

# THE SIMMONS LEGAL NEWS

Volume 6 Issue 2

ELECTION VICTORY 2012 EDITION

October 2012

www.shawndricasimmons.com



*Vote the Straight Party Ticket by marking only 1 box on the PARTISAN section. By doing so, you will vote for **EVERYONE** in that party including the President. Don't forget to vote the NONPARTISAN*

*section of the ballot where the judges are and then vote on the proposals.*

**Vote the Non-Partisan Section of the Ballot too!**

## November 6, 2012

### NONPARTISAN SECTION

#### Judicial

Justice of Supreme Court  
8 year term  
Vote for not more than 2

Connie Marie Kelley ●

Bridget Mary McCormack ●

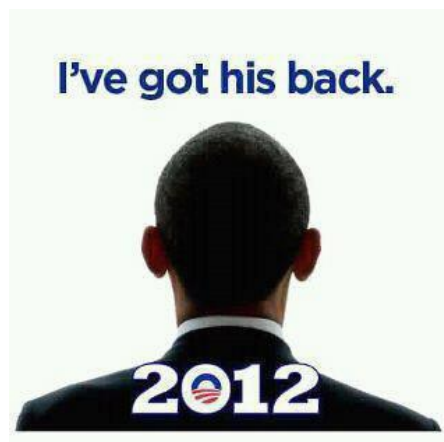


### NONPARTISAN SECTION

#### Judicial

Justice of Supreme Court  
partial term  
Vote for not more than 1

Shelia Johnson ●



**Vote for all 3 to Restore Justice to the Michigan Supreme Court**

# Very Important Statewide Proposals



<p><b>Prop 1</b> <b>NO</b></p>	<p>I have the RIGHT to govern myself and I don't believe in taxation without representation or dictators, so I am voting <b>NO on Proposal 1.</b></p>
<p><b>Prop 2</b> <b>YES</b></p>	<p>I have the RIGHT to negotiate my work hours, conditions, wages and retirement, so I am voting <b>YES on Proposal 2.</b></p>
<p><b>Prop 3</b> <b>YES</b></p>	<p>I have the RIGHT to stop being dependent on one source of energy and create more jobs for Michigan, so I am voting <b>YES on Proposal 3.</b></p>
<p><b>Prop 4</b> <b>YES</b></p>	<p>I have the RIGHT to protect seniors and people with disabilities and give them access to trained, safe, in-home care, while protecting the collective bargaining rights of in-home health care workers, so I am voting <b>YES on Proposal 4.</b></p>
<p><b>Prop 5</b> <b>NO</b></p>	<p>I have the RIGHT <u>not</u> to be held to an unfair tax system in which corporate special interests avoid paying their fair share while workers and retirees pay more; and children suffer as a result, so I am voting <b>NO on Proposal 5.</b></p>
<p><b>Prop 6</b> <b>NO</b></p>	<p>I have the RIGHT to tell Grosse Pointe Billionaire <i>Manuel "Matty" Moroun</i> to go sit down and stop trying to monopolize commerce between Canada and Michigan. I have the RIGHT to want more jobs for Michigan and compete for trade revenue, so I am voting <b>NO on Proposal 6.</b></p>

**I'm going to stop watching those commercials and vote my own best interest!**

**If you mess up your ballot, you can request another one. Don't turn in a messed up ballot. You can request absentee ballots in-person up until the Saturday before Election Day and vote at the clerk's office. Avoid the lines & vote absentee!**

# WAYNE COUNTY PROPOSALS

<p>Form of the Wayne County Budget and Appropriation Ordinance <b>YES</b></p>	<p>SHALL THE WAYNE COUNTY HOME RULE CHARTER BE AMENDED TO ADD A NEW SECTION 5.120 AND TO AMEND EXISTING SECTION 5.134 TO AUTHORIZE THE WAYNE COUNTY COMMISSION RATHER THAN THE WAYNE COUNTY EXECUTIVE TO ESTABLISH THE FORM (INCLUDING BUT NOT LIMITED TO LUMP SUM AND LINE-ITEM) OF THE COUNTY BUDGET AND APPROPRIATION ORDINANCE; AND TO REQUIRE THE COUNTY COMMISSION TO ESTABLISH THE FORM OF THE BUDGET AND APPROPRIATION ORDINANCE BY DECEMBER 7, 2012 AND TO ADOPT CHANGES TO THE FORM AT LEAST TEN MONTHS BEFORE THE BEGINNING OF A FISCAL YEAR TO BE EFFECTIVE FOR THAT FISCAL YEAR; AND TO ALSO AMEND SECTION 5.121 TO REQUIRE THE COUNTY EXECUTIVE TO PREPARE AND SUBMIT THE BUDGET AND APPROPRIATION ORDINANCE IN THE FORM ESTABLISHED ___ YES ___ NO</p> <p><b>A YES vote</b> gives the county commission power to set the budget format.</p> <p><b>A NO vote</b> means the format will continue to be determined by the executive.</p>
<p>Independent External Auditor <b>NO</b></p>	<p>SHALL SECTION 3.119(E) OF THE WAYNE COUNTY HOME RULE CHARTER BE AMENDED TO REMOVE THE RESTRICTION THAT PROHIBITS AN INDEPENDENT EXTERNAL AUDITOR FROM PROVIDING AUDIT SERVICES TO THE COUNTY FOR MORE THAN EIGHT (8) CONSECUTIVE YEARS; AND FURTHER TO REQUIRE INDEPENDENT EXTERNAL AUDITORS BE SELECTED BASED ON A COMPETITIVE PROCESS IN ACCORDANCE WITH THE COUNTY'S PROCUREMENT ORDINANCE? ___ YES ___ NO</p> <p><b>A YES vote</b> eliminates the 8-consecutive-year restriction currently in effect for external auditing firms and requires competitive bidding in their selection.</p> <p><b>A NO vote</b> continues to limit external auditing firms to a maximum of 8 consecutive years and to follow current procedures.</p>
<p>Membership on Wayne County Retirement Commission <b>NO</b></p>	<p>SHALL SECTION 6.112 OF THE WAYNE COUNTY HOME RULE CHARTER BE AMENDED TO EXPAND THE WAYNE COUNTY RETIREMENT COMMISSION'S MEMBERSHIP FROM 8 TO 9, ADDING AS A MEMBER THE WAYNE COUNTY TREASURER OR HIS OR HER DESIGNEE; AND ALSO TO AUTHORIZE THE CHAIRPERSON OF THE WAYNE COUNTY COMMISSION, WHO IS ALSO A MEMBER OF THE WAYNE COUNTY RETIREMENT COMMISSION, TO APPOINT A PERSON TO SERVE AS HIS OR HER DESIGNEE ON THE RETIREMENT COMMISSION; AND TO FURTHER ALLOW EMPLOYEES AND RETIREES OF THE WAYNE COUNTY AIRPORT AUTHORITY TO VOTE FOR AND SERVE AS MEMBERS OF THE WAYNE COUNTY RETIREMENT COMMISSION (WITH NO MORE THAN ONE MEMBER BEING AN AIRPORT EMPLOYEE OR RETIREE) UNTIL SUCH TIME AS THE AIRPORT AUTHORITY ESTABLISHES ITS OWN RETIREMENT SYSTEM OR PENSION PLAN? ___ YES ___ NO</p> <p><b>A YES vote</b> allows the county's airport employees to become full members of the retirement system, expands the governing board by adding the county treasurer as the ninth member, and other membership changes.</p> <p><b>A NO vote</b> continues to exclude airport employees and maintains current membership in the governing board.</p>
<p>Removal of the Wayne County Executive from Office by the Governor <b>NO</b></p>	<p>SHALL THE WAYNE COUNTY HOME RULE CHARTER BE AMENDED TO ADD SECTION 4.124 TO AUTHORIZE THE GOVERNOR TO REMOVE THE WAYNE COUNTY EXECUTIVE FROM OFFICE FOR THE SAME REASONS AND WITH THE SAME DUE PROCESS AS PROVIDED BY LAW FOR THE SHERIFF, PROSECUTING ATTORNEY, COUNTY CLERK, REGISTER OF DEEDS, AND COUNTY TREASURER? ___ YES ___ NO</p> <p><b>A YES vote</b> allows the governor to remove the executive in the same manner under which he or she can remove other county elected officials. Note: If approved by voters, State law may need to be changed to allow for this act.</p> <p><b>A NO vote</b> means that the charter continues to have no language regarding the removal of the executive.</p>
<p>The Wayne County Commission's Power to Approve Compensation <b>YES</b></p>	<p>SHALL SECTION 3.115 OF THE WAYNE COUNTY HOME RULE CHARTER, WHICH SETS FORTH THE POWERS AND DUTIES OF THE WAYNE COUNTY COMMISSION, BE AMENDED TO INCLUDE THE POWER AND DUTY TO APPROVE ALL COMPENSATION OF EVERY EMPLOYMENT POSITION IN THE COUNTY, UNLESS THE COMPENSATION IS ESTABLISHED BY STATE OR FEDERAL LAW? ___ YES ___ NO</p> <p><b>A YES vote</b> grants the county commission authority to approve compensation for all county employees.</p> <p><b>A NO vote</b> keeps the authority with the executive except when compensation is set by law or collective bargaining agreements (already needs commission approval).</p>


# City of Detroit Proposals

<p><b>Proposal C: City Charter Amendment</b> <b>YES</b></p>	<p>Shall the Section 7.5-203, which provides that the Corporation Counsel shall prosecute all actions or proceedings to which the City is a party or in which the City has a legal interest when directed to do so by the Mayor, be amended to add the phrase “except pursuant to Section 7.5-209, which permits the Corporation Counsel to take judicial action on his or her own initiative” to require City officials and City employees to comply with the requirements of the Charter? YES or NO A YES vote would give Corporate Counsel legal power to uphold the City Charter.</p>
<p><b>Proposal E City Charter Amendment</b> <b>YES</b></p>	<p>Shall Section 3-109 be amended to provide for fixed minimum and maximum number of signatures required for nominating petitions for City elective officers (500 to 1000 signatures for candidates for mayor, clerk and at-large city council members, and 300 to 650 for non at-large city council members and district elected members of the Board of Police Commissioners) in lieu of the current percentage-based minimums and maximums set forth in this section? YES or NO A YES vote would establish a set number of signatures needed to run for office in the City of Detroit, instead of a percentage.</p>
<p><b>Proposal G City Charter Amendment</b> <b>NO</b></p>	<p>Shall Section 2-106.4, which currently prohibits City officials and City employees from accepting gifts, gratuities, honoraria, and other things of value in connection with their work for the City, be amended to provide that the City Council shall determine by ordinance which gifts, gratuities, honoraria, and other things of value City officials and City employees are prohibited from receiving in connection with their work for the City? YES or NO A NO vote would ensure that City employees not receive gifts in connection with their work for the City.</p>
<p><b>Proposal M City Ordinance Amendment (Marijuana Possession)</b> <b>NO</b></p>	<p>Shall Chapter 38, Offenses, Miscellaneous Provisions, Article XL, Controlled Substances and Drug Paraphernalia, of the 1984 Detroit City Code be amended to exempt adults, 21 years of age or older, from criminal prosecution under the article for use or possession of less than one (1) ounce of marijuana on private property in the City of Detroit by adding the following section: Sec. 38-11-50. Applicability  None of the provisions of this article shall apply to the use or possession of less than one (1) ounce of marijuana, on private property, by a person who has attained the age of 21 years. YES or NO A NO vote would ensure that local, state and federal laws are complied with by City residents.</p>
<p><b>Proposal P City Charter Amendment</b> <b>NO</b></p>	<p>Shall Section 2-106.5, which currently prohibits City officials and City employees for one year after leaving a City position or City employment from: 1) lobbying or appearing before the City Council or other part of City government and 2) receiving compensation for any matter in which he or she was involved with while working for the City, be amended to permit such activity to be carried out by former City officials or City employees who have a personal services contract with the City during that first year after leaving a City position or City employment? YES or NO A NO vote would prevent former employees from coming back and being a contractor with the City based on their internal knowledge gained while employed by the City.</p>
<p><b>Proposal S Detroit Public School District Operating Millage Renewal/Restoration</b> <b>YES</b></p>	<p>This proposal would restore the prior authorization and allow the School District of the City of Detroit to continue to levy mills previously levied for general operating purposes on non-homestead property (mainly industrial and commercial real property and rental property) which expired with the 2012 tax levy. Owner occupied homes are exempt from the levy under existing law.</p>



	<p>Shall the School District of the City of Detroit, County of Wayne, Michigan be authorized to levy 18.00 mills (\$18.00 per \$1,000 of taxable value) by increasing the limitation on the amount of taxes which may be imposed on taxable property in the school district which is not otherwise exempt, of which 17.8308 mills constitute a renewal of authorization which expired with the 2012 levy and 0.1692 mill constitutes that portion reduced by the operation of the Headlee amendment, for ten (10) years, the years 2013 to 2022, inclusive, to provide funds for operating expenses of School District? It is estimated that 18.00 mills would raise approximately \$80,900,000.00 for the School District in the first year that it is levied. YES or NO</p> <p>A YES vote would ensure that DPS received proper operating funding levels, but you must vote NO on Proposal 1, the Emergency Manager law to ensure that the EM/EFM at DPS is gone and can't use the money to fund EAA schools.</p>
<p><b>Wayne County Community College District Millage YES</b></p>	<p>Shall the limitation on the amount of taxes which may be imposed on taxable property in the Wayne County Community College District be increased by one dollar per thousand dollars (1 mill) of the taxable value of all taxable property in the College District for a period of ten (10) years, the tax years commencing July 1, 2013, to July 1, 2022, inclusive, as new additional millage to provide funds for community college purposes authorized by law? It is estimated that 1 mill would raise approximately \$21,746,964 when first levied in 2013. YES or NO</p> <p>A YES vote would ensure the educational progress that WCCCD has gained over the years continues.</p>

## City of Flint Proposals

<p><b>Police and Fire Millage</b></p>	<p><i>Shall the Charter of the City of Flint be amended to authorize the City to levy an additional tax on real and personal property in an amount not to exceed six (6.0) mills for five (5) years, for fiscal years beginning on July 1, 2012 through July 1, 2016, for the sole purpose of providing police and fire protection? It is estimated that six (6.0) mills would raise approximately \$5,383,924 in the first year.</i></p> <p><i>___Yes ___No</i></p> <p><i>A YES vote would <u>not</u> guarantee that more police officers and/or firefighters will be hired to service the City of Flint.</i></p> <p><i>A No vote would keep the funding levels as they currently are.</i></p>
<p><b>Proposed Amendment to the Flint City Code</b></p>	<p><i>Do you favor amending Chapter 31 of the Flint City Code by adding subsection 31-27.1.2 which would exempt persons at least 19 years from the provisions of the Code which make it an ordinance violation to use or possess less than 1 ounce of marijuana or marijuana paraphernalia on private property? ___Yes ___No</i></p> <div style="text-align: center;">  </div> <p><i>A YES vote would add a new subsection to the charter that creates a personal use exemption for the possession and use of marijuana and marijuana paraphernalia if you are caught with less than 1 ounce.</i></p> <p><i>A NO vote would keep the code as is.</i></p>

# City of Pontiac Proposal

**Proposed  
City  
Charter  
Amendment  
NO**

*Shall Article V, Chapter 2, Section 5-205, entitled Tax Limits of the City of Pontiac Charter be amended to add additional \$6.50 on each \$1,000 of taxable valuation that may be levied for paying the cost of health insurance of retirees? A property with taxable value of \$25,000 would be taxed \$162.50 for the millage. The estimated amount that will be collected in the first year that the millage is authorized and levied is \$5,091,000.*

*A YES vote would make current retirees along with other residents pay for retirement expenses that were incurred due to the mismanagement of the previous Emergency Financial Managers.*

*A NO vote could force the current Emergency Financial Manager to actually establish a budget that is revenue driven.*

## **OAKLAND COUNTY JUDICIAL PICKS VOTE JUSTICE FIRST!**

### **6<sup>th</sup> Circuit Court Incumbent**

Leo Bowman  
Denise Langford-Morris

### **6<sup>th</sup> Circuit Court Non-Incumbent**

Karen McDonald

### **46<sup>th</sup> District Court Non-Incumbent**

William Seikaly

### **48<sup>th</sup> District Court**

Josh Arnoff

### **51<sup>st</sup> District Court**

Jodi Debbrecht



## **Restore Justice to The Courts & Vote the Non-Partisan Section**

## **WAYNE COUNTY JUDICIAL PICKS VOTE JUSTICE FIRST!**

### **3<sup>rd</sup> Circuit Court Incumbent**

Deborah Thomas  
Richard B. Halloran

### **3<sup>rd</sup> Circuit Court Partial Term**

Lawrence S. Talon  
David Braxton

### **3<sup>rd</sup> Circuit Court Non-Incumbent**

Brian L. Morrow  
Karen Braxton

### **22<sup>nd</sup> District Court**

Robyn Liddell

### **36<sup>th</sup> District Court Non-Incumbent**

Wanda Evans

## **GENESEE COUNTY JUDICIAL PICKS VOTE JUSTICE FIRST!**

### **7<sup>th</sup> Circuit Court**

Judith A. Fullerton  
Archie L. Hayman  
Geoffrey L. Neithercut

### **Probate Court Genesee County**

F. Kay Behm

### **67<sup>th</sup> District Court 4<sup>th</sup> Division**

Christopher Odette

### **68<sup>th</sup> District Court**

William H. Crawford II

## **MACOMB COUNTY JUDICIAL PICK VOTE JUSTICE FIRST!**

### **41A District Court**

Kim Weigland

## **Get to Know the 3 Supremes**

*Chief Judge Shelia Johnson:* Southfield District Judge Shelia Johnson created a community program to work with teens to deter criminal behavior and encourage positive career choices. As a judge, Shelia has imposed tough sentences to ensure families are protected from violent criminals. For 18 years, she defended the rights of individuals as a lawyer. She understands the need to be fair and impartial. On the Supreme Court, Shelia will uphold the law with strength and integrity for Michigan families.

*Judge Connie Marie Kelley:* Wayne County Circuit Court Judge Connie Kelley is a mother of two who created a youth mentoring program for at-risk girls to help them achieve their full potential. Connie has demonstrated a common-sense and tough on crime approach to resolving family issues on the bench. As a lawyer, she fought for the rights of women and workers, taking on sexual harassment and discrimination cases. Connie will bring this important experience and understanding to the Supreme Court.

*Professor Bridget Mary McCormack:* University of Michigan Law Professor Bridget McCormack, a mother of 4, founded the Pediatric Advocacy Clinic which promotes the health and well-being of children and families. Bridget has spent her career fighting as an advocate, representing clients who would otherwise have no access to the legal system. She is willing to take on any fight to ensure individuals have the same rights as the powerful special interests. Bridget will bring integrity and fairness to our court.

# **Restore Justice to the Michigan Supreme Court**

Those who forsake the law praise the wicked, but those who keep the law strive against them.

-Proverbs 28:4

Evil men do not understand justice, but those who seek the Lord understand it completely.

-Proverbs 28:5

**Vote the Non-Partisan Section of the Ballot!**

# **November 6, 2012**