



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

**MEMORANDUM**

DATE: August 8, 2012  
TO: Board of State Canvassers  
FROM: Christopher M. Thomas, Director of Elections  
SUBJECT: Preparation of Ballot Wording

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The following is offered as background on how the ballot language approval process works.

Under Michigan election law, the Director of Elections is charged with drafting the language and the Board of State Canvassers is charged with reviewing and approving the language; “The statement shall consist of a true and impartial statement of the purpose of the amendment or question in such language as shall create no prejudice for or against the proposed amendment or question.” MCL 168.32 (*as amended by 2012 PA 276, effective August 16, 2012*). See also Const. Art. XII, §2 (“The ballot to be used in such election shall contain a statement of the purpose of the proposed amendment, expressed in not more than 100 words, exclusive of caption. Such statement of purpose and caption shall be prepared by the person authorized by law, and shall consist of a true and impartial statement of the purpose of the amendment in such language as shall create no prejudice for or against the proposed amendment.”)

Before drafting language, the Bureau of Elections solicits suggested language and explanatory material from the proponents, opponents, and other parties interested in the proposal. This material has proven helpful in developing impartial ballot language. The calendar for the solicitation of suggested language and the public release of the recommended language follows:

***Deadline for submission of suggested language and materials to staff:*** August 15.

***Public release of recommended language:*** August 23.

***Suggested meeting date:*** August 27.

Through this process and the extraordinary notice requirements, suggestions are generally received from numerous sources.

The ballot wording has two components. The first is the 100 words referenced in the State Constitution and the statute; the second is the caption which does not have a specific word limit. Both the 100 word description and the caption are held to the same impartiality standard. Michigan election law directs that ballot proposals must be constructed so that a “Yes” vote is in *favor* of the subject matter of the proposal and a “No” vote is *against* the subject matter of the proposal. MCL 168.485, 643a.