



ELECTION NEWS

A special informational bulletin on the implementation of Michigan's new "consolidated elections" legislation

Michigan Department of State - Terri Lynn Land, Secretary of State

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Materials Needed to Administer February 22 Election Available on Department's Website

The following materials, needed to administer the upcoming February 22 election, can be accessed on the Department of State's website <www.michigan.gov/sos>. To locate the information, click on "Elections in Michigan"; on the Elections in Michigan page, click on "Information for Election Administrators." The referenced documents are listed under the "Election Resources" section in the middle of the page.

Voter information posters: A minimum of two copies of the poster must be placed on display in each polling place. The poster complies with the requirements provided under MCL 168.668a as amended under PA 96 of 2004.

Provisional balloting materials: Every polling place must be supplied with the materials needed to administer Michigan's provisional balloting process. The following materials can be accessed through the website: the "Four Step Procedure Form," the "Notice to Voters Unable to Satisfy Identification Requirement and/or Residence Verification Requirement," the "Procedure for Handling 'Envelope' Ballots Returned to Clerk's Office," and the "Provisional Ballot Report Form."

Identification requirement notice: Every polling place must be supplied with the notice developed for voters subject to the federal identification requirement who are unable to satisfy the requirement when offering to vote.

County Clerks Required to Accept Filings and Prepare Ballots for ISD Meetings Conducted to Fill ISD Board Positions

Recent amendments to the statutes which govern the conduct of biennial meetings convened by intermediate school districts to fill their board positions require county clerks to accept the filings submitted for the positions and prepare the ballots needed for the election of the positions. The following article outlines the statutes which govern the conduct of the meetings and the various duties which must be performed by Michigan's county clerks.

It merits immediate note that as the duties a county clerk must perform in association with ISD meetings conducted to fill ISD board positions are limited in nature and clearly defined under the law, the duties do not have to be considered by the members of the ISD's "coordinating committee" or referenced in the "coordinating committee's" report which must be filed with the Secretary of State.

Date of meeting: As in the past, the meetings must be conducted on the first Monday in June in every odd-numbered year. This year, the meetings will be conducted on Monday, June 6, 2005.

Candidate filing deadline; filing official: A candidate who wishes to seek an ISD board position that will be filled through the meeting process must file a petition and an Affidavit of Identity with the ISD's "election coordinator" no later than the 30th day before the date of the biennial meeting. The candidate may submit a \$100.00 nonrefundable filing fee in lieu of the petition. This year, the filing deadline will fall on Monday, May 9, 2005. The ISD's "election coordinator" is the clerk of the county in which the largest number of the district's registered electors reside.

Petition signature requirements: The following petition signature requirements apply if the candidate chooses to file a petition as opposed to the \$100.00 nonrefundable filing fee:

Population of ISD less than 10,000 according to most recent federal census: minimum of 6 signatures; maximum of 20 signatures.

Population of ISD 10,000 or more according to most recent federal census: minimum of 40 signatures; maximum of 100 signatures.

- An "Intermediate School District Nominating Petition" form is available for use by ISD candidates. The form can be obtained through the commercial suppliers who handle election related forms. The petition must be circulated on a city/township basis.
- Any registered voter who resides within the intermediate school district can sign the candidate's petition. An ISD candidate is not required to limit the circulation of his or her petition to his or her constituent school district of residence.
- An elector of the ISD may sign as many petitions as there are positions to fill on the ISD board.

- The county clerk serving as the ISD’s filing official is responsible for determining the sufficiency of any petitions filed by ISD candidates and the eligibility of the candidates to seek a position on the ISD board.

Office term: ISD board members are elected to 6-year terms. The new terms commence on July 1 following the election.

Preparation of ballots for meeting: The county clerk serving as the ISD’s filing official is responsible for preparing the ballots needed for the conduct of the meeting convened by the ISD to fill its board positions.

- The creation of a simple paper ballot which lists the candidates’ names in alphabetical order is recommended.
- Several sets of the ballots should be prepared for the conduct of the meeting in the event that those participating in the meeting must vote more than once as referenced under “Voting and canvassing” below.
- The statutes which govern the election of ISD board members through the meeting process provide that the chairperson of the meeting may accept nominations for an available position “from the floor” if no candidates filed for the position. Consequently, in an instance where no candidates file for an available ISD position, the ballot must contain several lines for the hand entry of the candidates who receive nomination at the meeting.

Conduct of meeting: The president and secretary of the ISD are responsible for convening and conducting any meetings held by the ISD to fill its board positions; county clerks are not required to play any role in the conduct of the meetings.

- The meetings are subject to the Open Meetings Act and must be publicly posted as required under the Act. The ISD is responsible for handling the posting requirements.
- The electoral body responsible for electing the ISD board seats which must be filled at the meeting comprises one representative from each constituent school district in the ISD. The board of each constituent school district is required to designate its meeting representative by resolution during the three-week period which precedes the meeting. In addition to designating the school district’s meeting representative, the resolution must identify the candidate the board supports for each ISD board position which must be filled. The statute which governs the process stipulates that the board “shall consider the resolution at not less than 1 public meeting before adopting the resolution.”
- The secretary of the ISD is required to notify the secretary of each constituent school district of the location and time of the meeting at least 10 days before the meeting. The notice must be sent by certified mail.
- The statutes which govern the election of ISD board members through the meeting process stipulate that not more than two members of the ISD board “shall be from the same school district unless there are fewer districts than there are positions to be filled.” The statutes

further provide that 1) not more than three members of the ISD board may also be serving at the same time as a member of the board of a constituent district or board of directors of a public school academy and 2) if an ISD board has more than three members serving as of September 1, 2004 who are also serving at the same time as members of the board of a constituent district, the limitation does not apply until the expiration of the current terms of those ISD board members. Ensuring compliance with the above stipulations is the responsibility of the ISD board and the ISD officials handling the election of the ISD board members.

Voting and canvassing: The president and secretary of the ISD are responsible for supervising the voting process. The votes are canvassed at the meeting. The statutes which govern the voting process stipulate that each constituent district representative entitled to vote at the meeting is required to vote for the candidate supported for each position by the constituent board he or she represents “at least on the first ballot taken by the electoral body.”

Statutory authority: The various requirements outlined above are provided under MCL 380.612 and 614 as amended under PA 419 of 2004.

Do We Have Your Current E-mail Address?

Upcoming issues of “*Election News*” will be e-mailed to you if you have supplied us with a current e-mail address. If you wish to provide an e-mail address or wish to supply a new one, please contact Lucinda Sheltroun of this office SheltrounL@Michigan.gov. (If you received this issue of “Election News” at an e-mail address that you would like us to use for the distribution of this newsletter and similar communications, no action is required!)