Haley Stevens** won an open seat currently held by Republican David Trott of Birmingham. In the 13th Congressional District, former Democratic State House member and Palestinian-American **Rashida Tlaib** handily won the open seat formerly held by Democrat John Conyers. She will be one of two female Muslims added to the U.S. House this term. In the 9th Congressional District, **Andy Levin** won

the open seat previously held by his father, Democrat Sander Levin. Incumbents won in the 10 other Congressional races. Statewide, Democrats received 50.7 percent of all Congressional votes to the Republicans' 46.2 percent.

Slotkin, Stevens, and Tlaib will join re-elected U.S. Representatives **Brenda Lawrence** (D-14) and **Debbie Dingell** (D-12) as the Michigan contingent of a record-breaking number of women elected to the U.S. House with 10 races still undecided at this writing. Nationally, Democrats gained at least 32 seats in the U.S. House to take majority control.

STATE LEGISLATURE

The 100th Michigan Legislature, which runs during calendar years 2019 and 2020, will remain Republican controlled. The majority party appoints chairs and members of all legislative committees and controls what bills get considered by the full chambers. The majority party also controls the legislative budget process and sets the budget for the Legislature itself, awarding themselves more staff and resources than the minority party.

A Bridge Magazine analysis showed that despite picking up over half the votes cast in all state House and Senate races, the Democrats failure to win the House and Senate was largely because of gerrymandered districts drawn in 2001 and refined in 2011 to reshape the state legislature to Republican advantage.

House - All 110 seats in the Michigan House and 38 seats in the Michigan Senate were up for election. In House races, there were 43 open seats with no incumbent running. Eighteen members were eligible for re-election but decided to run for the Michigan Senate or other offices. A record 58 of the 110 seats had one or more female candidates running. Democrats needed to flip 9 seats currently held by Republicans to gain control of the House, but only gained 5 seats.

2017-2018 House				2019-2020 House			
Republicans		Democrats		Republicans		Democrats	
63		47		58		52	
Male	Female	Male	Female	Male	Female	Male	Female
46	17	30	17	41	17	27	25

The racial make-up of the new House is 17.3 percent people of color: 16 African-Americans (9 women, 7 men) two Hispanic (one woman and one man), and one Asian female. Two openly gay Democratic men won their re-elections to the House.

The Republican House Caucus elected Lee Chatfield of Levering as their nominee for Speaker of the House. At 30, he will be the youngest speaker in modern times. The Democratic House Caucus elected Christine Greig of Farmington Hills, an AAUW member, as the House Democratic Leader.

Senate – In the 38-member Senate, there were 26 open seats (a 68 percent turnover!) with 19 Republicans and 7 Democrats leaving because of term limits. The Republicans have had the majority in the Michigan Senate for 34 years and will continue that run for four more years. The Democrats needed to flip 9 seats to take the majority but only flipped 5 seats. Lieutenant Governor-elect Democrat Garlin Gilgrist will break ties of 19-19.

2017-2018 SENATE	2019-2020 SENATE
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Republicans		Democrats		Republicans		Democrats	
27		11		22		16	
Male	Female	Male	Female	Male	Female	Male	Female
24	3	10	1	19	3	8	8

The Senate racial make-up will remain about the same: five African-Americans (3 women, 2 men) and one Asian. Senator-elect Democrat Jeremy Moss will be the first openly gay person in that chamber.

The Senate Republican Caucus has elected Mike Shirkey of Clarklake as Senate Majority Leader. Jim Ananich of Flint will remain the Democrat Minority Leader of the Michigan Senate.

Women – If Democrats had a good election day in Michigan, Michigan’s female candidates had a **GREAT** election day. For the first time in Michigan history, the offices of Governor, Attorney General and Secretary of State will be filled at the same time by women. The most women ever will serve in the state Legislature: 53 of 148 – 35.8%. There will also be the highest number of women in the Michigan delegation to the U.S. House: 5 of 14 – 35.7%.

BALLOT PROPOSALS

All three statewide ballot proposals were approved by voters:

Proposition Subject	Percent of Vote
Voter-initiated statute for recreational marijuana legalization, regulation, and taxation	55.9
Constitutional amendment to establish an independent citizen’s redistricting commission	61.2
Constitutional amendment to expand voting rights and procedures	66.9

These laws will go into effect 10 days after certification of the vote by the Michigan Board of State Canvassers, usually in early-December. The AAUW of Michigan endorsed both Proposal 2 and 3.

Proposal 2 sponsored by Voters Not Politicians particularly spot-lighted its founder and leader, 28-year old **Katie Fahey**. Together with thousands of grassroots unpaid volunteers, VNP successfully collected the necessary signatures, raised an extraordinary amount of money, and ran the campaign to end gerrymandering in Michigan in 2022. Proposal 2 will remove the political district boundary drawing authority from the Legislature and Governor and place it with a multi-partisan citizen’s redistricting commission that purposely excludes elected officeholders, lobbyists and their close relatives from the process.

Due to recent favorable U.S. Supreme Court rulings concerning other states’ boundary drawing, the League of Women Voters of Michigan brought a [federal lawsuit](#) in December 2017 contending that Michigan’s 2011 state legislative and congressional maps are unconstitutional partisan gerrymanders in violation of the First and Fourteenth Amendments. The lawsuit argues that the legislature unconstitutionally marginalized Democratic

constituencies by cracking and packing Democratic voters while efficiently spreading Republican voters across safe Republican districts. Trial is set to begin on February 5, 2019.

Three other voter-initiated laws were adopted by the Legislature and did not appear on the ballot: prevailing wage repeal, minimum wage increase, and earned paid sick time. These laws go into effect 91 days after adjournment of the 2018 regular legislative session or around April 1.

LAME DUCK BATTLE AHEAD

On November 8, two bills were introduced to radically amend the minimum wage and paid sick time laws approved by both chambers in early September. Legislatively-adopted voter-initiated laws take a simple majority to amend, the stated reason the Republican majority adopted both measures in early September. If the proposed statutes would have gone to the ballot and passed, they would take a $\frac{3}{4}$ legislative majority and gubernatorial signature to amend.

Minimum wage increase - The minimum wage law, now [PA 337 of 2018](#), raises the minimum wage to \$12 per hour in yearly stages by 2022, ties the minimum wage rate to inflation, and brings tipped worker minimum wage up to regular minimum wage in stages by 2024. Restaurant owners and some servers in highly-tipped work settings oppose eliminating the lower tipped-worker wage rate. [SB 1171](#), introduced by Sen. Dave Hildenbrand (R-Lowell), would reinstate the tip credit for tipped restaurant workers.

Earned paid sick leave - The earned paid sick time law, now [PA 338 of 2018](#), would require employers with 10 or more employees to provide one hour of sick time for every 30 hours worked up to 72 hours a year. Employees of small businesses, defined as employers with fewer than 10 employees, are allowed to accrue and use 40 hours of paid sick time per year. The Michigan Chamber of Commerce and the National Federation of Independent Business oppose the legislation. [SB 1175](#), introduced by Sen. Mike Shirkey (R-Clarklake), eliminates several provisions related to presumptions against employers contained in the law. It also reduces the requirement of retaining records documenting hours worked and earned sick time taken by employees from three years to six months.

Next steps - Both bills to amend the laws have been referred to the Senate Government Operations Committee chaired by Senate Majority Leader Arlan Meekoff (R-West Olive). Republicans have stated they want to make the laws more business friendly, but a Democratic Governor with a veto pen starting January 1 puts pressure on the Republican majority to pass amendments during Lame Duck session – Tuesday through Thursday, November 27 through December 20. However, a 1964 Attorney General opinion states that an initiative petition enacted by the Legislature cannot be amended until the next legislative session but of course Attorney General opinions can be overturned by the courts.

AAUW of Michigan endorsed both the minimum wage and earned paid sick leave proposals so we will be active in opposing changes to the laws during Lame Duck. AAUW branches and their allies are encouraged to contact their current State [Senate](#) and [House](#) members to oppose attempts to weaken the minimum wage and earned paid sick leave laws.

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