



ELECTION NEWS

A special informational bulletin on the conduct of the November 6, 2012 general election

Michigan Department of State - Ruth Johnson, Secretary of State

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Are You Ready? Planning Tips for a Smooth Election

As a large number of Michigan voters are expected to participate in the upcoming November 6 general election, special measures will be needed to ensure the efficient operation of the polls on Election Day. Much of following information is not new, but offers reminders on a number of planning tips and suggestions for your consideration:

Signage

- Identify the location of all polling places with prominent curb signs.
- Outside of each building where a polling place will be located, measure off and mark where individuals who wish to solicit votes outside of the polls may conduct their campaign activity. (Michigan election law stipulates that no person is permitted to solicit votes or engage in any type of campaigning within 100 feet of any doorway used by voters to enter the building in which a polling place is located. As an exception, "exit pollsters" may position themselves as close as 20 feet from the doorway used by voters to enter the polling place.)

- Post signs with the International Symbol (HC) outside of each polling place to identify the safest route into the polls for wheelchair users.
- In any instance where a polling place has been relocated, post notices on the old polling place location that provide clear directions to the new polling place location.
- In instances where a polling place location serves multiple precincts, post clear directional signs inside of the building to guide voters to the appropriate board of election inspectors.

Staffing

- Increase the number of election inspectors on each precinct board.
- Employ specially trained election assistants to help with the efficient management of the polls (roving supervisors, E-Pollbook operator(s), poll closing assistants, equipment troubleshooters, etc.).
- Use receiving boards as required under MCL 168.679. A Receiving Board Guide with updated instructions as well as a checklist, FAQ page and sample resolution can be found on the Bureau of Elections web site here: [Receiving Board Instructions and Checklist 2012](#).
- Appoint “back-up” election inspectors who would be available to serve in the polls on short notice in case of unanticipated precinct inspector absences on election day.
- Employ “split shifts” to relieve election inspectors who may not have the stamina to work a full day. This approach can be used to replace one or more election inspectors before the evening “rush” or can be used to assign additional election inspectors to work in the polls during peak voting hours. (The replacement of the precinct chairperson is not recommended.)
- Provide election inspectors with additional refresher training options on pertinent issues such as sealing ballot containers, processing absent voter ballots (if processed at the polls), handling provisional ballots and other specialized tasks. There are a variety of training resources available on the Bureau’s web page for Election Administrators at www.michigan.gov/elections; [Information for Election Administrators](#) that inspectors and review at any time up until Election Day. Inspectors should also be reminded that they can view the online *Election Day Management* video training modules at any time here: [Election Day Management Training Videos](#).

Reminder: Use Application to Vote Forms Without the U.S. Citizenship Question

- As communicated in [News You Can Use 2012-82](#) (issued October 17, 2012), in accordance with court order, the Department has recommended that all jurisdictions utilize prior stock versions of Application to Vote forms *without* the “Are You a U.S. Citizen?” question, or obtain an adequate number of new forms *without* the question. Although jurisdictions are able to utilize forms *with* the citizenship question **provided the question is completely obscured or blocked out**, using forms *without* the citizenship question will ensure that the

citizenship question will not appear on some forms due to the inadvertent failure to completely obscure the question.

Michigan Voter Identification Requirement

Reproduce and post multiple copies of the “Michigan Voter Identification Requirement” notice provided by the Bureau where voters in line can read it. (A copy of the notice is available online [here](#).) To ensure the consistent and proper administration of the Michigan voter identification requirement, we ask that you not create your own notice regarding the requirement.

- Make sure that all election inspectors understand that a voter who does not have acceptable picture ID or forgot to bring acceptable picture ID to the polls can vote by signing the affidavit form provided for such voters.
- Instruct all election inspectors that they must never announce that “you must show your driver’s license in order to vote” or make similar statements to avoid voter confusion over the various ways voters can satisfy Michigan’s voter identification requirement.

Parking

- Check all parking lots to confirm that parking spaces for disabled voters are available and appropriately identified.

Processing Voters

- Establish a “help desk” within each polling place and staff with election inspectors who are specially trained to assist voters who 1) do not appear on the QVF Precinct list or in the e-Pollbook 2) need to be redirected to a different precinct 3) need to complete the 4-step procedure form in order to obtain a provisional ballot 4) need to satisfy the federal identification requirement before voting 5) need to satisfy the requirements of a verify or challenged status or 6) have similar “specialized” needs.
- Use “line chasers” to verify that all voters standing in line are in the proper location. Supply the line chasers with a laptop that contains the Electronic Precinct List for the jurisdiction and a map that shows the location of all polling places in the jurisdiction. Jurisdictions that do not have a laptop available for this purpose may print the QVF precinct list and display maps on the walls of the polling location. This inspector should also keep an eye out for campaign material and (if found) ask voters to conceal such materials.
- If proper space is available, keep the line of voters at the entrance to the polling place room and allow voters to enter as election inspectors are available for processing. If other lines start forming in the polling place room, hold the voters at the entrance until they dissipate. Maintain control of the room.
- The precinct chairperson should be free to roam around and assist with questions and/or problems throughout the day.

e-Pollbook Processing

- To eliminate error and increase efficiency at the e-Pollbook (EPB) station, arrange to have multiple inspectors involved in the ballot issuance process using e-Pollbook, with each responsible for distinct functions. For example, once a voter has filled out his/her Application to Vote and satisfied Michigan's voter identification requirement, an election inspector operating the EPB can look up the voter in the EPB, record the voter number on the Application to Vote, and pass the application to a 2nd inspector. Inspector #2 calls out the ballot number to inspector #1 who records it in the EPB. Inspector #2 then places the ballot into a secrecy sleeve and slides the completed Application to Vote into the pocket on the front of the sleeve. To speed up the process, ballots may be placed into secrecy sleeves in advance as time permits. If a third inspector is available, that person may help direct voters to open booths and ensure voters are not given their ballot until a booth is available.
- Note regarding the *swiping* of licenses/ IDs – if a voter objects to having his/her license *swiped* as part of the EPB voter search process, please reinforce with election inspectors that they should manually type in the voter's name to find the voter's name on the EPB voter list.

Non-e-Pollbook Precincts

- In precincts serving a high number of voters (1,500+ voters), establish two processing tables. (Each table will need a QVF list.) After each voter 1) has completed the Application to Vote form 2) has been verified against the QVF list and 3) has satisfied Michigan's voter identification requirement, direct the voter to a separate table for the completion of the poll book and the issuance of the ballot. If a voter has a "specialized" need, direct the voter to the precinct's "help desk" as discussed above.
- To help eliminate the delay that often occurs at the point where the voters must wait to have their names entered in the poll book, arrange to have multiple inspectors handle this task. For example, working with the Application to Vote, inspector #1 enters the voter's name in the poll book, records the voter number (poll book line number) on the application and passes it to inspector #2. Inspector #2 calls out the ballot number to inspector #1 who records it next to the voter's name in the poll book. Inspector #2 then places the ballot into a secrecy sleeve and slides the completed Application to Vote into the pocket on the front of the sleeve. To speed up the process, ballots may be placed into secrecy sleeves in advance as time permits. If a third inspector is available, that person may help direct voters to open booths and ensure voters are not given their ballot until a booth is available.

Voting Stations

- Supply an adequate number of voting stations in every precinct. Given the high voter turnout which will occur on November 6, provide no less than one voting station for every 80 to 100 voters registered in the precinct. Jurisdictions utilizing a two-page ballot should provide additional stations given the additional time it will take voters to complete lengthier ballots. (Note: When determining the number of voting stations needed in a precinct, the number of voters registered in the precinct who obtained an absentee ballot for the election may be taken into consideration.) Refer to [News You Can Use 2012-87](#) (issued October 23, 2012)

for more suggestions and details on this topic.

Michigan's Absentee Voting Process: Critical Points to Remember
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Please refer to the following reference document on the Bureau's website for a full list of pertinent issues related to Absentee Voting: [Absentee Voting: Critical Points](#)

Please pay particular attention to these upcoming deadlines and important points between now and Election Day:

Submission of absentee ballot applications: Voters who wish to have their absentee ballot delivered by mail must submit their application for the ballot no later than 2:00 p.m. on the Saturday prior to the election (November 3).

Absentee ballot requests may be submitted by hand or by mail. Absentee ballot requests may also be submitted by fax or can be scanned and transmitted via email. Faxed and emailed absentee ballot requests must show the voter's signature; faxed and emailed absentee ballot requests that do not show the applicant's signature are not acceptable.

On Monday, November 5, a voter may request and vote an absentee ballot in person in the clerk's office. The voter must vote the ballot in the clerk's office; the voter is not permitted to leave the clerk's office with the ballot.

The law also provides for the issuance of "emergency" absentee ballots on the day of the election. The emergency absentee voting process is explained below.

Office hours on Saturday preceding election: The clerk or other authorized personnel appointed by the clerk must be available in the clerk's office on the Saturday preceding the election until 2:00 p.m. -- the deadline for requesting an absentee ballot which must be mailed.

Return of absentee ballots: Absentee ballots must be returned to the clerk by 8:00 p.m. on election day. On the day of the election, the clerk must make arrangements with the post office to pick up any absentee ballots which are received by the post office after the post office has made its final mail delivery of the day to the clerk's office. (The time of the final check should be coordinated with the post office to ensure that the check is made after the post office receives its last mail delivery of the day.)

The persons who may return an absentee ballot are limited to 1) the voter 2) a member of the voter's immediate family who has been asked to return the ballot 3) a person residing in the voter's household who has been asked to return the ballot 4) a person whose job normally includes the handling of mail (but only during the course of his or her employment) and 5) an authorized election official.

Given the above restrictions, it is important to note that an absentee voter is not permitted to ask

another voter who is not a member of the voter's immediate family or household to return his or her absentee ballot.

Ballot pick-up by election official: An election official is required to pick up a voter's absentee ballot if all of the following conditions are satisfied: 1) the election official issued the ballot to the voter 2) the voter is unable to return the ballot under any of the authorized delivery methods 3) the voter calls to request the pick up of his or her ballot before 5:00 p.m. on the Friday immediately preceding the election and 4) it is not necessary for the election official to travel outside of the jurisdiction to obtain the ballot. Under any other circumstances, an election official (or authorized assistant) may pick up a voter's absentee ballot at the election official's discretion if 1) the election official issued the ballot to the voter and 2) the voter is unable to return the ballot under any of the authorized delivery methods.

Election assistants authorized to pick up absentee ballots must carry appropriate credentials and show them when asked.

An election official should not pick up a voter's absentee ballot unless the voter requests the pick up. **In no case should an election official or a person working as an election assistant contact an absentee voter in person or by phone to offer to return the voter's ballot.**

Ballot verification requirement: A voter who has obtained an absentee ballot must sign the following certificate which appears on the return envelope prior to returning the ballot to the clerk:

TO BE COMPLETED BY THE ABSENTEE VOTER

I assert that I am a qualified and registered elector of the city, township, or village named above. I am voting as an absentee in conformity with state election law. Unless otherwise indicated below, I personally marked the ballot enclosed in this envelope without exhibiting it to any other person. I further assert that this absentee ballot is being returned to the clerk or an assistant of the clerk by me personally; by public postal service, express mail service, parcel post service, or other common carrier; by a member of my immediate family; or by a person residing in my household.

Date

Signature of Absentee

Upon the receipt of a returned absentee ballot, the signature appearing on the above certificate must be checked against the signature on the applicant's voter registration record to verify the applicant's identity.

If the voter fails to sign the certificate, the ballot is void and cannot be removed from the envelope or counted.

Deceased or incarcerated absentee voter: If it comes to the attention of a local election official or a precinct board that a voter who returned an absentee ballot has died or is serving a sentence in jail or prison, the ballot must be rejected. In such an instance, the election official or precinct board writes “rejected as illegal” on the return envelope. Absentee ballots which are “rejected as illegal” cannot be removed from their return envelopes. **Note that the prohibition on voting after being sentenced to confinement in jail or prison only lasts “while confined.” Once the individual is released from jail or prison, he or she may vote.** See additional points later in this document regarding eligibility of voters who are or have been confined to jail or prison.

Emergency absentee ballot requests: An elector may make an “emergency” request for an absentee ballot if he or she cannot attend the polls because 1) the elector has become disabled or 2) the elector must leave the community for the entire time the polls are open on election day due to a family death or illness.

“Emergency” requests for absentee ballots must be made after the deadline for making “regular” requests for absentee ballots (2:00 p.m. on the Saturday before the election) and before 4:00 p.m. on election day. The emergency must have occurred at a time which made it impossible for the voter to apply for an absentee ballot by the statutory deadline for “regular” applications.

If an “emergency” absentee ballot is requested, the person making the application may authorize the person delivering the application to pick up and deliver the ballot. The authorization to pick up and deliver the ballot must be in writing and must be signed by the applicant. An “emergency” absentee ballot may also be delivered by hand to the applicant by a person authorized to handle this task.

Handling Voters Who Do Not Appear On the EPB/QVF Precinct List – A Review

The provisional balloting process must be used any time a voter who completes an Application to Vote form does not appear on the precinct’s EPB or printed QVF Precinct List. Detailed instructions and steps with respect to provisional balloting are available on the Bureau’s web site here: [Four-Step Provisional Steps and Form](#). The Bureau’s *Election Day Management* video training program also includes a detailed segment on the Provisional Ballot process, which can be viewed at any time here: [Election Day Management Video - Provisional Ballots](#).

The four-step procedure form must be completed before a ballot is issued to the voter. There are two exceptions:

- 1) If the voter is in the proper polling place and is able to produce a voter registration receipt that shows that he or she registered to vote before the registration deadline, there is no need to complete the form. Instead, the election inspector should contact the clerk for assistance if needed and arrange to have the voter complete another registration form. After the voter has completed the registration form, the voter can be permitted to vote under regular procedure.

- 2) If the election inspector or the clerk determines that the voter is registered to vote in a different precinct and the voter is willing to travel to his or her proper polling place, there is no need to complete the form. Instead, the election inspector should give the voter directions to his or her proper polling place. (If the voter declines to travel to his or her proper polling place, the form must be completed. Such voters must be cautioned that while they are eligible to vote an “envelope” ballot, it will not count if it is later confirmed that the voter did not, in fact, vote in the proper precinct.)

Four-Step Procedure Form

In an instance where the four-step procedure form must be completed before a ballot can be issued to the voter, the election inspector working with the voter must carefully work through each of the four steps explained on the form.

- After completing the form, the election inspector must make a final determination on whether the ballot issued to the voter can 1) be handled like any other ballot issued in the polls (i.e., deposited in the precinct’s tabulator) or 2) must be secured in a special “provisional ballot security envelope” and returned to the clerk’s office for further review after the polls close.
- The above determination is made by the election inspector based on the responses to the questions presented on the four-step procedure form. If the answer to all four questions is “yes,” the ballot is tabulated in the polls; if the answer to any of the four questions is “no,” the ballot must be placed in a provisional ballot security envelope and returned to the clerk’s office after the polls close. The four-step procedure form is designed to walk the inspector through the determination process.

Actions Clerk Must Take After Election

City and township clerks who receive one or more “envelope” ballots after the polls close must evaluate the ballots within 6 calendar days after the election to determine if the ballots can be counted. The four-step procedure form is designed to guide the precinct board on recording all of the information needed by the clerk to determine whether an “envelope” ballot can be counted. The clerk is not permitted to open a provisional ballot security envelope unless the clerk determines that the ballot can be counted.

No later than the 7th calendar day after the election, the city or township clerk must complete a “Provisional Ballot Report” form and submit it to the county canvassing board and/or local canvassing board as appropriate. The Provisional Ballot Report form documents the number of provisional ballots which were 1) counted or tabulated in the polls on election day and 2) secured in Provisional Ballot Security Envelopes for delivery to the clerk’s office after the polls close. The report further documents 1) the number of “envelope” ballots determined valid and counted and 2) the number of “envelope” ballots determined invalid and not counted. The report also documents the number of voters who completed an *Affidavit of Voter not in Possession of Picture Identification* form. County clerks compile totals from their jurisdictions and submit them to the Bureau of Elections no later than the 14th day after the election. Provisional Ballot Report forms are available on the Department’s Web site here: [City-Township Provisional Ballot Report](#); [County Provisional Ballot Report](#).

“Free Access System”

All voters who were issued a provisional ballot must have access to a cost-free informational system which the voters can use to obtain information on whether their ballot counted, and, if the ballot was not counted, the reason why the ballot was not counted. (HAVA refers to such systems as “free access systems.”) A notice must be distributed to each voter issued a provisional ballot to advise the voter of his or her right to obtain this information. (The notice is attached to the four-step procedure form.)

To ensure compliance with the requirement, all city and township clerks must be prepared to handle inquiries from voters who were issued “envelope” ballots. When handling such inquiries the clerk must advise the voter on whether his or her “envelope” ballot was counted or was not counted. If the voter’s “envelope” ballot was not counted, the clerk must explain the reason why and the actions the voter can take to ensure that the next time the voter wishes to participate in an election, his or her ballot will count.

Michigan election law stipulates that the free-access system may be “a telephone number that does not require a toll charge, a toll-free telephone number, an internet Web site, or a mailed notice.” If a “mailed notice” is employed, the notice must be sent to each and every voter who was issued an “envelope” ballot.

Information on whether a provisional ballot issued to a voter was counted or was not counted is restricted to the individual who voted the provisional ballot; such information cannot be disclosed to any other person.

Administrative Points to Remember

Voter refuses to complete four-step procedure form: In any instance where a voter whose name does not appear on the QVF list refuses to complete the affidavit portion of the four-step procedure form to assert that he or she registered to vote on or before the registration deadline, the election inspectors must not issue a provisional ballot to the voter. Instead, such voters must be advised that they are ineligible to vote in the election.

Voter appears to be in wrong precinct: As noted earlier, if a voter 1) appears to vote in the wrong precinct and 2) declines to travel to his or her proper precinct to vote, it is important that the election inspectors tell the voter that his or her provisional ballot will not count if it is confirmed after the election that the voter has voted in the wrong precinct.

In any situation where an “envelope” ballot has been issued to a voter who 1) appeared to vote in the wrong precinct and 2) declined to travel to his or her proper precinct to vote, the clerk must make every effort during the 6-day “envelope” ballot evaluation period to accurately confirm that the voter did, in fact, vote in the wrong precinct before rejecting the “envelope” ballot as invalid. The evaluation must include a check of the QVF street index to verify that the voter was not assigned to the wrong precinct in error. If a check of the street index reveals that a voter in this situation actually voted in the proper precinct, the “envelope” ballot must be counted.

Voter ID card issued to voter returned as “undeliverable”: In a situation where it is discovered that a voter who does not appear on the QVF list submitted a registration application that was rejected because the voter identification card sent to the voter was returned by the post office as “undeliverable,” the voter is eligible to receive a provisional ballot if he or she completes the affidavit portion of the four-step procedure form to assert that he or she registered to vote on or before the registration deadline.

Write-In Votes: Points to Stress to Your Precinct Boards

- Write-in stickers must not be used as the stickers can and will cause tabulator malfunctions. Tabulator damage caused by write-in stickers is not paid for under warranty agreements. The use of write-in stickers must be heavily discouraged to forestall tabulator problems. This can be accomplished by 1) alerting the write-in candidates who have filed a Declaration of Intent with your office that the distribution of write-in stickers is not permitted due to the possibility that they may cause tabulator problems and 2) posting a sign on the precinct board’s table which cautions voters that they must not use write-in stickers. The following wording is suggested: “DO NOT USE WRITE-IN STICKERS AS THEY CAN CAUSE TABULATOR BREAKDOWNS. IF YOU WISH TO CAST A WRITE-IN VOTE, WRITE THE CANDIDATE’S NAME ON THE BALLOT.”
- When processing voters, a member of the precinct board must offer to give instruction on all aspects of the voting process including the procedure for casting write-in votes. If a voter states that he or she wishes to only receive instruction on the procedure for casting a write-in vote, the precinct board member handling this task may limit the instruction to the write-in process; otherwise, instruction on all aspects of the voting process must be offered to avoid any appearance that the precinct board is promoting write-in candidates.
- If a voter asks for information on the write-in candidates who are seeking the offices on the ballot, the precinct board must advise the voter to contact the clerk. The precinct board is not permitted to provide the names of write-in candidates while processing voters or display the names of the write-in candidates inside the polling place.

Voting Rights of Persons Confined in Jail or Prison

Michigan election law, MCL 168.758b, imposes the following voting restriction on individuals who are incarcerated after conviction:

“A person who, in a court of this or another state or in a federal court, has been legally convicted and sentenced for a crime for which the penalty imposed is confinement in jail or prison shall not vote, offer to vote, attempt to vote, or be permitted to vote at an election while confined.”

- A Michigan resident who is serving a sentence in jail or prison after conviction cannot vote during his or her period of confinement. After a Michigan resident who is serving a sentence in jail or prison is released, he or she is free to participate in elections without restriction.
- If it comes to the attention of a local election official or a precinct board that a voter who returned an absentee ballot is serving a sentence in jail or prison, the ballot must be rejected. In such an instance, the election official or precinct board writes “rejected as illegal” on the return envelope. Absentee ballots which are “rejected as illegal” cannot be removed from their return envelopes.
- A Michigan resident confined in jail or prison who is awaiting arraignment or trial is eligible to vote.

Voters In Foreclosure: Facts You Should Know

- A challenger cannot challenge a voter just because the voter is registered at a residence that is in foreclosure. For additional information on the rights and duties of election challengers and poll watchers, refer to [*News You Can Use 2012-88*](#), issued October 24, 2102.
- While foreclosure information is available through a variety of sources such as a Register of Deeds or a bank, such information does not necessarily serve as proof that an individual is no longer a resident of the city or township.
- In addition to foreclosure, a voter may have a need to relocate for any number of reasons including a job change or a change in marital status. Regardless of the reason for a relocation, Michigan election law provides that a voter who moves from one jurisdiction to another after September 7 who failed to re-register in the new jurisdiction by October 9 may return to his or her previous jurisdiction and vote one last time. A voter who moves to a different address within the same jurisdiction must complete a “Change of Address” form prior to being issued a ballot. In this case, the voter can vote in his or her old precinct one last time regardless of when the move occurred.

If You Are a Candidate ...

If you are seeking reelection to office on November 6, it is very important that you keep any necessary visits to your polling places as brief as possible to avoid the perception that you are “campaigning” in the polls. While a clerk whose name appears on the ballot has the right to enter the polls to handle problems which require his or her personal attention, the clerk must immediately leave the polls after the matter involved has been addressed. Several tips to avoid complaints:

- On election day, refrain from holding any casual conversations with voters inside the polls or within any building in which a polling place is located. Such conversations, if held, must be

conducted at least 100 feet from any doorways being used by voters to enter the building in which the polling place is located. All public officials in your jurisdiction whose names appear on the ballot should be careful to observe this same standard.

- If your office adjoins a room where a polling place is established, keep your office door closed during the hours the polls are open. Again, all public officials in your jurisdiction whose names appear on the ballot should be careful to follow this same standard.
- Inspect your polling places before the polls open on election day for any photographs of public officials who appear on the ballot and remove any that are found. (If the photographs cannot be removed, they should be covered.) In addition, any materials which carry the names of public officials who appear on the ballot should be removed from your polling places or covered prior to the opening of the polls.
- In particular, remember that PA 156 of 2012 now specifically prohibits the display of the name of an elected or appointed official “on any material that is temporarily posted, displayed, or distributed in a polling place or polling room on Election Day.” MCL 168.744a(1).

Election Resources Available on Department’s Web Site

A wide variety of election related information and materials can be accessed through the Bureau’s Web site www.Michigan.gov/elections . The [Information for Election Administrators](#) web page has a wide variety of reference materials, manuals, forms and other useful items specifically geared toward use by election officials. The information and materials currently available on this web page include the following (direct links are also included):

- [Michigan Election Law](#)
- November 6, 2012 Voter Information Posters:
 - [English version](#)
 - [Spanish version](#)
 - [Bengali version](#)
- [November 6, 2012 Election Date Calendar](#)
- [Provisional Ballot Information and Materials](#)
- [Absentee Balloting Information and Materials](#)
- [The Appointment, Rights and Duties of Election Challengers and Poll Watchers](#)
- Election inspector reference and training materials, including:
 - [Managing Your Precinct on Election Day \(Flip Chart\)](#)
 - [E-Pollbook Resources and Information](#)

- [Election Inspector Training Points](#) and [Training Manual](#)
- [Election Day Management Training Videos](#)
- [Michigan Voter Identification Requirement Materials](#)
- AutoMARK materials (several items are available)
- Archives of previous issues of [Election News](#) and [News You Can Use](#)

Have a Question or Need Assistance?
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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!

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