



ELECTION NEWS

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

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

Issue No. 73

January 28, 2010

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Materials Needed to Administer February 23 Election
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The following article outlines the election materials needed for the administration of the February 23 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 February 23 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. (The audio version of the voter information used during the 2008 election cycle can be used for the February 23 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 used during the 2008 election cycle can be used for the February 23 election.)

Election materials which are available on the Bureau's Web site: The following materials needed to administer the upcoming February 23 election can be accessed on the Department of State's Web site 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."

- 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."

<p>Filing Deadline for May 4, 2010 Election is February 9, 2010; Withdrawal Deadline Extended to Tuesday, February 16.</p>

Local school board candidates, community college trustee candidates and district library board candidates who wish to seek office at the May 4, 2010 election must file an Affidavit of Identity and a nominating petition no later than 4:00 p.m. on Tuesday, February 9, 2010. A \$100.00 nonrefundable filing fee may be filed by the candidate in lieu of a petition. The candidate withdrawal deadline elapses at 4:00 p.m. on Tuesday, February 16, 2010. (Note: As the customary 3-day withdrawal deadline falls on Lincoln's birthday (February 12) and the following Monday is Washington's birthday (February 15), the withdrawal deadline moves forward to Tuesday, February 16. The withdrawal deadline was incorrectly listed as February 12 in *Election News*, Issue No. 72.)

If the population of the district is less than 10,000, the candidate's petition must contain a minimum of 6 signatures; no more than 20 signatures can be filed to cover the minimum

signature requirement. If the population of the district is 10,000 or more, the candidate's petition must contain minimum of 40 signatures; no more than 100 signatures can be filed to cover the minimum signature requirement.

A calendar of dates and deadlines associated with the May 4, 2010 election is available on the Department's Web site www.michigan.gov/sos. To locate, click on "Elections in Michigan"; on the Elections in Michigan page, click on "Information for Election Administrators."

Development of Polling Place "Usage Agreements" Required

In recent months, the Bureau has been repeatedly asked to mediate disputes involving individuals who wish to campaign, collect petition signatures and carry out other lawful activities outside of polling places located in schools and churches. In all instances, those responsible for managing the properties believed that they had the right to forbid the conduct of political activities on the grounds of their facilities. In resolving the disputes, we commonly found that the facility managers had never been informed that on election day, individuals who wish to carry out campaign activities outside of the polls have a right to do so provided that they remain at least 100 feet from the doorway being used by voters to enter the building in which the polling place is located.

In view of these incidents, it is critically important that all cities, townships and villages that maintain polling places in schools, churches, fraternal halls or similar facilities develop a facility "usage agreement" with the individuals responsible for managing each facility to ensure that there are no misunderstandings over the use of the facility for voting purposes.

Suggested agreement language covering the rights of individuals who wish to carry out campaign activities outside of the polls on election day is provided below. If the grounds surrounding the facility are such that those exercising these rights will be on property controlled by the facility (e.g., on a walkway leading to the main building entrance), the agreement language should include a clear description of the areas where the activities can be conducted. A facility manager cannot require those who wish to carry out campaign activities outside of the polls on election day to stand more than 100 feet from the facility doorway.

"Individuals can campaign, circulate petitions, solicit contributions and carry out similar types of sanctioned activities outside of the polls on election day provided that they remain 100 feet from the doorway being used by voters to enter the building in which the polling place is located. Areas where such activities can be conducted on election day outside of [enter name of facility] are as follows [enter appropriate description]."

Examples of other matters that the agreement could cover are outlined below:

- The period of time the facility will be available for use as a polling place.
- Notice requirements if the facility wishes to terminate the contract.

- The location of the room where the polling place will be established (if the facility contains multiple rooms).
- Any special arrangements needed to accommodate traffic flow and parking on election day.
- Rental costs and custodial fees (if any).
- Periods when the facility can be accessed for equipment delivery before the election and equipment removal after the election.

Ballot Container Inspections Must Be Completed by June 1

Pursuant to Michigan election law, MCL 168.24j, the Board of County Canvassers must complete a countywide ballot container inspection no later than June 1, 2010. All ballot containers owned by the county and the cities, township and villages located within the county must be included in the inspection. The term “ballot container” is used to mean 1) any containers used to transport and secure optical scan ballots and 2) any containers used to secure memory units and test data.

Approval stickers authorizing the use of approved ballot containers until May 31, 2014 will be shipped to all county clerks in the coming weeks. An “approved” sticker must be affixed to every ballot container that passes the Board of Canvassers’ inspection.

If the Board of County Canvassers inspects a ballot container which cannot be approved, the Board is required to place a sticker on the container which states: “NOT APPROVED FOR USE AS A BALLOT CONTAINER.” A small quantity of “not approved” stickers will be shipped with the “approved” stickers.

Election Resources Available on Department’s Web Site

A wide variety of election related information and materials can be accessed through the Department’s Web site www.Michigan.gov/sos. To locate, click on “Elections in Michigan”; on the Elections in Michigan page, click on “Information for Election Administrators.” The information and materials currently available on the Web site include the following:

- Michigan election law.
- Michigan ballot production standards.
- February 23, 2010 election date calendar.
- February 23, 2010 Voter Information Poster.

- May 4, August 3 and November 2, 2010 election date calendars.
- Provisional balloting implementation 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?
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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!

Mailing address:	Michigan Department of State Bureau of Elections PO Box 20126 Lansing, MI 48901-0726
Phone:	(517) 373-2540
Email:	elections@Michigan.gov
Fax:	(517) 373-0941



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

Order Form
-- February 23 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

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 Web site.