



PUBLIC POLICY **RECOMMENDATIONS**

2020





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Snapshot of 2020 Top Policy Priorities



Fiscally Responsible State Government

Policymakers must properly prioritize how to spend taxpayer's scarce resources. Our focus in 2020 will be making sure state resources go towards infrastructure and road improvements that benefit us all and not towards corporate handouts, pet projects and other frivolous spending.



Protecting Worker Freedom

All workers in Michigan finally may choose to disassociate themselves from a union. Our priority in 2020 is to protect these rights of workers and to make unions even more transparent and responsive to the needs of workers.



Choice and Competition in Education

History teaches that just dumping more resources and rules on public schools is unlikely to spark them to improve. What has worked to spur innovation in nearly every other sector of life is choice and competition, and we'll aim in 2020 to promote policies that give more options to more parents and that put more competitive pressure on schools to improve.



Healing Health Care

Health care costs continue to soar, and government policies contribute to the problem. In 2020, we will focus on containing these costs, with policies to put guard rails on the state's expensive programs and inject more competition in the system to better serve consumers.

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Affordable and Reliable Energy

While state bureaucrats and the monopoly utilities seem fine with ever-increasing electricity rates, we know these costs are killing businesses and making Michigan less competitive. In 2020, we'll push for responsible energy policies that put Michiganders first by helping reduce the cost of electricity for all consumers.



Criminal Justice Reforms

No policy area has more promise in a time of divided government, and we aim to take full advantage in 2020. We'll promote reforms to reduce overcriminalization, treat all former offenders equally and reduce costs for taxpayers.



Government Transparency & Privacy Protection

Michigan is still one of the only states in the country that exempts its Legislature and governor from public documents disclosure. We'll work to change that in 2020, as well as work for a policy to protect the privacy of donors to nonprofit organizations.



Overregulation

Michigan is overregulated, and this costs Michiganders opportunities and jobs. In no place is this more clear than occupational licensing, the rules that put needless hurdles in the way of aspiring entrepreneurs and workers and raise costs for consumers. We'll work to reduce those burdens and promote a thorough review of other harmful regulations and administrative rules.



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End Corporate Welfare

Programs that offer targeted subsidies and tax incentives to specific employers are supposed to create jobs and improve the economy, but they generally don't work and are, on balance, harmful to Michigan's overall business climate. Lawmakers should reject calls to hand out more taxpayer money, and instead redirect economic development funds to road repairs and demand full repayment when companies fail to meet their contractual agreements. Michigan should also join a compact with other states to abstain from offering corporate handouts to entice employers to relocate.

[🔗 mackinac.org/26232](https://mackinac.org/26232)

Prioritize Road Funding

Lawmakers set their spending priorities in the budget, and there is renewed and justified demand to make roads a higher priority, as it has been the state's responsibility to keep roads in good working order. This is easier when the economy grows, which generates more tax revenue. The state has already increased its road funding from \$2 billion in fiscal year 2011-2012 to \$5 billion in last year's budget, with the majority of the increase coming from revenue growth, not tax hikes. Legislators should keep making roads a priority for the state's growing revenue.

[🔗 mackinac.org/21360](https://mackinac.org/21360)

Pay-As-You-Go Road Funding

Paying for road repairs through debt financing can increase funds available now, but only at the expense of the future, plus interest. The state has been paying down its road debts and this has made more money available today for roads. The state should resist calls to borrow and rely on a pay-as-you-go approach to pay for road repairs.

[🔗 mackinac.org/25483](https://mackinac.org/25483)

Reform Michigan's Liquor Control Code System

The current code and related rules read in parts as if they were written to protect special interests from competition and even drive business to them. A proper alcohol control code can protect the health and safety of the Michigan public without lavishing favors on crony capitalists.

[🔗 mackinac.org/1933](https://mackinac.org/1933)



Janus Implementation

The U.S. Supreme Court ruling in *Janus v. AFSCME* said that public employees have First Amendment rights to determine whether to pay a union. The Court's expressed intent in *Janus* was that government employers may only withhold dues from an employee's paycheck if that employee provided clear and affirmative consent to waive their First Amendment rights. Michigan lawmakers should reform any state policies that may be out of compliance with this decision, engaging with state agencies to ensure that employers have proof of such consent to withdraw union dues from employee paychecks.

[🔗 mackinac.org/Janus](https://mackinac.org/Janus)

Protect Right-to-Work

Private and public sector workers are enjoying the benefit of Michigan's right-to-work law. Since the law's passage in 2012, average wages in Michigan have increased 15%, per-capita income growth exceeded the national average and about 430,000 more Michiganders are employed. Union membership must never again be a condition of employment anywhere in Michigan, and no worker should be compelled to pay union dues or agency fees to an organization with which they choose not to associate. The Michigan Legislature should stand resolutely in support of worker opportunity and freedom.

[🔗 mackinac.org/archives/2020/WE-RTW.pdf](https://mackinac.org/archives/2020/WE-RTW.pdf)

Require Collective Bargaining Transparency

Collective bargaining determines how taxpayer money will be spent. Therefore, contract negotiations between public sector unions and government entities should be subject to open meetings and freedom of information laws so that these decisions are fully transparent to the public.

[🔗 mackinac.org/8301](https://mackinac.org/8301)

End Financial Disclosure Loophole for Public Sector Unions

Federal law requires Michigan's private sector unions to disclose certain information every year, including union official and employee salaries, membership totals, and itemized expenditures and receipts. This information is all made publicly available. Public sector unions should be held to the same transparency standards as private sector unions: Michigan should require them to disclose the same information, for the benefit of union members and taxpayers who are the source of this spending.

[🔗 mackinac.org/S2015-04](https://mackinac.org/S2015-04)



Create Student Transportation Scholarship Pilot Program

Many low-income families need more mobility to access educational choices, particularly in urban environments. A pilot program of student transportation scholarships would help expand the reach of needy families to find effective learning options. These scholarship funds should give parents broad latitude to access the most suitable school transportation options, including ride-sharing and public transit, and come from current school aid or other state dollars rather than require additional tax revenues.

[🔗 mackinac.org/27017](https://mackinac.org/27017)

Preserve Charter School Laws

Public charter schools operate with the same testing and reporting requirements as their district school counterparts. Charter schools tend to get better results for less funding. Authorizing agencies — mostly public universities and community colleges — provide an added layer of accountability that has closed persistently underperforming charters, something that the state has never done for other public schools. The goal of education policy should be to promote opportunities and results for students, and not discriminate against schools for their organizational structure.

[🔗 mackinac.org/26193](https://mackinac.org/26193)

Preserve Funding for Cyber Schools and Shared Time

The state's foundation allowance provides a floor of funding for each student enrolled in public schools. Cyber schools already receive significantly fewer overall dollars per pupil than other schools, because they do not collect as much from sources outside the foundation allowance. Students in shared-time programs bring in fewer dollars due to their part-time status. Basic formula funding for these students should be preserved to help ensure families have equal access to different viable learning options.

[🔗 mackinac.org/26375](https://mackinac.org/26375)

Do Not Expand Government Pre-K

Attempts to expand government-funded preschool services hold little promise of boosting educational achievement. According to the limited number of high-quality research studies on large-scale government programs, the benefit for students typically fade away while leading to other negative outcomes related to discipline. And since nearly all low-income families already qualify for taxpayer-supported programs, expanding them further will simply result in a wealth transfer from taxpayers to higher-income families, who may already be paying for preschool on their own.

[🔗 mackinac.org/26359](https://mackinac.org/26359)

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Eliminate Count Days and Target School Funding to Real Student Needs

Michigan's school districts are paid their core foundation allowance funds based on how many students they enroll on just two days of the year. To incentivize schools better, funding should be based on a rolling average daily attendance. More state school aid dollars should be redirected from political projects that show up as special line items into formula funds attached to students based on need. Additional transparency measures could help show how dollars follow students from the district office to the sites where they are served.

[🔗 mackinac.org/v2012-29](https://mackinac.org/v2012-29)

Reform ISDs

Michigan's 56 intermediate school district bureaucracies should be held to greater standards of public accountability and transparency, and local districts should have more latitude in their arrangement with ISDs. School districts should be allowed to shop around for services, rather than be compelled to receive the ones provided by their local ISD. Further, all ISD boards should be elected by voters at large to promote greater accountability. Finally, given their prominent role in funding and overseeing services for students with disabilities, ISDs should be required to post online their formal plans for delivering special education programs and services.

[🔗 mackinac.org/23774](https://mackinac.org/23774)



Maintain Sustainability of Healthy Michigan

In 2018, then Gov. Rick Snyder passed a bill to implement work or community engagement requirements for able-bodied adults receiving benefits through the Healthy Michigan program. The House Fiscal Agency projected these changes to result in taxpayer savings of between \$7 million and \$22 million annually. Implementing these requirements will ensure that we can maintain a safety net for Michigan's most vulnerable patients: children, the disabled and the elderly, for whom the program was originally designed.

Michigan lawmakers should take proactive steps in 2020 to ensure the sustainability of Healthy Michigan for the state's most vulnerable. When the Medicaid program was expanded, a provision was added requiring the Legislature to reconsider authorization of the expansion when costs began to exceed savings to taxpayers. Original projections presumed that the expansion would add an additional 475,000 enrollees, but enrollment has skyrocketed to nearly 700,000. To comply with the authorizing legislation for the Healthy Michigan Medicaid expansion, the Legislature must freeze enrollment to the program for the expanded eligible population, exercising fiscal responsibility to taxpayers while preserving benefits for those already in the program and the traditional population of beneficiaries.

mackinac.org/24270

Reform Certificate-of-Need

CON laws require health care providers to seek permission from a government board before opening or expanding their practices. Research suggests these laws negatively impact access and quality of care and can cause worse health outcomes for patients. Michigan legislators should amend these laws to expand competition and lower the financial thresholds so that acquisition and expansion costs beneath a certain amount can be pursued without CON approval. In addition, lawmakers should repeal CON requirements for imaging services and expansions for increasing hospital and nursing home bed counts.

mackinac.org/V2015-22

Expand Nursing Scope of Practice

Michigan faces a widespread shortage of primary health care professionals, and state rules on midlevel providers have held up a valuable solution to this problem. Nurse practitioners and physician assistants offer competent care in more locations and at a lower cost than physicians, but these professionals are limited by protectionist restrictions known as "scope of practice" rules. Policymakers should loosen these restrictions to make health care services easier to obtain and more affordable.

mackinac.org/22319

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Expand Short-Term, Limited-Duration Health Plans

Short-term, limited-duration health plans, or STPs, are an increasingly appealing option of affordable health coverage for those seeking relief from unaffordable insurance premiums and the high costs of exchange plans. These plans offer patients the opportunity to shop for temporary coverage options that suit their individual needs. The Trump administration recently issued new guidance expanding the versatility of STPs, permitting state lawmakers to reform state regulations to make these plans available to more patients. Michigan legislators should pursue reforms of state insurance regulations to expand the duration of coverage for STPs from three months up to 12 months, and allow such plans to be renewed for up to three years, maximizing their flexibility to the fullest extent allowed by the new federal guidance.

[🔗 mackinac.org/25549](https://mackinac.org/25549)



Maintain Affordable, Reliable Electricity for Michiganders

The majority of Michigan residents must rely on regulated utilities for their electricity needs. As part of the protection those utilities receive from competitive pressure, they are required to provide “safe, reliable, and accessible energy services at reasonable rates for Michigan’s residents.” But Michigan residents currently receive relatively unreliable electric service at rates that are above the national average. Plus, both utilities have committed to closing much of the state’s reliable electricity generation and to move heavily toward less reliable and more expensive options. The Michigan Public Service Commission is charged with the responsibility of ensuring that each utility maintains a diverse mix of reliable, affordable generation resources, and by approving plans to close reliable, affordable, secure, and safe generation plants, the MPSC is failing to meet their responsibility to Michigan ratepayers and residents. It’s time for both elected and appointed officials in the government to renew their commitment to “safe, reliable, and accessible energy services at reasonable rates for Michigan’s residents.”

[🔗 mackinac.org/26118](https://mackinac.org/26118)

Empower Private Land Managers and Conservationists

Many citizens think of government as the only viable source of conservation efforts, but much can and should be done through private initiative, free markets and collaboration. Effective management and conservation of Michigan’s natural areas — in a way that also supports the state’s economy — requires that the Legislature promote or, at the very least, not hinder active management and conservation efforts on both private and public lands.

[🔗 mackinac.org/25982](https://mackinac.org/25982)

Prevent Closure of Line 5 Before Mackinac Tunnel Opens

Michigan’s elected officials should recognize that helping to move the permitting and construction of the tunnel forward as quickly as possible ensures the existing pipeline is removed from the waters of the Great Lakes. Coordinated efforts to stall the construction of the tunnel will prolong the presence of the pipelines in the water, restrict access to affordable and reliable energy, stick Michigan residents with the bills for ongoing litigation of this case, and do serious damage to Michigan’s reputation as a reliable partner with businesses.

[🔗 mackinac.org/23696](https://mackinac.org/23696)



Reduce Overcriminalization and Overregulation

Michigan’s criminal statutes are scattered throughout our laws and number in excess of 3,100 — that’s more than eight times the number of crimes contained in the American Law Institute’s Model Penal Code. There are thousands more administrative regulations, many of which carry criminal penalties. The sheer quantity ought to make “ignorance of the law” a very reasonable excuse, especially when it provides for up to 90 days in jail for things like failing to put your name on your ice fishing shanty. The Legislature and executive branch should overhaul Michigan’s criminal laws so that its citizens have a penal code that is modern, organized, intuitive and comprehensible.

mackinac.org/23839

Institute Clean Slate Law

State law provides that people who have committed one or two minor offenses, if they have been law-abiding for many years, may apply to have the records of these offenses sealed — that is, removed from the public record but still available to law enforcement and the courts. Research from the University of Michigan shows that those who have earned the privilege of such a “clean slate” enjoy higher employment rates and wages. However, more than 95% of individuals eligible for record sealing in Michigan have not completed the process, likely because they lack the significant amount of time and money it takes to do so. Automating the process so that records are sealed automatically would be a fair way of ensuring that all rehabilitated offenders, regardless of their income, can access the privilege they’ve earned.

mackinac.org/24021

Reform County Jails and Pretrial Procedures

Michigan’s county jail population has tripled since the 1980s — this despite jail populations nationally in decline since 2008, Michigan’s crime rate sitting at a 50-year low and the state’s prison population at a 20-year low. To reduce the reliance on expensive county jails, legislators should adopt reforms that decrease the percentage of jail inmates who are awaiting trial, create a statutory presumption of citation (rather than arrest) for most misdemeanor offenses, restrict driver’s license suspensions to only those offenses directly related to public safety, and redirect people with diagnosed mental health impairments toward treatment rather than jail.

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Expand the Prison-to-Workforce Pipeline

Providing education and vocational training to prison inmates and quickly connecting them to employment upon release has shown to be one of the most effective strategies for reducing recidivism rates. Michigan boasts several successful models for achieving this — including the Michigan Department of Corrections’ Vocational Villages — although the current participation in them only scratches the surface of their potential. Michigan policymakers should commit to a framework that significantly increases the number of inmates released from MDOC facilities who are workforce-ready.

[🔗 mackinac.org/23524](https://mackinac.org/23524)

Reform Court Fines and Fees System

Judges and sheriffs face increasing pressure from local governments to self-fund their courts, jails and programs, or even to produce revenue for cash-strapped counties and municipalities. As a result, police charge booking fees, jails charge housing fees, and judges charge court costs — among a plethora of other penal fines and administrative fees at practically every stage of the criminal justice system. Michigan’s judges have said that this practice violates their neutrality, and policy experts point out that extracting money from indigent defendants is counterproductive to rehabilitation and simply unsustainable for foundational institutions that require reliable funding.

[🔗 mackinac.org/25701](https://mackinac.org/25701)

Government Transparency



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Subject the Legislature and Governor to Open Records

Lawmakers should follow the example of 48 other states and pass legislation that applies state open records laws to all areas of state government. Some exceptions for personal information and correspondence with constituents may need to apply.

[🔗 mackinac.org/22104](https://mackinac.org/22104)

Donor Privacy

There is no compelling government interest for state or local agencies to obtain the personal information of supporters of 501(c)(3), nonprofit organizations. Exposing this information can create weaponized data that political activists can use to harass, bully and menace those who hold different views and support different causes. Unfortunately, several states and a growing number of municipalities across the country are seeking to undermine Americans' constitutional freedoms of speech and assembly through forced disclosure laws and ordinances. Michigan state leaders should reject this trend and instead adopt legislation that prohibits state and local government agencies from obtaining personal information of the supporters of these important nonprofit organizations.

[🔗 mackinac.org/26070](https://mackinac.org/26070)

Apply K-12 Education Transparency Standard to Other Government Entities

Beginning in 2011, every K-12 public school district in Michigan, conventional and charter, has had to feature a transparency icon on the home page of its website. This links to a page which has budgets, personnel expenditures, current collective bargaining agreements, public lobbying expenses, health care information and more. This same transparency should be applied to other public entities like community colleges and municipalities.

[🔗 mackinac.org/13929](https://mackinac.org/13929)

Require Economic Development Transparency

Michigan used to list exactly how much the state was spending on corporate welfare deals. Every company, how much they received in taxpayer incentives, and what they pledged to do with the money was listed. This is no longer the case and the state is spending hundreds of millions of dollars which is kept secret from the public.

[🔗 mackinac.org/25443](https://mackinac.org/25443)

Regulatory Reform



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Reduce Occupational Licensing Burdens

Many Michigan occupational licenses are unobtainable by former offenders, even if their offense was not in any way related to the occupation they seek to be licensed in. Recidivism rates are reduced when former offenders are legally employed, and Michigan should make it easier for former offenders to find work. Michigan should join the five other states that have initiated a review process to regularly evaluate the necessity and propriety of all state occupational licenses. The state should also continue eliminating licenses and regulations which do not make sense. Finally, Michigan should look for opportunities to conform its licensure requirements and promote license reciprocity with other states so that new Michiganders can join our workforce more quickly.

[🔗 mackinac.org/licensure](https://mackinac.org/licensure)

Rein in the Administrative State

Michigan's regulatory regime is large, complex and powerful. The Legislature even empowers regulators to define criminal activity — making ordinary citizens criminally liable to the whims of unelected bureaucrats. Michigan needs to rein in the power of the administrative state, and the best place to start is a thorough review of the state's administrative code, to modify or remove regulatory rules that place too much power in the hands of bureaucrats.

[🔗 mackinac.org/s2019-11](https://mackinac.org/s2019-11)



If you have any questions or seek further clarification about these policy recommendations, please contact the experts at their email addresses listed previously. To see an online version, please visit:

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