



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bills 1350, 1351, and 1352 (as reported without amendment)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

CONTENT

Senate Bill 1350 would amend Chapter XXII (Initiative and Referendum) of the Michigan Election Law to require the Bureau of Elections to canvass initiative or referendum petitions, on behalf of the Board of State Canvassers, to ascertain whether they had been signed by the requisite number of qualified and registered electors. Either the Board or the Bureau could cause doubtful signatures to be checked against the qualified voter file (QVF) or local registration records, if it were unable to verify the genuineness of signatures. Currently, the Board is responsible for those functions.

Under the bill, based on the results of a canvass and the disposition of any challenges filed against an initiative or referendum petition, the Director of Elections would have to make a recommendation to the Board concerning the sufficiency or insufficiency of the petition. The Director's recommendation would have to be considered approved by the Board unless the recommendation were disapproved by a majority vote of the members appointed to and serving on the Board.

Senate Bill 1351 would amend Chapter XXIV (Primary Elections) of the Michigan Election Law to require the Bureau of Elections to canvass nominating petitions, on behalf of the Board of State Canvassers, to ascertain whether they had been signed by the requisite number of qualified and registered electors. Either the Board or the Bureau could cause doubtful signatures to be checked against the QVF or local registration records, if it were unable to verify the genuineness of signatures. Currently, the Board is responsible for those functions.

Under the Law, the Board may hold a hearing upon a complaint filed or for a purpose considered necessary by the Board to conduct an investigation of the petitions. The Board must complete the canvass at least nine weeks before the primary election at which candidates are to be nominated. Before making a final determination, the Board may consider any deficiency found on the face of a petition that does not require verification against data maintained in the QVF or in the voter registration files maintained by a city or township clerk. The bill would allow the Board or the Bureau to consider such a deficiency.

Under the bill, based on the results of a canvass and the disposition of any challenges filed against a petition, the Director of Elections would have to make a recommendation to the Board concerning the sufficiency or insufficiency of the nominating petition. The Director's recommendation would have to be considered approved by the Board unless the recommendation were disapproved by a majority vote of the members appointed to and serving on the Board.

Senate Bill 1352 would amend Chapter XXIVA (Candidates Without Political Party Affiliation) of the Michigan Election Law to require the Bureau of Elections, on behalf of the Board of

State Canvassers, to canvass a qualifying petition filed with the Secretary of State. Currently, the Board is responsible for that function. ("Qualifying petition" means a nominating petition required of and filed by a person to qualify to appear on an election ballot as a candidate for office without political party affiliation.)

Under the bill, based on the results of a canvass and the disposition of any challenges filed against a petition, the Director of Elections would have to make a recommendation to the Board concerning the sufficiency or insufficiency of the qualifying petition. The Director's recommendation would have to be considered approved by the Board unless the recommendation were disapproved by a majority vote of the members appointed to and serving on the Board.

MCL 168.476 (S.B. 1350)
168.552 (S.B. 1351)
168.590f (S.B. 1352)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have a minimal fiscal impact on State government. Currently, members of the Board of State Canvassers are entitled to a per diem of \$75. To the extent that the number of Board meetings decreased as a result of the proposed legislation, per diem expenses could be reduced and result in minimal savings to the State.

The bills would have no fiscal impact on local government.

Date Completed: 9-13-06

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.