



# ELECTION NEWS

A special informational bulletin on the implementation of Michigan election law.

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Michigan Department of State - Ruth Johnson, Secretary of State

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<b>Materials Needed to Administer May 8 Election</b>
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The following article outlines the election materials needed for the administration of the May 8 election which are available through the Department of State's Bureau of Elections.

***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 if needed. 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 of Michigan election law. (The voter information poster prepared for the May 8 election can also be printed from the Bureau's Web site 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.
- C. Braille version of voter information:** A Braille version of the voter information poster must be available in each polling place.

***Election materials which are available on the Bureau's Web site:*** The following materials needed to administer the upcoming May 8 election can be accessed on the Department of State's Web site [www.michigan.gov/elections](http://www.michigan.gov/elections). To locate the information, click on "Information for Election Administrators."

- 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 Web site. (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 Web site: the "Four Step Procedure Form," the notices needed for distribution to voters who are issued a provisional "envelope" ballot, the "Procedure for Handling 'Envelope' Ballots Returned to Clerk's Office," and the "Provisional Ballot Report Form."
- C. Michigan voter identification implementation materials:** Every polling place must be supplied with the materials needed to administer Michigan's voter identification requirement. The following materials can be accessed through the Web site: Instructions for implementing Michigan's voter identification requirement, "Affidavit of Voter Not In Possession of Photo ID" (English and Spanish), informational notice for voters (English and Spanish) and voter processing flow charts.
- D. AutoMARK Voter Assist Terminal materials:** The following materials are available: "Accessible Voting Signage," "AutoMARK Election Inspector Guide," "AutoMARK Program Testing Procedures," "Sample Public Accuracy Test Notice," "Voting System Preparation Certificate," 10-minute instructional video and "AutoMARK Troubleshooting Guide."

<b>Declaration of Intent Filing Deadline for May 8 Election Elapses on April 27</b>
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Any candidate who wishes to seek an office on the May 8 election ballot with write-in votes must file a Declaration of Intent with the filing official for the office no later than 4:00 p.m. on Friday, April 27.

If a candidate who appears on the ballot dies or is disqualified on or after the Wednesday immediately preceding the election, all write-in votes cast under the race involved count – including those cast for individuals who did not file a Declaration of Intent form. In the case of the May 8 election, the waiver would be invoked if a candidate on the ballot dies or is disqualified on or after May 2.

## Issuing Absent Voter Ballots for May 8 Election to Voters Outside U.S.

Michigan election law stipulates that an absent voter ballot request sent to a city, township or village clerk by an uniformed services voter outside of the United States or a civilian voter outside of the United States must be honored for every election conducted in the applicant's city of residence or township and village of residence (if any) through the balance of the calendar year.

Given the above, all county, city and township clerks who will be involved in administering the upcoming May 8 election are reminded that an absent voter ballot for the election must be mailed to all uniformed services voters outside of the United States and all civilian voters outside of the United States who submitted an absent voter ballot request anytime after December 31, 2011.

## Post-Election Notices and Certifications Related to May 8 Election

***Post-Election CFR Compliance Statement:*** Any candidate elected to office on the state, county or local level is required to file an affidavit prior to assuming office which states that at the date the affidavit was executed, all statements, reports, late filing fees and fines required of the candidate or any Candidate Committee organized to support the candidate's election under Michigan's Campaign Finance Act have been filed or paid.

- The affidavit is not required of an elected candidate who 1) is exempt from the filing requirements of Michigan's Campaign Finance Act or 2) did not receive or expend more than \$1,000.00 during the election cycle.
- An elected candidate who is required to file a Post-Election Campaign Finance Compliance Statement must submit the affidavit to the filing official designated to receive the elected candidate's campaign finance disclosure filings. Thus, an elected candidate who is required to file his or her campaign finance disclosure filings on the county level must file his or her Post-Election Campaign Finance Compliance Statement on the county level.
- The Post-Election Campaign Finance Compliance Statement form can be accessed through the Department of State's Web site [www.michigan.gov/elections](http://www.michigan.gov/elections). To locate information, click on "Publications and Forms."
- An elected candidate who is required to file the statement who fails to submit the form is guilty of a misdemeanor punishable by "fine of up to \$500.00 or imprisonment for up to 93 days, or both."

- Candidates participating in the May 8 election who have any questions regarding their compliance status under Michigan's Campaign Finance Act should be directed to the county clerk responsible for accepting the candidate's campaign finance disclosure filings.

### **Polling Place Accessibility Grant Program Reopened**

*New application period now open through May 31, 2012*

Any and all buildings used for polling place locations must meet the accessibility requirements set forth under the Americans with Disabilities Act (ADA). If a building used for a polling place location cannot be made accessible as stipulated under the ADA, the polling place must be moved to a building which meets the ADA accessibility requirements.

In April 2005, the Department introduced the Polling Place Accessibility Improvement Program – a grant program which Michigan's cities and townships can use to recover the costs they incur in making their polling places ADA compliant. The grant program is funded through the Help America Vote Act of 2002 (Title II, Section 261; CFDA 93.617). The Department of State's Bureau of Elections is responsible for overseeing the grant process.

As there are still a number of jurisdictions that could benefit from the grant program and grant funds remain available, a new grant application period is being offered. The new application window is now open and will extend through May 31, 2012.

The polling place accessibility grant application can be found on the Bureau of Election's Web site at [www.michigan.gov/elections](http://www.michigan.gov/elections). Click on "Information for Election Administrators." Near the top of the page you will find the grant application and polling place accessibility checklist. Please read through the instructions carefully, as incomplete applications cannot be accepted.

City and township clerks who have any questions regarding the grant program are encouraged to contact Election Specialist David Foster of the Bureau of Elections. Phone: (517) 373-2540. Email: [FosterD2@michigan.gov](mailto:FosterD2@michigan.gov).

### **Presidential Primary Reimbursement Claim Forms Due May 28**

Many jurisdictions have not yet submitted claim forms to request reimbursement for costs related to the February 28 Presidential Primary. **It is critical that these reimbursement claim forms be submitted as soon as possible, but no later than May 28, 2012. Claims not submitted by**

**May 28 will not be eligible for reimbursement.** Claim forms and instructions can be found at [www.michigan.gov/elections](http://www.michigan.gov/elections). Click on “Information for Election Administrators”.

<b>Upcoming Candidate Filing Deadlines on County/Local Level</b>
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|----------------------------------|---|
| <b>By 4:00 p.m.,<br/>May 1</b>   | 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 <b>4:00 p.m. on May 4.</b>  |
| <b>By 4:00 p.m.,<br/>May 15</b>  | Precinct delegate candidates 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 <b>4:00 p.m. on May 18.</b>   |
| <b>By 4:00 p.m.,<br/>May 15</b>  | 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 <b>4:00 p.m. on May 18.</b> |
| <b>By 4:00 p.m.,<br/>May 15</b>  | Candidates who seek a Wayne County Community College Trustee position file an Affidavit of Identity and a nominating petition. (A filing fee option is not available.) Withdrawal deadline elapses at <b>4:00 p.m. on May 18.</b>   |
| <b>By 4:00 p.m.,<br/>July 19</b> | District Library Board candidates who wish to seek office at the November 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 August 14.)  |
| <b>By 4:00 p.m.,<br/>July 19</b> | Candidates without political party affiliation who wish to seek a partisan office at the November general election file an Affidavit of Identity and a qualifying petition. (A filing fee option is not available.) Withdrawal deadline elapses at <b>4:00 p.m. on July 23.</b>   |

- By 4:00 p.m.,  
July 27** Write-in candidates other than write-in candidates who seek precinct delegate positions file Declaration of Intent forms for the August primary.
- By 4:00 p.m.,  
August 3** Write-in candidates who seek a precinct delegate position file Declaration of Intent form with city or township clerk 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.,  
August 14** Local School Board candidates, Community College Trustee candidates and District Library Board candidates who wish to seek office at the November 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 August 17.** (Special notes: If district library does not include a school district, District Library Board candidates file by 4:00 p.m. on July 19. Candidates seeking a Wayne County Community College Trustee position file by 4:00 p.m. on May 15.)
- By 4:00 p.m.,  
August 14** Village candidates who wish to seek office at the November general election file an Affidavit of Identity and a nonpartisan nominating petition. Withdrawal deadline elapses at **4:00 p.m. on August 17.**
- By 4:00 p.m.,  
October 26** Write-in candidates file Declaration of Intent forms for the November general election.

**-- Important Reminders --**

**Submission of filings for township offices:** 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.

**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.*)

**Acceptance of U.S. House and State House filings on county level:** A candidate who seeks a U.S. House 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 or State House seat in a multi-county district must file on the state level.

**Petition forms:** 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.

**Note:** All Affidavit of Identity forms require notarization. Clerks *must* be a notary in order to notarize this document at filing. Clerks *are not* provided with the authority to witness the candidate's signature *without* first being a duly authorized notary public.

<b>Filing Requirements for Non-Incumbent Judicial Candidates Available on Department's Website</b>
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A document, which explains the filing requirements established for non-incumbent judicial candidates who wish to seek office in 2012, has been posted on the Department's website [www.michigan.gov/elections](http://www.michigan.gov/elections). To locate the document, click on "Information for Candidates."

<b>Election Resources Available on Department's Website</b>
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A wide variety of election related information and materials can be accessed through the Bureau's website: [www.michigan.gov/elections](http://www.michigan.gov/elections). The information and materials currently available on the website include the following:

- Michigan election law
- Michigan ballot production standards.
- May 8, 2012 election date calendar
- 2012 August/November election dates
- Provisional balloting implementation materials
- Electronic Poll Book (EPB) materials
- Election inspector training materials
- Michigan voter identification requirement implementation materials
- AutoMARK implementation materials.
- Archives of previous issues of *Election News* and *News You Can Use*.

**Have a Question or Need Assistance?**

If you have a question or need assistance with your election related duties, please do not hesitate to contact the Michigan Department of State's Bureau of Elections. We will be happy to assist in any way possible!

**Mailing address:** Michigan Department of State  
Bureau of Elections  
PO Box 20126  
Lansing, MI 48901-0726

**Phone:** (517) 373-2540  
**Fax:** (517) 373-0941  
**Email:** [elections@michigan.gov](mailto:elections@michigan.gov)



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

**Order Form**  
**-- May 8 Election Materials --**

Return form via mail or fax to Ruth Lee, Bureau of Elections, P.O. Box 20126, Lansing, Michigan 48901-0726. Fax: (517) 373-0941.

**Jurisdiction name:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Submitted by:** \_\_\_\_\_

**Mailing address for supplies:** \_\_\_\_\_  
 \_\_\_\_\_

Item	Quantity Needed <sup>i</sup>
Voter information posters*	_____
Voter information in audio format (cassette tape/CD)	_____
Braille version of voter information	_____

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