

Right-wing rampage in Michigan, Wisconsin lame duck sessions

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28 December 2018

Lame duck sessions of Republican-controlled state legislatures in Michigan and Wisconsin have passed dozens of bills overturning voter decisions in the November 6 election. In both states, Republican state administrations were swept out of office—narrowly in Wisconsin, by a wide margin in Michigan—but the state legislatures remain under Republican control.

While the most publicized actions have been politically motivated slaps at incoming Democratic governors in the two states, the most substantive and reactionary actions have been to effectively reverse efforts to raise the minimum wage and expand voting rights in the two states.

In Michigan, the lame duck session passed more than 400 bills and sent them to outgoing Republican Governor Rick Snyder. He signed the first batch of measures on December 14, while vetoing four bills as exceeding the powers of the legislature. He is expected to sign the vast majority of the bills before he leaves office January 1.

Three referendum propositions were placed on the statewide ballot by petition drives and won approval November 6: to legalize personal possession and consumption of marijuana for recreational purposes (state law already permits its medicinal use); to establish a legislative redistricting process based on a non-partisan commission; and to expand voting rights, including same-day registration and easier early voting.

The state legislature is pushing through a package of bills making significant changes in how the three new referenda will be implemented. This would include barring individuals from growing marijuana for their personal use and establishing tight restrictions on licensing cannabis sales, changing the method of appointment of the non-partisan commission, and requiring voters to register at a county clerk's office rather than at the polls, effectively gutting the right to same-day voter registration.

The legislature's cruelest action was to complete a political maneuver to block a minimum wage increase. Liberal groups and unions had collected petitions to place the increase to \$12 an hour by 2022 on the statewide ballot,

along with a separate provision to require most employers to offer paid sick time.

From the standpoint of the unions and the Democratic Party, this miserably inadequate measure was a cynical effort to increase voter turnout among the poorest sections of the working class, who otherwise—correctly—regard the two capitalist parties with complete indifference.

But the business lobbies and the Republican Party regarded even these minimal measures as too generous. The legislature accordingly enacted the minimum wage increase and the paid sick time plan, in order to keep them off the ballot, so that it could return to the issue after the election and reverse its actions by a simple majority. If the measures had been voted on and approved November 6, amendments would have required a two-thirds vote in the legislature.

In the lame duck session, the Republican-controlled legislature effectively gutted both the rise in the minimum wage and the paid sick time plan. They voted to delay the rise to \$12 an hour from 2022 to 2030, and to remove a provision to link the minimum wage to inflation, which would have provided automatic increases in the future. Tipped workers like waitresses would see a rise to only \$4.58 an hour by 2030.

The paid sick time plan was similarly slashed, from one hour accrued for every 30 hours worked, or 72 hours per year for a full-time worker, to one hour for every 35 hours worked, with a maximum of 40 hours sick time per year. Businesses with 50 or fewer workers are exempted in the state legislature's plan, compared to business with 5 or fewer workers in the original plan. That change alone means that nearly 40 percent of Michigan workers would not be entitled to paid sick time.

Snyder signed both measures into law December 14, declaring that the initial proposals, backed by hundreds of thousands of voters who signed petitions to place them on the ballot, "were well-intentioned but would have resulted in cost and compliance burdens for job providers that could have negatively impacted employment in Michigan."

The legislature also acted to make it more difficult to place

measures on the referendum ballot in the future, in effect, punishing voters for giving their support to such efforts. The bill would require that no more than 15 percent of signatures on a petition could come from any one of the 14 congressional districts in the state, effectively requiring a much costlier canvassing effort and particularly undermining petition drives with strong support in specific localities, like college towns or urban centers.

Other laws pushed through the lame duck session by largely party-line votes include a \$115 million cut in corporate taxes—essentially handing over the state’s entire budget surplus to business interests—and a law that bans doctors from prescribing abortion pills over the telephone (forcing patients to make an appointment and be seen in person).

The legislature also passed significant restrictions on the powers of incoming Governor Gretchen Whitmer, Attorney General Dana Nessel, and Secretary of State Jocelyn Benson, each of whom is a Democrat elected November 6 to replace a Republican. These include limiting the authority of the governor to block a proposed pipeline by Enbridge across the Strait of Mackinac, barring the attorney general from withdrawing from a lawsuit against Obamacare without consent of the legislature, and limiting the secretary of state’s authority in increasing voter access.

Similar laws, in some cases more sweeping, were enacted by the state legislature in Wisconsin, where a similar shift in party control is taking place. Two-term Republican Governor Scott Walker was defeated for reelection by Democrat Tony Evers, while the state legislature remains under Republican control, and it enacted new limits on the powers of the governor, signed into law by Walker in his final days in office, that will apply to Evers.

The speed and determination of the Republicans to maintain their grip on power contrasted sharply with the timid and incoherent Democratic response. Evers ran a cautious, conservative campaign, and has repeatedly stated his willingness to work with Republicans in governing. These assurances didn’t prevent the GOP-dominated and heavily gerrymandered Wisconsin legislature from passing three bills in a 22-hour session in early December.

The main thrust of the GOP power grab is to prevent Evers and new Attorney General Josh Kaul from fulfilling a campaign promise to withdraw Wisconsin from a multi-state lawsuit initiated by Republican governors and state attorneys-general against the Affordable Care Act.

The bills also prevent Evers from dissolving the Wisconsin Economic Development Corporation (WEDC), which was created under Walker. The WEDC’s stated goal was to “create jobs” by offering loans and incentives to local businesses. Since its inception, the agency has come under

scrutiny for approving loans to businesses connected to Walker and the GOP. The bill transfers oversight authority from the governor to the legislature.

Other bills also include provisions to require Medicaid recipients to maintain employment and to submit to intrusive drug-testing requirements. Another provision limits the window for early voting to two weeks before an election.

Republican Assembly Speaker Robin Vos has stated part of the reason for the passage of the bills was to reassure executives of Foxconn, the giant Taiwan-based electronic manufacturer, so “they knew regardless of who occupies the east wing of the state Capitol, Foxconn is going to have allies in the Assembly and hopefully in both chambers and both houses.” The Walker administration pushed through a \$4.5 billion incentive plan to lure Foxconn to southeastern Wisconsin.

Evers had lamented prior to the election that the Foxconn subsidy was “too far along” in the process to stop and that his administration would continue subsidizing the electronics giant at the expense of the working class. But he said he hoped to “compel” the rapacious electronic giant to act as “good corporate citizens.”

He had stated his intention to have incoming Democratic State Attorney General Josh Kaul “review permits” that were granted to Foxconn in regard to the amount of water that will be diverted from Lake Michigan into the factory. Kaul’s power to reject permits granted by departing Republican State Attorney General Brad Schimel will now be under the authority of the legislature.



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