

HOUSE BILL No. 4996

July 17, 2003, Introduced by Reps. Ward, Gaffney, DeRoche, Stakoe, Stahl and Nofs and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 31 (MCL 168.31), as amended by 1999 PA 220.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) The secretary of state shall do all of the
2 following:

3 (a) Subject to subsection (2), issue instructions and
4 promulgate rules pursuant to the administrative procedures act of
5 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of
6 elections and registrations in accordance with the laws of this
7 state.

8 (b) Advise and direct local election officials as to the
9 proper methods of conducting elections.

10 (c) Publish and furnish for the use in each election precinct
11 before each state primary and election a manual of instructions

1 that includes specific instructions on assisting voters in
2 casting their ballots, directions on the location of voting
3 stations in polling places, procedures and forms for processing
4 challenges, and procedures on prohibiting campaigning in the
5 polling places as prescribed in this act.

6 (d) Publish indexed pamphlet copies of the registration,
7 primary, and election laws and furnish to the various county,
8 city, township, and village clerks a sufficient number of copies
9 for their own use and to enable them to include 1 copy with the
10 election supplies furnished each precinct board of election
11 inspectors under their respective jurisdictions. The secretary
12 of state may furnish single copies of the publications to
13 organizations or individuals who request the same for purposes of
14 instruction or public reference.

15 (e) Prescribe and require uniform forms, notices, and
16 supplies the secretary of state considers advisable for use in
17 the conduct of elections and registrations.

18 (f) Prepare the form of ballot for any proposed amendment to
19 the constitution or proposal under the initiative or referendum
20 provision of the constitution to be submitted to the voters of
21 this state.

22 (g) Require reports from the local election officials the
23 secretary of state considers necessary.

24 (h) Investigate, or cause to be investigated by local
25 authorities, the administration of election laws, and report
26 violations of the election laws and regulations to the attorney
27 general or prosecuting attorney, or both, for prosecution.

1 (i) Publish in the legislative manual the vote for governor
2 and secretary of state by townships and wards and the vote for
3 members of the state legislature cast at the preceding November
4 election, which shall be returned to the secretary of state by
5 the county clerks on or before the first day of December
6 following the election. All clerks shall furnish to the
7 secretary of state, promptly and without compensation, any
8 further information requested of them to be used in the
9 compilation of the legislative manual.

10 (j) Establish a curriculum for comprehensive training and
11 accreditation of all county, city, township, village, and school
12 elections officials.

13 (k) Establish and require attendance by ~~all new~~ **each newly**
14 appointed or elected election ~~officials~~ **official** at an initial
15 course of instruction within 6 months before the date of the
16 election.

17 (l) Establish a comprehensive training curriculum for all
18 precinct inspectors.

19 (m) Create an election day dispute resolution team that has
20 regional representatives of the department of state, which team
21 shall appear on site, if necessary.

22 (n) **Following each statewide election, investigate and**
23 **prepare a report for the legislature that summarizes the number**
24 **of spoiled ballots, the number of votes that are not counted due**
25 **to over-voting, cross-voting, or under-voting, and the probable**
26 **causes contributing to the number of spoiled and uncounted**
27 **ballots. The report shall include recommendations to improve the**

1 election system and reduce the number of spoiled and uncounted
2 ballots.

3 (2) ~~Pursuant to~~ **Under** the administrative procedures act of
4 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state
5 may promulgate rules establishing uniform standards for state and
6 local nominating, recall, and ballot question petition
7 signatures. The standards for petition signatures may include,
8 but need not be limited to, standards for all of the following:

9 (a) Determining the validity of registration of a circulator
10 or individual signing a petition.

11 (b) Determining the genuineness of the signature of a
12 circulator or individual signing a petition.

13 (c) Proper designation of the place of registration of a
14 circulator or individual signing a petition.