



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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Village Candidate Filing Deadline for November 7 Village Election Moved to August 15

The bill referenced in the previous *Election News* which was introduced to move the village candidate filing deadline for even-year November village elections has been enacted with immediate effect (PA 122 of 2006; House Bill 5813).

With the passage of the legislation, a candidate who wishes to seek a village office which will be elected at the November 7, 2006 general election must file a village nonpartisan nominating petition and an Affidavit of Identity no later than 4:00 p.m. on August 15, 2006 (twelfth Tuesday prior to the November 7, 2006 general election). Prior to the enactment of PA 122 of 2006, the village candidate filing deadline for the November 7, 2006 village election elapsed on May 16, 2006.

The new law can be accessed through the website maintained by the State Legislature <www.michiganlegislature.org>.

Accessible Voting Equipment Must Be Furnished in All Polling Places on August 8

The Help America Vote Act of 2002 (HAVA) stipulates that accessible voting equipment must be furnished in all polling places on August 8. The equipment must be designed to allow voters who are disabled to vote "in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters." To address the federal mandate, the Department of Management and Budget and the Department of State issued an Accessible Voting System Invitation to Bid (ITB) in November 2005.

Bid responses were received from four companies: 1) Diebold Election Systems Inc. offered a Direct Recording Electronic (DRE) device 2) Election Systems & Software (ES&S) offered a DRE device and the AutoMark Voter Assist Terminal (Automark) 3) Sequoia Voting Systems offered a DRE device and 4) Information Voting Systems (IVS) offered a telephone accessed ballot marking system.

Over the last several months, the Bureau of Elections has thoroughly evaluated each of the voting systems offered by the four companies. The evaluations included an examination of the bid proposals, oral presentations by the bidders, system demonstrations and the conduct of mock elections at which representatives of the disabilities community, county clerks and local clerks were extended the opportunity to use and comment on the voting equipment.

The contract offered under the ITB will be awarded in early May. "Train the trainer" conferences will be scheduled in early June to discuss the award of the contract and techniques for training election inspectors on the employment of the accessible voting equipment. Additional training on the use of the equipment will be offered for county and local election officials throughout June.

With the August 8 primary rapidly approaching, the successful implementation of the new voting equipment will require careful coordination and the full cooperation of all involved. Please watch for additional communications on the "rollout" process in the coming weeks. Until then, please feel free to contact the Bureau if you have any questions.

Materials Needed to Administer May 2 Election

The following article outlines the election materials needed for the administration of the May 2 election which are available through the Department of State's Bureau of Elections.

It merits note that the Department of State's Bureau of Elections is *not* responsible for supplying election seals for the administration of the May 2 election. If election seals are needed for the election, they must be ordered through a commercial vendor. (The Bureau is responsible for supplying election seals for state and federal elections only.)

Election materials which can be ordered from the Bureau: The following materials can be ordered through the Michigan Department of State's Bureau of Elections. An order form is included with this newsletter for your convenience.

- A. 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. (The voter information poster prepared for the May 2 election can also be printed from the Bureau's website as explained below.)
- B. Audio version of voter information (cassette tape):** An audio version of the voter information must be available in each polling place. (The audio version of the voter information distributed for the 2004 election cycle can be used for the May 2 election.)

- C. Braille version of voter information:** A Braille version of the voter information poster must be available in each polling place. (The Braille voter information displays shipped in advance of the May 3, 2005 election can be used for the May 2 election.)

Election materials which are available on the Bureau's website: The following materials needed to administer the upcoming May 2 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.

- A. Voter information posters:** As noted above, a minimum of two copies of the poster must be placed on display in each polling place. The voter information posters can be printed from the Bureau's website. (Legal sized paper is needed to print the poster.)
- B. 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."
- C. 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.

Upcoming Candidate Filing Deadlines on County/Local Level

- | | |
|---------------------------------|--|
| By 4:00 p.m.,
May 2 | Candidates seeking Probate Court judgeships file nominating petitions, Affidavit of Identity and Affidavit of Constitutional Qualification for the August primary. Filing submitted to the local county clerk. Withdrawal deadline elapses at 4:00 p.m. on May 5. (Note: Candidates who seek Probate District Court judgeships file on the state level.) |
| By 4:00 p.m.,
May 16 | Candidates for county convention delegate (precinct delegate) file an Affidavit of Identity for the August primary. Filing submitted to the clerk of the county, city or township in which candidate resides. Withdrawal deadline elapses at 4:00 p.m. on May 19. |
| By 4:00 p.m.,
May 16 | Partisan and nonpartisan candidates (other than judicial candidates) file nominating petitions (or fees if applicable) and Affidavit of Identity for the August primary. (A partisan candidate who seeks a county office, the office of State Senator or the office of State Representative may file a \$100.00 filing fee in lieu of a petition.) |

Withdrawal deadline elapses at 4:00 p.m. on May 19.

**By 4:00 p.m.,
Jul. 20**

District Library Board candidates who wish to seek office at the November 7 general election file an Affidavit of Identity and a nominating petition. (A \$100.00 nonrefundable fee may be filed in lieu of a petition.) (Special note: If district library includes a school district, District Library Board candidates file by 4:00 p.m. on Aug. 15.)

**By 4:00 p.m.,
Jul. 20**

Candidates without political party affiliation who wish to seek a partisan office at the November 7 general election file an Affidavit of Identity and a qualifying petition. (A filing fee option is not available.) Withdrawal deadline elapses at 4:00 p.m. on Jul. 24.

**By 4:00 p.m.,
Aug. 4**

Write-in candidates file Declaration of Intent forms for the August primary. (As an alternative, candidates for precinct delegate may file form with appropriate precinct board on election day before the close of the polls.) (Special note: There are no provisions of law which permit write-in candidates who seek a precinct delegate position to file a Declaration of Intent on the county level.)

**By 4:00 p.m.,
Aug. 15**

Local School Board candidates, Community College Trustee candidates and District Library Board candidates who wish to seek office at the November 7 general election file an Affidavit of Identity and a nominating petition. (A \$100.00 nonrefundable fee may be filed in lieu of a petition.) Withdrawal deadline elapses at 4:00 p.m. on Aug. 18. (Special notes: If district library does not include a school district, District Library Board candidates file by 4:00 p.m. on Jul. 20. Candidates seeking a Wayne County Community College Trustee position file by 4:00 p.m. on May 16.)

**By 4:00 p.m.,
August 15**

Village candidates who wish to seek office at the November 7 general election file an Affidavit of Identity and a nonpartisan nominating petition.

**By 4:00 p.m.,
Nov. 3**

Write-in candidates file Declaration of Intent forms for the November general election.

-- Important Reminders --

Signature requirements: A chart which lists the petition signature requirements which are currently in effect is attached to this newsletter. (See *Petition Signature Requirement Chart*.) As noted on the chart, all petition signature requirements are now based on the population of the district involved.

County and township vacancies: Vacancies occurring in county or township offices on or before May 8, 2006 must be elected for the remainder of the term this year. A county clerk is *not* authorized to accept filings from candidates who seek township offices; a candidate who seeks a township office *must* file with his or her township clerk's office. Filings for township offices which are erroneously accepted on the county level are invalid.

Acceptance of U.S. House, State Senate and State House filings on county level: A candidate who seeks a U.S. House, State Senate or State House seat in a district which is wholly contained within a single county files with the local county clerk; a candidate who seeks a U.S. House, State Senate or State House seat in a multi-county district must file on the state level.

Petition forms: It merits note that the partisan nominating petition form (used by candidates to seek partisan offices), the qualifying petition form (used by candidates without political party affiliation to seek partisan offices) and the nonpartisan nominating petition form (used by nonpartisan candidates to seek nonpartisan offices) are *three different forms*. All three petition forms are available from commercial suppliers. While county and local clerks must stock the petition forms for distribution to candidates, candidates who are in need of a large quantity of petitions can be directed to the commercial suppliers who market the forms.

Public availability of filings: All candidate filings are public information as soon as they are submitted. Honor all copy requests as soon as possible.

Election Resources Available on Department's Website

The following information can be accessed through the Department's website:

- Michigan election law.
- May 2, 2006 election date calendar.
- Voter information poster for May 2, 2006 election.
- Date calendar for August 8, 2006 primary and November 7, 2006 general election.
- Filing requirements for state level partisan candidates who wish to seek election in 2006.
- Filing requirements for non-incumbent judicial candidates who wish to seek election in 2006.
- Provisional balloting materials. ("Four Step Procedure Form," "Notice to Voters Unable to Satisfy Identification Requirement and/or Residence Verification Requirement," "Procedure for Handling 'Envelope' Ballots Returned to Clerk's Office," and "Provisional Ballot Report Form.")
- Federal ID requirement notice.



STATE OF MICHIGAN
 TERRI LYNN LAND, SECRETARY OF STATE
 DEPARTMENT OF STATE
 LANSING

Order Form
-- May 2 Election Materials --

Return form via mail or fax to Ruth Lee, Bureau of Elections, P.O. Box 20126, Lansing, Michigan 48901-0726. Fax: (517) 241-4785.

Jurisdiction name: _____

Date: _____ **Submitted by:** _____

Mailing address for supplies: _____

Item

Quantity

Voter information posters*: _____

**Voter information in audio format
 (Cassette tape):** _____

Braille version of voter information: _____

Thank you!

* As an alternative, the voter information posters can be printed from the Bureau's website.



STATE OF MICHIGAN
 TERRI LYNN LAND, SECRETARY OF STATE
 DEPARTMENT OF STATE
 LANSING

April 18, 2006

PETITION SIGNATURE REQUIREMENT CHART
-- 2006 Election Cycle --

The following “population based” signature requirements apply to all state offices, judicial offices, county offices (including county commissioner), township offices (including offices elected in charter townships), city offices (unless otherwise set by charter) and village offices (unless otherwise set by charter). See notes following chart for information on petition signature requirements established for candidates who seek school board positions; intermediate school board positions; community college trustee positions; district library board positions; and city, township and village library board positions.

Population	Partisan Petition		Non Partisan Petition		Qualifying Petition	
	Min	Max	Min	Max	Min	Max
0 - 9,999	3	10	6	20	9	30
10,000 - 24,999	20	50	40	100	60	150
25,000 - 49,999	50	100	100	200	150	300
50,000 - 74,999	100	200	200	400	300	600
75,000 - 99,999	200	400	400	800	600	1,200
100,000 - 199,999	300	500	600	1,000	900	1,500
200,000 - 499,999	500	1,000	1,000	2,000	1,500	3,000
500,000 - 999,999	1,000	2,000	2,000	4,000	3,000	6,000
1,000,000 - 1,999,999	2,000	4,000	4,000	8,000	6,000	12,000
2,000,000 - 4,999,999	4,000	8,000	6,200	12,000	12,000	24,000
Over 5 million (statewide)	15,000	30,000	30,000	60,000	30,000	60,000

- 1.) ***State Senate, State House and county level positions:*** A candidate who is affiliated with a political party that will appear on the primary ballot who seeks the office of State Senator, the office of State Representative or a county office may file a \$100.00 fee in lieu of a nominating petition. The filing fee is refunded if the candidate receives nomination to the office or places second in the race.
- 2.) ***Judicial positions:*** A judicial officer who is running for reelection to the office he or she holds may file an Affidavit of Candidacy in lieu of a nominating petition.
- 3.) ***Statewide positions:*** In addition to containing the requisite number of valid signatures, a qualifying petition filed for the office of Governor, Secretary of State, Attorney General, U.S. Senator, State Board of Education, University of Michigan Regent, Michigan State University Trustee, Wayne State University Governor or Supreme Court Justice must be signed by at least 100 registered electors in each of at least ½ of the congressional districts in the state.
- 4.) ***County commissioner positions:*** PA 158 of 2002 amended MCL 46.411 to shift the petition signature requirements imposed on candidates who seek the office of county commissioner to the “population based” signature requirement listed in the above chart. Candidates seeking the office of county commissioner may file a \$100.00 fee in lieu of a petition. The filing fee is refunded if the candidate receives nomination to the office or places second in the race. The petition signature requirement change went into effect on January 1, 2003.
- 5.) ***School board/intermediate school board positions:*** Local school board and intermediate school board candidates are required to meet the filing requirements list below (MCL 168.303 as added under PA 302 of 2003):
 - ***District with less than 10,000 in population according to the most recent federal census:*** minimum of 6 signatures; maximum of 20 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.
 - ***District with 10,000 or more in population according to the most recent federal census:*** minimum of 40 signatures; maximum of 100 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.
- 6.) ***Community college trustee positions:*** In a community college district organized by an intermediate school district of over 1.5 million, the minimum number of valid signatures required is 250. A candidate may not file more than 500 signatures to cover the requirement. (MCL 389.83)

PA 62 of 2005 amended MCL 389.152 to 1) modify the signature requirements imposed in all other community college districts and 2) permit candidates in all other community college districts the option of filing a \$100.00 *nonrefundable* fee in lieu of a petition. The new filing requirements, listed below, went into effect on July 7, 2005:

Community college district with less than 10,000 in population according to the most recent federal census: minimum of 6 signatures; maximum of 20 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.

Community college district with 10,000 or more in population according to the most recent federal census: minimum of 40 signatures; maximum of 100 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.

7.) ***District library board positions:*** PA 159 of 2002 amended the District Library Law, MCL 397.181, to 1) modify the signature requirements imposed on candidates seeking a district library board position and 2) permit candidates seeking district library board positions the option of filing a \$100.00 *nonrefundable* fee in lieu of a petition. The new filing requirements, listed below, went into effect on January 1, 2003:

- ***District with less than 10,000 in population according to the most recent federal census:*** minimum of 6 signatures; maximum of 20 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.
- ***District with 10,000 or more in population according to the most recent federal census:*** minimum of 40 signatures; maximum of 100 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.

8.) ***City, township and village library board positions:*** PA 160 of 2002 amended MCL 397.211 to 1) modify the signature requirements imposed on candidates seeking a city, township or village library board position and 2) permit candidates seeking city, township or village library board position the option of filing a \$100.00 *nonrefundable* fee in lieu of a petition. The new filing requirements, listed below, went into effect on January 1, 2003:

- ***Cities, townships and villages with less than 10,000 in population:*** minimum of 6 signatures; maximum of 20 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.
- ***Cities, townships and villages with 10,000 or more in population:*** minimum of 40 signatures; maximum of 100 signatures. A \$100.00 nonrefundable fee may be filed in lieu of a petition.

9.) ***Qualifying petitions:*** All signatures submitted on a qualifying petition must have been collected within the preceding 180-day period; signatures which are dated more than 180 days prior to the date of the petition is filed are invalid.