

STATEWIDE BALLOT PROPOSAL

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Proposal 18-3 will appear on the ballot as follows:

Statewide Ballot Proposal 18-3

A proposal to authorize automatic and Election Day voter registration, no-reason absentee voting, and straight ticket voting; and add current legal requirements for military and overseas voting and post-election audits to the Michigan Constitution

This proposed constitutional amendment would allow a United States citizen who is qualified to vote in Michigan to:

- Become automatically registered to vote when applying for, updating or renewing a driver's license or state-issued personal identification card, unless the person declines.
- Simultaneously register to vote with proof of residency and obtain a ballot during the 2-week period prior to an election, up to and including Election Day.
- Obtain an absent voter ballot without providing a reason.
- Cast a straight-ticket vote for all candidates of a particular political party when voting in a partisan general election

Should this proposal be adopted? Yes [] No []

The Proposal

The proposed constitutional amendment would amend the Michigan Constitution to:

- Protect the right of every Michigan voter to vote a secret ballot.
- Require that military service members abroad receive an absentee ballot at least 45 days before the election.
- Protect the right to vote a straight ticket (mark a single box to vote for all of the candidates from one political party) on partisan ballots.
- Automatically register everyone to vote when he or she gets a driver's license or state identification card, unless the person declines.

- Allow Michigan voters to register to vote up to 15 days before the election by mail and up to and on Election Day in person.
- Allow all registered voters to vote absentee for any reason.
- Allow for auditing of statewide elections to ensure their accuracy and integrity.

Background

This proposal adds several voting rights to the Michigan Constitution. For the most part, these rights are a combination of policies that have been implemented in other states.

Secret ballot preserved – Article II, Section 4 of the Michigan Constitution says the legislature shall enact laws “to preserve the secrecy of the ballot.” The proposed amendment preserves that right.

Preserving ballot access for military service members serving abroad and overseas voters – State and federal laws require elections officials to deliver absentee ballots no later than 45 days before an election to those who have requested one (Federal Voting Assistance Program, n.d.). Proposal 2018-3 would codify the requirement in the Michigan Constitution.

Straight ticket voting restored – Nine states currently allow straight ticket voting, which allows voters to choose a political party’s entire slate of candidates with just one mark on their ballot. The Michigan legislature abolished straight ticket voting in January 2016, but a U.S. District Court decision placed an injunction on the ban (Ortiz, 2016), finding that it disproportionately affected African-American voters. In August 2018, a federal judge ruled that Michigan cannot ban straight ticket voting (Malone, S., 2018). However, in September 2018, a federal appeals court struck down that decision, removing the straight ticket voting option from the ballot (Egan, 2018). The proposed amendment would restore the right to vote a straight ticket.

Automatic voter registration – Thirteen states and Washington, D.C., have adopted automatic voter registration (National Conference of State Legislators, 2018), though only four have implemented it so far. This process makes voter registration an opt-out instead of an opt-in process. Those who don’t wish to register can opt out of doing so, but everyone else who interacts with the Secretary of State’s office will be automatically registered to vote when they turn 18. Automatic registration hasn’t been around long enough to know how it affects voter turnout, but the effect is predicted to be positive.

Voter registration deadlines extended – Michigan law currently requires voters to register at least 30 days before the election they wish to vote in. This proposed amendment would allow registration by mail up to 15 days before the election, and registration in person at the local clerk’s office through Election Day.

Absentee voting allowed without giving a reason – Current Michigan law requires voters to provide a reason for voting absentee. Voters must select one of these six reasons for requesting an absentee ballot:

- I am 60 years of age or older.
- I expect to be absent from the community in which I am registered for the entire time the polls are open on election day.
- I am physically unable to attend the polls without the assistance of another.
- I cannot attend the polls because of the tenets of my religion.

- I have been appointed an election precinct inspector in a precinct other than the precinct where I reside.
- I cannot attend the polls because I am confined to jail awaiting arraignment or trial.

While no proof of any of these reasons is required, the proposed amendment would remove that barrier to voting absentee by allowing voters to request an absentee ballot without giving a reason.

Post-election audit required – State law allows the Secretary of State to conduct election audits, but doesn’t require them. The proposed amendment would require post-election audits, something that 32 other states currently require.

References

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