

SENATE BILL NO. 637

June 9, 1999, Introduced by Senators SIKKEMA and SHUGARS and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 42, 73, 283, 393, 544b, 686, and 686a (MCL 168.42, 168.73, 168.283, 168.393, 168.544b, 168.686, and 168.686a), section 686a as amended by 1988 PA 116.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 42. In the year in which presidential electors are to
2 be elected as provided in section 43, ~~of this act,~~ each politi-
3 cal party in this state shall choose at its fall state convention
4 as many electors of president and vice-president of the United
5 States as this state may be entitled to elect of senators and
6 representatives in congress. ~~, and the chairman~~ THE CHAIR and
7 the secretary of the state central committee of each political
8 party shall, within ~~24 hours~~ 3 BUSINESS DAYS after the
9 conclusion of the state convention, forward by registered or

1 certified mail a certificate containing the names of ~~such~~ THE
 2 electors ~~so~~ chosen to the secretary of state. ~~Those~~ THE can-
 3 didates for electors of president and vice-president of this
 4 state ~~shall be deemed~~ ARE CONSIDERED elected whose names have
 5 been certified to the secretary of state by that political party
 6 receiving the greatest number of votes for ~~said~~ THE office at
 7 the ensuing November election.

8 Sec. 73. Not more than ~~24 hours~~ 3 BUSINESS DAYS after the
 9 conclusion of the fall state convention, the state central com-
 10 mittee of each political party shall convene and canvass the pro-
 11 ceedings of the convention immediately preceding and determine
 12 the nominees of ~~said~~ THE convention. ~~and, not~~ NOT more than
 13 ~~24 hours~~ 3 BUSINESS DAYS after ~~such~~ THE convention, the
 14 ~~chairman~~ CHAIR and secretary of ~~said~~ THE committee shall
 15 ~~forthwith~~ forward to the secretary of state and to the board of
 16 election commissioners of each county, in care of the county
 17 clerk, at the county seat a typewritten or printed list of names,
 18 together with residence, including the street address if known,
 19 of ~~such~~ THE candidates nominated at ~~such~~ THE state
 20 convention.

21 Sec. 283. Not more than ~~24 hours~~ 3 BUSINESS DAYS after
 22 the conclusion of the fall state convention, the state central
 23 committee of each political party shall convene and canvass the
 24 proceedings of ~~said~~ THE convention and determine the nominees
 25 of ~~said~~ THE convention for membership on the state board of
 26 education, the board of regents of the University of Michigan,
 27 the board of trustees of Michigan State University, and the board

1 of governors of Wayne State University. The ~~chairman~~ CHAIR and
2 secretary of ~~said~~ THE committee shall, within ~~24 hours~~ 3
3 BUSINESS DAYS after the conclusion of the state convention, for-
4 ward by registered or certified mail to the secretary of state
5 and to the board of election commissioners of each county, in
6 care of the county clerk at the county seat, a copy of the
7 vignette adopted by ~~said~~ THE state central committee and the
8 typewritten or printed names, together with residence, including
9 the street address if known, of the candidates nominated at
10 ~~said~~ THE convention for ~~said~~ THOSE offices.

11 Sec. 393. Not more than ~~24 hours~~ 3 BUSINESS DAYS after
12 the conclusion of the fall state convention, the state central
13 committee of each political party shall convene and canvass the
14 proceedings of ~~said~~ THE convention and determine the nominee or
15 nominees of ~~said~~ THE convention for the office or offices of
16 justices of the supreme court. The ~~chairman~~ CHAIR and secre-
17 tary of ~~said~~ THE committee shall, within ~~24 hours~~ 3 BUSINESS
18 DAYS after the conclusion of the state convention, forward by
19 registered or certified mail to the secretary of state and to the
20 board of election commissioners of each county, in care of the
21 county clerk at the county seat, the typewritten or printed
22 names, together with residence, including the street address if
23 known, of the candidate or candidates nominated at ~~said~~ THE
24 convention for ~~said~~ THE office or offices. The names of the
25 persons so certified shall be printed upon a nonpartisan judicial
26 ballot containing no party designation together with the names of

1 any incumbent justices filing an affidavit pursuant to section
2 392a. ~~of this act.~~

3 Sec. 544b. (1) Except as OTHERWISE provided in subsection
4 (2), ~~no~~ A person shall NOT be a candidate for any judicial
5 office of this state ~~without filing~~ UNLESS HE OR SHE FILES an
6 affidavit with his OR HER nominating petitions on a form pre-
7 scribed by the secretary of state stating that he OR SHE pos-
8 sesses the constitutional qualifications set forth in section 19
9 of article ~~6~~ VI of the state constitution OF 1963.

10 (2) ~~In cases where~~ IF candidates for judicial office are
11 nominated at political party conventions, the ~~chairman~~ CHAIR
12 and secretary of the party shall file the affidavit with the sec-
13 retary of state within ~~48 hours~~ 3 BUSINESS DAYS after the close
14 of the convention.

15 Sec. 686. Within ~~24 hours~~ 3 BUSINESS DAYS after the con-
16 clusion of the state convention prior to any general election,
17 the state central committee of each political party shall convene
18 and canvass the proceedings of the convention and determine the
19 nominees of the convention. ~~, and within 24 hours~~ WITHIN 3
20 BUSINESS DAYS after the conclusion of the state convention, the
21 ~~chairman~~ CHAIR and secretary of the committee shall forward to
22 the board of election commissioners of each county, in care of
23 the county clerk at the county seat, and to the secretary of
24 state, the typewritten or printed names, together with residence,
25 including the street address if known, of all candidates nomi-
26 nated at any regularly called state convention at which
27 candidates for any of the offices to be filled at ~~such~~ THE

1 election shall be nominated. In each presidential year, the
2 state central committee of each political party shall, at the
3 same time, forward to the board of election commissioners of each
4 county and to the secretary of state the typewritten or printed
5 names of the candidates of ~~such~~ THE party at the forthcoming
6 election for the offices of president of the United States and
7 vice-president of the United States certified to by the
8 ~~chairman~~ CHAIR and secretary of the committees. It ~~shall~~ IS
9 not ~~be~~ necessary for any party committee to certify nominations
10 made at an official primary election.

11 Sec. 686a. (1) The nomination of candidates for political
12 parties entitled to a position on the ballot, which PARTY failed
13 to have at least 1 candidate who polled at least 5% of the total
14 vote cast for all candidates for secretary of state at the last
15 preceding election at which a secretary of state was elected
16 shall be made as provided in section 532. County caucuses and
17 state conventions shall be held not later than the August
18 primary.

19 (2) County caucuses may nominate candidates for the office
20 of representative in congress, state senator, and state represen-
21 tative if the offices represent districts contained wholly within
22 the county, and for all county and township offices. The names,
23 mailing addresses, and office to which nominated of all candi-
24 dates so nominated shall be certified by the ~~chairman~~ CHAIR and
25 secretary of the caucus to the county clerk within ~~24 hours~~ 3
26 BUSINESS DAYS after the conclusion of the caucus. Accompanying
27 the certification shall be an affidavit of identity AS PRESCRIBED

1 IN SECTION 558 for each candidate named in the certificate ~~as~~
 2 ~~provided in section 558~~ and a separate written notice of accep-
 3 tance of nomination signed by each candidate named on the
 4 certificate. The form of the certificate of acceptance shall be
 5 prescribed by the secretary of state. The names of THE candi-
 6 dates ~~so~~ certified shall be printed on the ballot for that
 7 election. The name of a candidate shall not be printed on the
 8 ballot unless the notice of acceptance and the affidavit of iden-
 9 tity accompanies the certificate. Candidates nominated and cer-
 10 tified shall not be permitted to withdraw.

11 (3) The county caucus may also select the number of dele-
 12 gates to the state convention to which the county is entitled and
 13 shall select its own officers and name its own county committee.

14 (4) The state convention shall be held at the time and place
 15 indicated in the call. The convention shall consist of delegates
 16 selected by the county caucuses. The convention may fill vacan-
 17 cies in a delegation from qualified electors of that county
 18 present at the convention. The convention may nominate candi-
 19 dates for all state offices. District candidates may be nomi-
 20 nated at district caucuses held in conjunction with the state
 21 convention attended by qualified delegates of the district. If
 22 delegates of a district are not present, a district caucus shall
 23 not be held for that district and candidates shall not be nomi-
 24 nated for that district. The names, mailing addresses, and
 25 offices to which nominated of the candidates nominated for state
 26 or district offices, within ~~24 hours~~ 3 BUSINESS DAYS after the
 27 conclusion of the convention, shall be certified by the

1 ~~chairman~~ CHAIR and secretary of the state convention to the
2 secretary of state. Accompanying the certification shall be an
3 affidavit of identity AS PRESCRIBED IN SECTION 558 for each can-
4 didate named in the certificate ~~as provided in section 558~~ and
5 a separate written notice of acceptance of nomination signed by
6 each candidate named on the certificate. The form of the certif-
7 icate of acceptance shall be prescribed by the secretary of
8 state. The names of candidates certified shall be printed on the
9 ballot for the forthcoming election. The name of a candidate
10 shall not be printed on the ballot unless the notice of accep-
11 tance and the affidavit of identity accompanies the certificate.
12 Candidates ~~so~~ nominated and certified UNDER THIS SECTION shall
13 not be permitted to withdraw.