2012 Election Cycle Update

A county-by-county training program for election officials to prepare for the 2012 election cycle

Michigan Department of State
Bureau of Elections

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2012 Election Cycle Update
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TOPIC 1: 2012 ELECTION BALLOT

1. Election Dates

Primary Election – August 7, 2012
General Election – November 6, 2012

2. Registration Deadlines

Last day to register for August primary – July 9
Last day to register for November general election – October 9

3. Offices to be Elected in 2012

President/Vice President
U.S. Senator (1 seat)
U. S. Representative in Congress (all 14 districts)
State Representative (all 110 districts)
State Board of Education (2 seats)
University of Michigan Regents (2 seats)
Michigan State University Trustees (2 seats)
Wayne State Governors (2 seats)
Justice of the Supreme Court
Judge of the Court of Appeals
Judge of the Circuit Court
Judge of the District Court
Judge of Probate
County Offices
Specified City Offices
Township Offices
Specified Village Offices
Specified School District Positions

4. Vacancies (other than recall)

City Vacancies
Village Vacancies
School Board Vacancies

5. Ballot Questions

State Proposals – November general election ballot

- None at this date

6. Political Parties

Primary Election Ballot

- Republican Party
- Democratic Party

General Election Ballot

- Republican Party
- Democratic Party
- Libertarian Party
- U.S. Taxpayers Party
- Green Party
- Natural Law
- Americans Elect

TOPIC 2: IMPORTANT FILING DATES AND REMINDERS

1. Preparation for Submission of Filings

Stock the forms needed to administer the candidate filing deadlines as soon as possible if you have not done so already (petition forms, Affidavit of Identity forms, Declaration of Intent forms). As soon as a filing is received, check the petition for validity; if the filing is inadequate, immediately advise the candidate by phone and in writing. A candidate who has filed an inadequate petition can file additional petition signatures until the filing deadline elapses. (Note: A candidate cannot file more signatures than the maximum number of signatures permitted.)

An election official does not have the authority to accept petition signatures or Affidavit of Identity forms from candidates after the filing deadline elapses. In addition, an election official does not have the authority to permit a candidate to alter, add information to or delete information from a petition or an Affidavit of Identity after the documents have been filed.

2. August Primary Election - Candidates

<u>Partisan and Non-Partisan Candidates</u>

- File nominating petitions (or fees if applicable) and two Affidavits of Identity
- Filing deadline – May 15 by 4:00 p.m.
- Withdrawal deadline – May 18 at 4:00 p.m.

<u>Judicial Candidates - Incumbent</u>

- Appeals Court, Circuit Court, District Court and Probate Court Judges
- File Affidavit of Candidacy and two Affidavits of Identity
- Filing deadline – March 26 by 5:00 p.m.
- Withdrawal deadline – March 29 at 5:00 p.m.

<u>Judicial Candidates - Non-Incumbent</u>

- Seeking Appeals Court, Circuit Court, District Court or Probate Court judgeships
- File nominating petitions, two Affidavits of Identity and Affidavit of Constitutional Qualification
- Filing deadline – May 1 by 4:00 p.m.
- Withdrawal deadline – May 4 at 4:00 p.m.

<u>Write-In Candidates (non precinct delegate positions)</u>

- File two Declaration of Intent forms
- Filing deadline – July 27 by 4:00 p.m.

<u>Precinct Delegate Candidates</u>

- File two Affidavits of Identity
- Filing deadline – May 15 by 4:00 p.m.
- Withdrawal deadline – May 18 at 4:00 p.m.

Precinct Delegate Write-In Candidates

- File two Declaration of Intent forms
- Filing deadline – August 3 by 4:00 p.m.
- Alternative deadline – Candidates for precinct delegate may file Declaration of Intent forms with appropriate precinct board on election day before the close of the polls

3. August Primary Election – Ballot Proposals

Recall

- File recall petitions with county clerk
- Filing deadline – May 4

County and Local Proposals

- File petitions with county or local clerks
- Filing deadline – May 15
- NOTE: If governing law sets an earlier petition filing deadline, earlier deadline must be observed.

Ballot Wording

- Ballot wording of county and local proposals certified to county and local clerks; local clerks receiving ballot wording forward to county clerk within two days
- Deadline – May 29

4. November General Election - Candidates

District Library Board Candidates

- File nominating petitions (or $100 nonrefundable fee) and two Affidavits of Identity
- Filing deadline – July 19 by 4:00 p.m.
- NOTE: If district library includes a school district, District Library Board candidates file by 4:00 p.m. on August 14

Candidates without Political Party Affiliation

- File qualifying petitions and two Affidavits of Identity
- Filing deadline – July 19 by 4:00 p.m.
- Withdrawal deadline – July 23 at 4:00 p.m.

Local School Board, Community College Trustee and District Library Board Candidates

- File nominating petitions (or $100 nonrefundable fee) and two Affidavits of Identity
- Filing deadline – August 14 by 4:00 p.m.
- Withdrawal deadline – August 17 at 4:00 p.m.
- NOTE: If district library does not include a school district, District Library Board candidates file by 4:00 p.m. on July 19

Village Candidates

- File nonpartisan nominating petitions and two Affidavits of Identity
- Filing deadline – August 14 by 4:00 p.m.
- Withdrawal deadline – August 17 at 4:00 p.m.

Write-In Candidates (non precinct delegate positions)

- File two Declaration of Intent forms
- Filing deadline – October 26 by 4:00 p.m.

5. November General Election – Ballot Proposals

Recall

- File recall petitions with county clerk
- Filing deadline – August 3

County and Local Proposals

- File petitions with county or local clerks
- Filing deadline – August 14
- NOTE: If governing law sets an earlier petition filing deadline, earlier deadline must be observed.

Ballot Wording

- Ballot wording of county and local proposals certified to county and local clerks; local clerks receiving ballot wording forward to county clerk within two days
- Deadline – August 28

6. Public Availability of Filings

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

7. Acceptance of Filings on County Level

County Clerks are *not* authorized to accept filings from candidates who seek office on the local level. A candidate who seeks a local office *must* file with his or her local clerk's office. Filings for local offices which are erroneously accepted on the county level are invalid.

The local clerk or other authorized personnel appointed by the clerk must be available in the clerk's office when the candidate filing deadlines associated with the August 7 primary and November 6 general election elapse. All candidate filing deadlines elapse at 4:00 p.m.

8. Acceptance of Village Candidate Filings

A candidate who wishes to seek a village office which will be elected at the November 6 general election must file a village nonpartisan nominating petition and an Affidavit of Identity with his or her township clerk's office no later than 4:00 p.m. on Tuesday, August 14. If the village is located in more than a single township, the candidates must file with the clerk of the township in which the greatest number of registered electors in the village reside. The clerks of townships that contain a village that will be conducting an election on November 6 are reminded that appropriate arrangements must be made to accept village candidate filings. As a part of these arrangements, the township clerk or other authorized staff appointed by the clerk must be available in the clerk's office through 4:00 p.m. on August 14 to accept the filings.

9. Affidavit of Identity Form Revision

The Affidavit of Identity form was recently revised to include a rewording of the campaign finance compliance statement. The current version of the Affidavit of Identity form can be used until your supplies are exhausted. Candidates who have filed the current version of the Affidavit of Identity do *not* have to refile. A copy of the revised version of the form is included in the appendix.

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.

10. Petition Form Revision

Under the most recent petition form revisions, the "Post Office" column in the body of the petition forms and the "Post Office" entry in the circulator's certificate were changed to read "Zip Code." *No further petition form revisions have been made since this change.* While you are encouraged to discard the previous version of the petition forms, no penalties should be imposed on candidates who use the previous version of the form to file for office. The petition forms which must be used by township candidates are available for purchase through commercial suppliers. All township clerks are required to stock the petition forms needed to administer the candidate filing deadlines.

11. Important Election Dates

For a complete list of filing deadlines and important election dates for the 2012 primary and general elections, please see pamphlet titled, "2012 Michigan Election Dates." The pamphlet also includes petition signature requirements for federal and state elective partisan offices and can be accessed via the Michigan Department of State's Web site at www.michigan.gov/elections

12. Providing Information on Filing Requirements

Persons interested in seeking a public office in Michigan are instructed to contact the election official responsible for placing candidates for the office involved on the ballot. It is the responsibility of the election official to provide complete information on the applicable filing requirements and the qualifications candidates must meet to seek the office.

13. Petition Forms

All petitions used by candidates must be in the form required under Michigan election law. Petition forms are available from election officials on the county and local levels. Upon request, the election official will provide a reasonable number of petition sheets at no charge. Petition forms may also be purchased from commercial suppliers that produce election materials.

The different types of petitions provided for candidates are described below. It is important to advise candidates to use the appropriate petition form. The use of an inappropriate petition form can affect the candidate's eligibility to appear on the ballot. Sample petition forms are available for your review in the appendix.

Candidates with Political Party Affiliation Who Seek a Partisan Office: A candidate who is affiliated with a political party who seeks a partisan office must file a *partisan nominating petition* which bears the requisite number of valid signatures. If the petition is sufficient, the candidate's name is placed on the primary ballot. The following exceptions apply:

- A candidate who is affiliated with a political party that will appear on the primary ballot who seeks the office of State Senator or State Representative or who seeks a county office may file a $100.00 fee in lieu of a nominating petition.

- A candidate who is affiliated with a political party that will appear on the primary ballot who seeks the office of State Board of Education, University of Michigan Regent, Michigan State University Trustee or Wayne State University Governor must seek nomination to the office at the party's state convention. A nominating petition cannot be filed. Candidates nominated for the above offices are placed on the general election ballot.

- A candidate who is affiliated with a political party that is qualified to appear on the general election ballot – but not on the primary ballot – must seek nomination at the convention or caucus held by the party to nominate the office involved. A nominating petition cannot be filed. Candidates nominated by the political party are placed on the general election ballot.

Candidates without Political Party Affiliation Who Seek a Partisan Office: A candidate who is not affiliated with a political party who seeks a partisan office must file a *qualifying petition* which bears the requisite number of valid signatures. If the petition is sufficient, the candidate name is placed on the general election ballot.

Candidates Who Seek a Non-Partisan Office: A candidate who seeks a non-partisan office must file a *non-partisan nominating petition* which bears the requisite number of valid signatures. Upon the filing official's determination that the petition is sufficient, the candidate's name is placed on the primary ballot if a primary is held for the office involved. If a primary is not held for the office involved, the candidate's name is placed on the general election ballot. The following exceptions apply:

- 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.

- A candidate who is seeking the office of Supreme Court Justice must receive nomination at a party convention. As an alternative, an incumbent Supreme Court Justice who is running for reelection may file an Affidavit of Candidacy; a non-incumbent can file a qualifying petition. Candidates nominated to the office of Supreme Court Justice are placed on the general election ballot.

Additional Filing Requirements

Affidavit of Identity: All candidates must submit an Affidavit of Identity in duplicate when filing for office. *Candidates who fail to comply with the requirement are ineligible to appear on the ballot*. Michigan election law requires any candidate filing an Affidavit of Identity to state on the form 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 the Michigan Campaign Finance Act … have been filed or paid." Exception: The campaign finance compliance statement is not required of 1) a U.S. Senate or a U.S. House candidate or 2) a school board candidate who is exempt from the filing requirements of Michigan's Campaign Finance Act. An example of an Affidavit of Identify form is provided in *Appendix I.*

Affidavit of Constitutional Qualification: A candidate who files a petition for a judicial office must file an Affidavit of Constitutional Qualification (one copy) when filing for the office.

Presidential and Gubernatorial Candidates: A candidate without political party affiliation who files for the office of U.S. President or Governor is required to comply with special filing requirements related to his or her candidacy. For complete information, contact the Michigan Department of State's Bureau of Elections.

All petitions used by candidates must be in the form required under Michigan election law. Petition forms are available from election officials on the county and local levels. Upon request, the election official must provide a reasonable number of petition sheets at no charge. Candidates can also purchase petition forms from commercial suppliers that produce election materials.

The different types of petitions provided for candidates are described below. It is important to advise candidates to use the appropriate petition form. The use of an inappropriate petition form can affect the candidate's eligibility to appear on the ballot.

Countywide Partisan Nominating Petition: Must be used by any candidate with party affiliation who seeks a partisan office. Exception: The form may not be used by a partisan candidate who seeks the office of County Commissioner.

City/Township Partisan Nominating Petition: Must be used by any candidate with political party affiliation who seeks a partisan office. Must also be used by a candidate with political party affiliation who seeks the office of County Commissioner.

Countywide Qualifying Petition: Must be used by any candidate without political party affiliation. Exceptions: The form may not be used by a candidate without political party affiliation who seeks the office of County Commissioner.

City/Township Qualifying Petition: Must be used by any candidate without political party affiliation who seeks a city or township partisan office. Must be used by a candidate without party affiliation who seeks the office of County Commissioner.

Countywide Non-Partisan Nominating Petition: Must be used by any candidate who seeks a county or state nonpartisan office. Exceptions: The form may not be used by a candidate who seeks a school board position, intermediate school board position, community college trustee position, library board position or a district library board position.

City/Township Non-Partisan Nominating Petition: Must be used by any candidate who seeks a nonpartisan office. Exceptions: The form may not be used by any candidate who seeks a school board position, intermediate school board position or community college trustee position.

Village Non-Partisan Nominating Petition: Must be used by all candidates who seek a village office.

School Nominating Petition: Must be used by candidates who seek a local school board position. Specially designed versions of the petition form are available for candidates who seek a position on an intermediate school board or a community college board of trustees.

14. Preparation of Petition Forms

All Offices: The heading of each petition sheet must show the candidate's name, address, political party affiliation (if appropriate), the office sought, the district served by the office (if any) and any other required information.

Judicial Offices: In addition to the above, petitions circulated for a judicial office must bear the appropriate designation listed below to indicate the office sought by the candidate:

- Regular Term - Incumbent Position
- Regular Term - Non-Incumbent Position
- Partial Term - Incumbent Position*
- Partial Term - Non-Incumbent Position*
- New Judgeship

*Add expiration date of term if more than one partial term will be filled in judicial district.

The terms "vacancy," "partial term" and "unexpired term" are interchangeably used to reference a judicial position which will be filled at an election for less than the full term.

Obtaining Information on Appropriate Office Designations: Michigan election law stipulates that in instances where a candidate for Court of Appeals Judge, Circuit Court Judge, District Court Judge, Probate Court Judge or Probate District Court Judge seeks election in a district where there is a combination of "new" positions, "incumbent" positions and/or "non-incumbent" positions to fill, the candidate must apply to the Department of State's Bureau of Elections for a "written statement of office designation to correspond to the judgeship sought by the candidate."

Michigan election law further directs the Bureau of Elections to designate a judicial position as an "incumbent" position in any instance where 1) there is an incumbent judge eligible to seek reelection to the position and 2) the deadline for filling the Affidavit of Candidacy has not yet

elapsed. If the incumbent judge does not file for reelection by the deadline for submitting an Affidavit of Candidacy, Michigan election law directs the Bureau of Elections to 1) re-designate the position as a "non-incumbent" position and 2) notify all candidates seeking election in the judicial district that a "non-incumbent" position exists. Michigan election law further stipulates that in such instances, 1) nominating petition sheets circulated for the "non-incumbent" position subsequent to the Affidavit of Candidacy filing deadline "shall bear an office designation of non-incumbent position" and 2) signatures collected prior to the Affidavit of Candidacy filing deadline "may be filed with the non-incumbent nominating petitions." The Affidavit of Candidacy filing deadline elapses 134 days prior to the date of the August primary election.

15. Petition Circulation

The following provides general information on the procedures for circulating a petition for public office.

- Before circulating a countywide petition sheet, the circulator must enter the county of circulation in the space provided at the top of the sheet. The signers of the sheet must reside within the listed county. No more than one county can be listed on a sheet.

- Before circulating a city/township, village or school petition sheet, the circulator must enter the county and the city, township or village of circulation in the space provided at the top of the sheet. The signers of the sheet must reside within the listed city, township or village. No more than one county and one city, township or village can be listed on a sheet. If listing a city or a township that shares a name with another city or township in the county, the circulator must indicate whether the jurisdiction listed is the "city" or the "township."

- The circulator must complete and date the certificate at the bottom of the sheet after gathering the last signature he or she intends to collect on the sheet. Signatures on a petition sheet which are dated after the date of the circulator's certificate are invalid.

- A petition sheet cannot be circulated by more than one person.

16. Petition Circulator

Petition circulators must be registered to vote in Michigan. Circulators of petitions for local offices may be required to reside in the political jurisdiction of circulation; check local regulations for requirements.

17. Petition Signers

Each petition signer is required to sign his or her name and enter their street address or rural route number, Zip Code and the month, day and year of signing on the petition sheet. In addition, though not mandatory, signers are asked to enter their printed name. The printed name makes it easier for the clerk to locate the voter's registration record in cases where the signature is illegible.

- The signers of a countywide petition must be registered voters of a city or township located within the county listed on the petition sheet and the district represented by the office involved. The signers must list the city or township in which they are registered. If listing a city or township that shares a name with another city or township in the county, the signer must indicate whether the jurisdiction listed is the "city" or the "township." If the signer lives in a city that overlaps county lines, the circulator must make sure the signer affixes his or her signature on a petition sheet which lists the signer's county of residence.

- The signers of a city/township, village or school petition must be registered voters of the city, township or village listed on the petition sheet and the district represented by the office involved. If the signer lives in a city, village or school district that overlaps county lines, the circulator must make sure that the signer affixes his or her signature on a petition sheet which lists the signer's county of residence.

- While it is not necessary for petition signers to sign their name exactly as it appears on their voter registration record, petition signers should be urged to follow this practice. This will assist in the verification of the signer's registration status if necessary.

- A person is not permitted to sign a petition on behalf of another person.

- All signatures on a petition sheet must be affixed in a face-to-face exchange with the petition circulator. A circulator is not permitted to leave a petition unattended.

18. Signature Requirements on Candidate Petitions

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.

	Partisan Petition		**Non Partisan Petition**		**Qualifying Petition**	
Population	**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 or State Representative or who seeks a county office including the office of County Commissioner, 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 nominating petition filed for the office of Governor or U.S. Senator must be signed by at least 100 registered electors in each of at least ½ of the congressional districts in the state.

In addition to containing the requisite number of valid signatures, a qualifying petition filed for the office of U.S. President, U.S. Senator, Governor, Secretary of State, Attorney General, 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:*** 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.

5) ***School Board/Intermediate School Board Positions:*** Candidates seeking a school board position may file a $100.00 *nonrefundable* fee, as detailed below, in lieu of a petition:

- ***School 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.

- ***School 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.

- ***Intermediate school 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.

- ***Intermediate school 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)

In all other community college districts, the following signature requirements apply (MCL 389.512 as amended under PA 62 of 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:*** Candidates seeking a district library board position may file a $100.00 *nonrefundable* fee, as detailed below, in lieu of a petition:

- ***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) ***Library Board Positions within a City, Township or Village:*** Candidates seeking a district library board position may file a $100.00 *nonrefundable* fee, as detailed below, in lieu of a petition:

- ***Library board positions within 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.

- ***Library board positions within 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.

19. Checking Filings: Step One—Preliminary Inspection

Petitions filed by candidates must be checked to determine if they comply with the governing provisions of Michigan election law. All candidates must file petitions containing the requisite number of signatures (or filing fee if permitted by law) and two Affidavits of Identity on or before the filing deadline. Petitions, filing fees and Affidavits of Identity submitted after the filing deadline may not be recognized. In addition, while "supplemental" filings may be accepted up until the filing deadline, the initial filing must contain at least the minimum number of required signatures or full fee and two completed Affidavits of Identity.

Receipt of Filing: It is important that the filer be provided with a receipt that documents the following information: 1) date that the filing was received 2) number of petition sheets received 3) an estimate of the number of signatures filed 4) if a fee was filed in lieu of petitions, the amount received and method of payment and 5) a statement that the filing contained the required Affidavits of Identity. The receipt should be signed by the official who received the filing. If a 3-part Affidavit of Identity is used, the third copy may be returned to the filer as the receipt; as an alternative, a copy of the affidavit may be used for this purpose. Otherwise, a separate receipt must be provided.

The review of the filing documents is performed in two steps with the first step being the preliminary inspection. During the preliminary inspection, the Affidavits of Identity and petition sheets are visually reviewed for completeness and accuracy.

Affidavit of Identity: All areas of the affidavit must be complete. In addition, the affidavit must be signed by the candidate and notarized. If the filing was made in person, it is recommended that this inspection be performed while the filer is present. This allows any errors or omissions to be immediately brought to the attention of the filer. Certain errors and omissions, if not corrected by the filing deadline, could result in the disqualification of the candidate.

Affidavits of Identity filed by candidates must be checked to determine if they comply with the governing provisions of Michigan election law. The following areas must be checked:

- ***Candidate Information:*** This section contains pertinent information about the candidate such as candidate name, date of birth, and how the candidate's name should appear on the ballot. Residential and mailing addresses should be filled out, and the candidate must complete the information regarding how long they have been a resident of their county as well as the State of Michigan. Candidates must also check the appropriate boxes regarding their citizenship and voter registration qualifications.

- ***Office Sought:*** Contained in this section are the dates of the primary and general elections. In addition, the office being sought, term and other information used to identify the office must be provided.

- ***Filer's Acknowledgement:*** Candidates must identify all documents included in the filing.

- ***Campaign Finance Compliance Statement and Attestation:*** Candidates must sign the compliance statement and attestation before a notary public; the candidate's signature must be notarized. By signing the affidavit the candidate attests to the accuracy of the information provided and acknowledges the penalty for any false or untrue statements.

Petitions - All areas of each petition sheet must be complete. The following areas must be checked:

- ***The heading:*** The heading of each petition sheet must be completely filled out and include the name of the city, township or county where the petition was circulated, the name of the candidate, the office sought and the candidate's party (if applicable). If errors are found in the heading of the sheet, the validity of the signatures on the sheet may be in question. Contact the Department of State's Bureau of Election for direction.

- ***The circulator's certificate:*** The circulator's certificate must contain the circulator's signature and address (street and number or rural route). An incomplete address invalidates the entire sheet of signatures. In addition, the circulator's certificate must be dated. A circulator's certificate which is not dated or dated after the petition was filed invalidates the entire sheet of signatures.

- Michigan election law provides that a circulator's failure to 1) enter a Zip Code in the circulator's certificate or 2) enter a correct Zip Code in the circulator's certificate does *not* affect the validity of the petition sheet. As a result, no consideration should be given to the Zip Code entry in the circulator's certificate when reviewing petitions for validity.

- ***The body:*** The signers' addresses must be complete (street and number or rural route) and located within the city, township or county listed in the heading. (On countywide petitions, each signer must list his or her city or township of registration.)

- An incomplete address or an address outside of the city, township or county listed in the heading voids the signature. In addition, the signatures must be dated. Signatures which are not dated, dated after the date on the circulator's certificate, or dated prior to the first date the petition could be circulated are void. In addition, 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 filing are invalid.

- Michigan election law provides that a signer's failure to 1) enter a Zip Code in the Zip Code column or 2) enter a correct Zip Code in the Zip Code column does not affect the validity of the signer's signature. As a result, no consideration should be given to the Zip Code entries on petition forms when reviewing petitions for validity.

20. Checking Filings: Step Two—Review and Final Determination

The review and final determination should always be completed as quickly as possible following the receipt of the initial filing as candidates have the right to submit "supplemental" filings up until the filing deadline. For this reason, candidates should always be encouraged to file early and file more than the minimum number of required signatures.

Immediately after completing the preliminary inspection, the voter registration status of each signer must be checked to determine if he or she was registered in the jurisdiction named in the heading of the petition on the date that the petition was signed. This check may be made using Master Cards or the QVF. If it is discovered that the signer's voter registration is canceled, check the date of cancellation. If the cancellation took place *after* the date of signing, the signature may be used. If the cancellation took place *on or before* the date of signing, the

signature is *invalid* and may not be used. In addition, each signature must be reviewed for compliance with the following standards:

- ***Initials:*** If the name is signed Robert Charles Jones on the registration card, do not reject the signature if it is signed R.C. Jones or R. Jones on the petition. The reverse is also true: if the name is signed Andrew L. Smith on the registration card, do not reject the signature if it is signed Andrew Smith on the petition.

- ***Titles:*** If the name is signed Helen Jones on the registration card, do not reject the signature if it is signed Dr. Helen Jones or Rev. Helen Jones on the petition.

- ***Illegible handwriting:*** Many people have distinctive signatures that are not easy to read. Even if a signature is impossible to read, it must be counted if it matches the person's signature on the registration card.

- ***Two signatures in same handwriting:*** Most election officials who are experienced petition checkers can recognize when two signatures have been executed by the same hand. If one of the signatures can be identified from the registration record, count it and reject the other signature. (This generally occurs when an individual signs a petition for his or her spouse.)

- ***Printed signatures:*** Generally, a printed name on a petition is not acceptable. However, if the person normally prints his or her signature (the registration record will show this), the signature is acceptable.

- ***Different registration address:*** If the signature on the petition is the same as the signature on the registration card, but the address is different, the signature must be counted if the address on the petition is still located within the city or township and district (if applicable).

- ***Name change:*** If the person's name has changed because of marriage or court action and the person signs his or her "new" name to a petition, the signature is acceptable as long as the person can be identified in the jurisdiction's registration records.

- ***Miscellaneous irregularities:*** Signatures signed in the following ways may be accepted if the signer can be identified in your registration records: Mr. J. Smith; Mrs. Robert Jones; Ms. J. Green. The same rule applies if the signer attaches a nickname to his or her signature (for example, "Dead Eye" Dick Smith).

Acceptable sheet irregularities: The following irregularities do <u>not</u> affect the validity of petition sheets:

- No mark to indicate whether the jurisdiction of registration is a "city" or a "township." (Note: Sheet is acceptable regardless of whether 1) there is only one city or township by that name in the county listed in the heading or 2) there is both a city and a township by that name in the county listed in the heading.)

- Both the "city" box and the "township" box are marked. (Note: Sheet is acceptable regardless of whether 1) there is only one city or township by that name in the county listed in the heading or 2) there is both a city and a township by that name in the county

listed in the heading.)

- Village or "unincorporated place" listed instead of township when village or "unincorporated place" is contained within a single township.

- Illegible circulator signature.

- Any of the following: circulator prints name in entry provided for signature; circulator fails to print name in entry provided for printed name; circulator enters his or her cursive signature in entry provided for printed name.

- Circulator fails to enter his or her Zip Code or enters an incorrect Zip Code.

- Circulator lists village or "unincorporated place" instead of township of registration when village or "unincorporated place" is contained within a single township.

Petition Signature Validity: A signature is not acceptable if it contains one or more of the irregularities or omissions listed below. The codes used to mark irregularities and omissions on petition sheets are shown to the left of the descriptions.

NR Not registered in jurisdiction.

CO Signature crossed out prior to filing.

OC Address outside of city or township listed in heading.

ND Signature not dated or incompletely dated.

ED Signature dated before first date permitted under law.

SDC Signature dated after circulator dated sheet.

NA No street address or rural route number listed.

IN Signature appears as follows: Mrs. Smith, Mr. Smith, John, Jane.

MC Miscellaneous identification problem.

Acceptable signature irregularities: The following irregularities do *not* affect the validity of petition signatures:

- Signature appears as follows: J. Smith; J.B. Smith; Mrs. J. Brown; Mrs. J.B. Brown; Mrs. John Brown.

- Illegible signature.

- Any of the following: signer prints name in entry provided for signature; signer fails to print name in entry provided for printed name; signer enters his or her cursive signature in entry provided for printed name. (Note: A signature is *not* acceptable if signer prints name in entry provided for printed name -- and fails to enter his or her signature in the signature entry.)

- Signer fails to enter his or her Zip Code or enters an incorrect Zip Code.

- Ditto marks.

Attention to Detail Advised: Michigan contains 83 counties, 274 cities, 1,242 townships and 261 villages. Contained within Michigan's townships are numerous "unincorporated places" which bear separate, unique names. Additionally, all of the state is served by post offices with names that in many cases do not correspond to the names of the cities, townships and villages they serve. Circulators using the "city/township" petition form are advised of the following:

- ***Cities and townships:*** All registered voters in Michigan are registered in a single city or township within the state. Because many cities and townships share the same name, it is important that the place of registration listed in the heading of the petition sheet be clearly identified as a "city" or a "township." For example, in Shiawassee County there is a City of Owosso and a Township of Owosso.

- It is emphasized that if a registered voter signs a petition sheet that lists -- in its heading -- the wrong community of registration, the signature is invalid. For example, if a voter registered in the City of Owosso signs a sheet which lists the Township of Owosso in its heading, the signature is invalid.

- A number of cities in the state overlap county boundary lines. (No townships overlap county boundaries.) When obtaining a signature from a voter who is registered in a city that crosses county boundaries, make sure that the voter signs a sheet which properly identifies the voter's city *and county* of registration.

- ***Villages:*** Villages are Michigan's smallest units of government. Some villages are wholly contained within a single township; others cross township boundaries. (Villages are not contained within nor do they cross into cities.)

- A village resident who signs a "city/township" petition form must sign a sheet which bears – in its heading – the name of the village resident's township of registration. Further, the signer must be registered to vote in the *township*. A signature affixed to the petition by a village resident will be found invalid if the person is not registered at the township level.

- If an error is made and the name of a village is listed in the heading of a petition sheet, the sheet will be accepted if the village is wholly contained within a single township. As noted above, the signers of the sheet must hold registrations at the township level. A petition sheet will be found invalid if it lists – in its heading – the name of a village that crosses township boundaries.

- ***Unincorporated places:*** Michigan contains a number of unincorporated places that do not qualify as units of government as do cities, townships and villages. Some unincorporated places are wholly contained within a single township; others cross township boundaries. (Unincorporated places are not contained within nor do they cross into cities. Exceptions may be found.) Michigan residents who live in unincorporated places register to vote with their township clerk.

- A resident of an unincorporated place who wishes to sign a "city/township" petition form

must sign a sheet which bears – in its heading – the name of the person's *township* of registration. If an error is made and the name of an unincorporated place is listed in the heading of a petition sheet, the sheet will be accepted if the unincorporated place is wholly contained within a single township. A petition sheet will be found invalid if it lists – in its heading -- the name of an unincorporated place that crosses township boundaries.

- ***Post offices and Zip Codes:*** All post offices are referred to by name and serve delivery areas of varying sizes. Each delivery area is assigned a Zip Code. In some cases, the name of a person's post office will correspond to the name of the person's city or township of residence. In other cases, especially in sparsely populated areas, the name of the person's post office will not correspond to the name of the person's city or township of residence. Thus, a person's mailing address may or may not correspond to the name of the city or township where the person is registered to vote. For example, East Lansing residents are registered to vote in the City of East Lansing and have an East Lansing mailing address. However, persons registered to vote in Genesee Township, Richfield Township and Vienna Township in Genesee County have a Mt. Morris mailing address.

When circulating a "city/township" petition form – especially in sparsely populated areas – make sure that potential signers of the petition correctly identify the city or township in which they are registered to vote and sign a petition sheet which bears the name of that city or township. For example, if a voter registered in Genesee Township, Genesee County signs a sheet which lists Mt. Morris (the name of the voter's post office), the signature is *invalid.*

NOTE: Two pamphlets designed to assist election officials in checking petition filings can be obtained from the Department of State's Bureau of Elections:

- "Circulating Countywide Nominating and Qualifying Petition Forms"

- "Circulating City/Township Nominating and Qualifying Petition Forms"

INSTRUCTIONS ON REVERSE SIDE

NOMINATING PETITION

(CITY/TOWNSHIP PARTISAN)

We, the undersigned, registered and qualified voters of the ~~Township~~ City (STRIKE ONE) of Smallville in the County of Large and State of Michigan, nominate William J. Bryan (Name of Candidate) 601 Elm St (Street Address or Rural Route) Smallville (City or Township) as a candidate of the Republican Party for the office of Town Marshall (Title of Office) (District, If Any) to be voted for at the Primary Election to be held on the 3rd day of August 20 04

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING MONTH	DAY	YEAR
1. William J. Bryan	William J. Bryan	601 Elm St	49000	4	1	04
2. Steven Clymer	Steven Clymer	1121 Michigan Ave	49000	"	"	"
3. Sandra McGregor		430 Main St	49341	4	5	04
4. Mary Garrett	Mary Garrett	123 First Ave.		4	2	04
5. Bob Brown	Bob Brown	227 Pine St	49000	12	21	55
6. Ethell Simms	Ethell Simms	229 Pine St	49000	4	15	04
7. Kevin Lyons	Kevin Lyons	231 Pine St	49000	4	5	04
8. Thorndyke Benton Knight	Thorndyke Benton Knight	P.O. Box 231	49001	4	5	04
9. Mrs John Smith	Mrs John Smith	26811 29th St	49000	4	10	04
~~10.~~	~~Bruno Crespi~~	~~805 W Courtright~~	~~49010~~	~~5~~	~~12~~	~~04~~
11. Ernestine Tubbs	Ernestine Tubbs	37 W. Stress St	49000	4	09	04
12.						
13.						
14.						
15.						

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

Steven Clymer (Signature of Circulator) 4 / 14 / 04 (Date)

Steven Clymer (Printed Name of Circulator)

Smallville (City or Township Where Registered)

1121 Michigan Ave (Complete Residence Address (Street and Number or Rural Route)) 49000 (Zip Code)

Michigan Election Resources - Form No. 2301 - 2002 Revision - Approved by State Director of Elections

21. Supplemental Filings

As noted above, supplemental filings may be made up until the filing deadline. Therefore, if after completing the review of the filing documents it is determined that the filing is insufficient it is recommended that the candidate be immediately notified of the determination so that arrangements can be made to obtain any additional signatures or affidavits prior to the filing deadline.

If the number of valid signatures falls short of the number needed to certify the candidate to the ballot, the candidate must be provided with one or more blank petition sheets for obtaining the additional signatures. If the insufficiency is the result of an error or omission on the Affidavit of Identity, the candidate has the option of submitting a new affidavit or correcting the problem via an amendment to the original document.

Caution! Once a petition sheet and Affidavit of Identity has been filed, they become public record and may not be released or altered.

Any additional documents received as part of a supplemental filing should be attached to the original filing documents received. A receipt which lists the additional documents and the date upon which they were received must be prepared and a copy provided to the filer.

22. Withdrawal Deadline

Once the filing deadline has passed, candidates have until 4:00 p.m. on the third day following the filing deadline to formally withdraw their name as a candidate. <u>All withdrawals must be submitted in writing</u>. The request must be signed by the candidate. If a withdrawal is received by the deadline, the original filing documents are retained until January 1 following the election for which they were filed.

23. Public Record of Nomination Petitions Filed and Final Disposition

Filing officials are required to maintain a public record of all petitions received and how the petitions were disposed of January 1 following the election for which they were filed. The record, which must be maintained for two years beyond the election for which the petitions were filed, must contain the following information:

1) date that the petitions/fees or other documents were received
2) the office sought
3) the name of the candidate
4) the number of signatures required
5) number of signatures filed and
6) final disposition (petitions were returned or destroyed January 1 following the election).

TOPIC 3: BALLOTS AND EQUIPMENT

1. Election Commissions

County Election Commissions

Each of the 83 County Election Commissions in the state is composed of the county clerk, the chief judge of probate of the county or probate court district, and the county treasurer. The Commission members are responsible for the following:

- Furnishing specified election supplies (including ballots) for statewide August primaries, statewide November general elections and special primaries and elections held to fill vacancies in federal, state and county offices,
- Holding hearings to determine the clarity of the wording used on recall petitions, and
- Establishing precinct boundary lines for school districts that are contained within more than one city or township.

City and Township Election Commissions

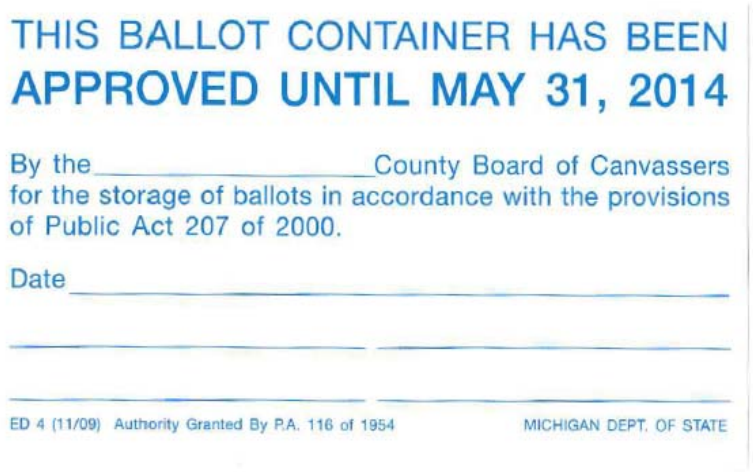
A City Election Commission is composed of the city clerk, the city attorney and the city assessor unless otherwise provided by charter. A Township Election Commission is composed of the township clerk, the township supervisor and the township treasurer. A Charter Township Election Commission is comprised of the charter township clerk and two trustees appointed by the township board. City and Township Election Commission members are responsible for the following:

- Establishing precincts,
- Assessing voting equipment needs,
- Performing logic and accuracy testing for voting equipment,
- Providing election supplies (including ballots),
- Appointing precinct inspectors, and
- Carrying out other election related duties for their respective jurisdictions.

NOTE: Even if the county performs the programming for the local jurisdictions, it is still the responsibility of the local election commission to conduct pre-election logic and accuracy testing for their voting equipment prior to each election.

2. New Ballot Container Inspections

The Boards of County Canvassers are responsible for inspecting the county's ballot containers every four years. Any ballot containers purchased since the last county-wide inspection (2010) must be approved by the Board of County Canvassers prior to their use in any election. Containers which do not carry an approval sticker expiring May 31, 2014 cannot be used.


THIS BALLOT CONTAINER HAS BEEN
APPROVED UNTIL MAY 31, 2014

By the _____ County Board of Canvassers for the storage of ballots in accordance with the provisions of Public Act 207 of 2000.

Date _____

ED 4 (11/09) Authority Granted By P.A. 116 of 1954 MICHIGAN DEPT. OF STATE

3. Ballot Proofing – Shared Responsibility

Michigan election law, MCL 168.719, states the following:

> "The election commission of each city, township and village shall perform such duties relative to the preparation, printing and delivery of ballots as are required by law of the boards of election commissioners of counties."

As a result, it is the responsibility of both the local and county election commissions to perform the task of ballot proofing. Ballot proofing guidelines are included in the appendix.

4. Equipment Preparation and Pre-Election Logic and Accuracy Testing

The conduct of Pre-election Logic and Accuracy Testing of all optical scan tabulators and AutoMARK Voter Assist Terminals prior to each election is the responsibility of the local election commission. Test procedures for both the tabulator and AutoMARK are available on the Department of State's Web site www.michigan.gov/elections.

A **preliminary** accuracy test is required for all optical scan tabulators and AutoMARK voter assist terminals prior to each election. In addition a **public** test of one or more selected tabulators must be performed as discussed below. A public test of the AutoMARK is not required.

The **preliminary** accuracy test should be conducted for both the tabulator and the AutoMARK as soon as the program(s) and ballots are received by the clerk. The **public** accuracy test for the tabulator must be conducted no later than five days before the election. In addition, a notice of the test must be published in a newspaper or journal of general circulation at least 48 hours prior to the conduct of the test.

All election materials used to conduct the pre-election logic and accuracy testing (including the test deck, chart of predetermined results, zero tape and accuracy test results) must be secured in an approved ballot container for the duration of the retention period.

- The number on the seal used to secure the pre-election test materials must be recorded on the Optical Scan Test Certification form, AutoMARK Preparation Checklist and Test Certification form, and the Ballot Container Certificate.

- The serial numbers on the seals used to seal the programs into the tabulator and terminal following successful testing must be recorded in the Poll Book (Clerk's Preparation Certificate).

It is acceptable to use the same ballot container for the preliminary and public tests, provided that the following steps are taken to ensure proper security:

A. The test materials from the preliminary accuracy test are sealed into an approved container directly following the test and the seal number is documented on the proper test certification forms and ballot container certificate.

B. Prior to the conduct of the public accuracy test, the original ballot container seal is broken, verified and deposited into the container. The tabulator test deck is removed and used to conduct the public accuracy test.

C. The test materials from the public accuracy test are deposited into the ballot container directly following the test and a new seal is affixed.

D. The new seal number is documented on the test certification form and on the ballot container certificate.

The public accuracy test must be conducted by *August 2* for the August primary and by *November 1* for the November general election. Notice of the test must be published at least 48 hours before the test.

Test certification forms are available on the Department's website (www.michigan.gov/elections) and are also included in the appendix.

TOPIC 4: PUBLIC NOTICES

1. Required Publications

"Close of Registration" Notice

A "Close of Registration" Notice must be published at least once in a local newspaper prior to any upcoming election. Arranging for the publication of the notice is the responsibility of the city clerk, township clerk or village clerk, if applicable. (MCL 168.498(3))

- The publication must appear no later than the seventh calendar day before the registration deadline for the election involved.

- A "Close of Registration" Notice must include:

  the name of the jurisdiction conducting the election; the date of the election; the deadline for registering to vote for the election; a listing of the offices that will be elected or nominated at the election; a brief description of any ballot proposals which will appear on the ballot, information on where voters can obtain the full text of any ballot proposals; the locations where registrations will be accepted; and the days and hours when persons authorized to take voter registrations will be present at those locations.

- Local jurisdictions may enter into agreements to publish joint "Close of Registration" Notices to contain costs. Such agreements may be coordinated by the county clerk at the county clerk's discretion.

Notice of Election

A Notice of Election must be published in a local newspaper prior to any upcoming election. Arranging for the publication of the notices is the responsibility of the city clerk, township clerk, or village clerk, and must include: (MCL 168.653a; 380.1002)

- The publication must appear no later than the seventh calendar day before the election involved.

- The date of the election and the hours that the polls will be open (7:00 a.m. through 8:00 p.m.).

- A listing of the offices which will be elected or nominated at the election. (The names of the candidates seeking nomination or election to the offices do *not* need to be included in the notice.)

- A brief description of any ballot proposals which will appear on the ballot. (If presenting a bond proposal, the development of the proposal description in close consultation with the bond counsel is recommended.)

- Information on where voters can obtain the full text of any ballot proposals which will appear on the ballot.

- A listing of the polling place locations. A statement regarding the accessibility of the polling place locations and the availability of voting instructions in alternative formats (audio and Braille) must be included with the listing.

While not required by law, it is recommended that the notice include information on how and where an elector may obtain an absent voter ballot for the election.

- If the Notice of Election is for an election on a millage increase, the notice must include a "county treasurer's statement." (MCL 211.203)

- Local jurisdictions may enter into agreements to publish joint Notices of Election to contain costs. Such agreements may be coordinated by the county clerk at the county clerk's discretion.

Notice of Public Logic and Accuracy Test

A Notice of Public Logic and Accuracy Test must be published in a local newspaper prior to any upcoming election. Arranging for the publication of the notice is the responsibility of the city clerk, township clerk, or village clerk. (MCL 168.798(1))

- The publication must appear at least 48 hours prior to the conduct of the test. The test must be conducted no later than the fifth day prior to the primary or election.

- A Notice of Public Logic and Accuracy Test must include the name of the jurisdiction conducting the election and the test, the date of the election, the date and time of the test, the location of the test, and a statement regarding the purpose of the test (i.e., "The Public Accuracy Test is conducted to demonstrate that the computer program used to tabulate the votes cast at the election meets the requirements of law").

2. Optional Publications

Notice of Filing

A Notice of Filing may be published in a local newspaper prior to any upcoming election. The publication of such notice is at the discretion of the local clerk. The notice may include information on candidate qualifications, filing requirements (including number of required signatures) and any upcoming filing deadlines for offices appearing on the ballot.

Notice to Absent Voters

A Notice to Absent Voters may be published in a local newspaper prior to any upcoming election. The publication of such notice is at the discretion of the local clerk. The notice may include the deadline to apply for an absentee ballot, eligibility requirements and contact information for the election official accepting absentee ballot applications.

TOPIC 5: ABSENTEE VOTING

1. Mass Mailing of Absent Voter Ballot Applications

The recent Michigan Appeals Court ruling on the mass mailing of absent voter ballot application forms to voters (Taylor v Currie) concludes as follows:

> *"MCL 168.759(5) does not permit a city clerk to mail absent voter ballot applications without having received a verbal or written request."*

Maintaining a Permanent AV List

- If a clerk maintains a mass mail list that only contains the names of voters who have asked to be placed on the list, he or she can continue to use the list to mass mail absent voter ballot application forms as long as the voters on the list have all asked to receive applications.

"Open Ended" Absent Voter Ballot Application Requests

- Voters may request to receive an application for an absent ballot for all upcoming elections. Michigan election law provides that clerks must have absent voter ballot applications available for distribution at all times and must provide them to any voter who requests one. While a voter may only file a completed application within 75 days of an election, the law does not limit requests for the application forms to this time period.

Enclosing Additional Information with Application Forms

- The Court of Appeals ruling makes a statement regarding "propaganda" being mailed at the jurisdiction's expense in connection with the applications:

  "To construe MCL 168.759 to permit Currie to distribute in her official capacity, what amounts to propaganda at the city's expense is certainly not within the scope of Michigan election laws or the Michigan Constitution...."

- Given the above, clerks must not enclose a signed letter or any other informational or instructional material with the applications that could reasonably be construed as "propaganda" to avoid even the appearance of not being a neutral arbiter or referee.

2. Michigan's Absentee Voting Process and Deadlines

Eligibility

A registered voter is eligible to obtain an absent voter ballot for an upcoming election if he or she:

1. is 60 years of age or more
2. is unable to vote without assistance
3. expects to be absent from his or her city or township of residence for the entire time the polls are open
4. is in jail awaiting arraignment or trial
5. has been appointed to work as an election inspector in a precinct outside of his or her precinct of residence
6. is unable to attend the polls due to his or her religious beliefs

Eligibility Restriction

A person who registers to vote *by mail* must vote *in person* in the first election in which he or she participates. The restriction does not apply to overseas voters, voters who are handicapped or voters who are 60 years of age or older.

Application Process

A voter who wishes to receive an absentee ballot must request it *in writing* from the clerk; absentee ballots may not be delivered as a result of an oral request made in person or over the phone. However, an absent voter ballot *application form* may be provided as a result of an oral request.

The written request may be on a form supplied by the clerk or other election official, in a letter or on a postcard. The written request must include a statutory reason why the voter is eligible to receive an absentee ballot and the applicant's signature.

Absentee Ballot Application Submission Timeframes

The election official or other authorized personnel appointed by the election official *must be available* in the election official's office or at some other published and or posted location to facilitate the receipt and processing of absent voter ballot requests.

- ***"Regular" Request Deadline:*** If the ballot must be issued *by mail*, the application for the ballot must reach the election official *no later than 2:00 p.m. on the Saturday prior to the election*.

- ***"Late" Request Deadline:*** Absent voter ballots can be picked up by the voter *in person* anytime *up to 4:00 p.m. on the day prior to the election.* A voter who visits his or her clerk's office or school election coordinator's office on the day prior to the election to obtain an absent voter ballot must vote the ballot in the office; the voter *is not permitted to leave the office with the ballot.*

- ***"Emergency" Request Deadline:*** An elector may make an "emergency" request for an absentee ballot if he or she cannot attend the polls because of 1) personal disablement or 2) a family death or illness which will require that the elector leave the community for the entire time the polls are open on Election Day.

  "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.* This means that the emergency must have occurred after 2:00 p.m. on the Saturday before the election.

- If an "emergency" absent voter 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 by the clerk to handle this task.

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.

Restrictions on Possession of Signed Absent Voter Ballot Applications

The persons who may be in lawful possession of a *signed* absent voter ballot request are limited to:

1. the applicant
2. a member of the applicant's immediate family
3. a person residing in the applicant's household
4. a person whose job normally includes the handling of mail (but only during the course of his or her employment)
5. a registered elector asked to handle the application by the applicant
6. an authorized election official

Note: Absent voter ballot applications may be received via email or fax, as long as the voter's signature is on the application and the signature is visible for verification purposes.

A registered elector who returns an absentee ballot application at the request of the applicant must sign the following certificate which appears on the application form:

CERTIFICATE OF AUTHORIZED REGISTERED ELECTOR RETURNING ABSENT VOTER BALLOT APPLICATION

I certify that my name is_____,

my address is _____,

and my date of birth is _____; that I am delivering the absent voter

ballot application of _____
at his or her request; that I did not solicit or request to return the application; that I have not made any marking on the application; that I have not altered the application in anyway; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

_____ _____
Date Signature

Application Verification Requirement

Upon the receipt of a completed absent voter ballot application, the signature appearing on the application must be checked against the signature on the applicant's voter registration record to verify the applicant's identity.

Note: An absent voter ballot application with a Power of Attorney (POA) signature in lieu of the voter's signature cannot be accepted. Michigan election law provides for the voter to make a "mark".

Issuance of Absentee Ballots

A request for an absentee ballot must be processed immediately. It is recommended that the ballot be issued within 24 hours of the receipt of the application. Applications should be processed in the order they are received. This will avoid criticism that certain voters are being given preferential treatment. (While absentee ballots must be issued in the same order in which they are requested, an election official is not prohibited from issuing an absentee ballot to a voter applying in person despite the fact that there may be applications on file which have not yet been honored.)

An absent voter can receive an absent voter ballot at his or her registration address, at any address outside of his or her jurisdiction of residence or at a hospital, nursing home or similar institution. Also, a clerk may mail an absentee ballot, upon the request of the voter, to a post office box if the post office box is where the voter normally receives mail and the voter does not

receive mail at his or her registration address. A voter *cannot* receive an absentee ballot at any residential address within his or her city or township of registration other than his or her registration address.

- Campaign brochures or any other type of unauthorized materials may *not* be distributed with absentee ballots.

- In every case, a requested absentee ballot must be transmitted to the applicant *by mail* if there is an adequate amount of time for the voter to receive the ballot by mail, vote the ballot and return the ballot prior to 8:00 p.m. on the date of the election. **To avoid any appearance of impropriety, absentee ballots should not be delivered by hand unless the hand delivery of the ballot is necessary to ensure the timely return of the ballot**.

Note: Clerks are encouraged to use First-Class Mail® when sending out absentee ballots to ensure timely delivery.

Absent Voters who Receive Assistance

If the absentee voter receives assistance from another person when voting the ballot, the individual who provided the assistance must sign the certificate shown below. The certificate appears on the outside of the ballot return envelope.

It merits emphasis that the certificate must be signed by *any person* who assists an absentee voter vote his or her ballot including the voter's spouse, a household member who lives with the voter, an election official or an individual employed as an election assistant.

TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING BY ANOTHER PERSON

I assisted the above named absent voter who is disabled or otherwise unable to mark the ballot in accordance with his or her directions. The absent voter ballot was inserted in the return envelope without being exhibited to any other person.

Signature of Person Assisting Voter

Street Address or R.R.	City, Twp., or Village

Return of Absentee Ballots

Absentee ballots must be returned to the clerk by 8:00 p.m. on Election Day.

The persons who may return an absentee ballot are limited to the following:

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 merits emphasis 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 Requirement

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.

- It merits note that 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 ABSENT VOTER

I assert that I am a qualified and registered elector of the city, township, or village named above. I am voting as an absent voter 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 absent voter 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 Absent Voter

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 and the ballot is retained at local clerk's office.

Note: An absent voter ballot return envelope with a Power of Attorney (POA) signature in lieu of the voter's signature cannot be accepted. Michigan election law provides for the voter to make a "mark".

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.

3. Check Post Office for Absent Voter Ballots Arriving on Election Day

Michigan election law, MCL 168.765(3), stipulates that on election day, the city or township clerk must contact the post office "at which the clerk regularly receives mail" and arrange to obtain any absent voter ballots being held at the post office in sufficient time to deliver the absent voter ballots to the appropriate precinct board by 8:00 p.m.

Given the above requirement, all city and township clerks must contact their local post office in advance of the August primary and November general to make arrangements to obtain any absent voter ballots that reach the post office on election day. The requirement is designed to ensure that any and all absent voter ballots that reach the clerk's post office on election day are counted – including those absent voter ballots that arrive in the post office *after* the clerk's routine mail delivery on election day.

Penalties

Michigan election law provides the following penalties related to Michigan's absentee voting process:

- A person who forges a signature on an absentee ballot application is guilty of a felony. (MCL 168.759(8))

- An unauthorized person who both distributes absentee ballot applications to voters and returns those absentee ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor. (MCL 168.759(8))

- A person who is not involved in the counting of ballots as provided by law who has possession of an absentee ballot which was mailed or delivered to another person is guilty of a felony if he or she 1) opens the envelope containing the ballot 2) makes any marks on the ballot 3) alters the ballot in any way or 4) substitutes another ballot for the absentee ballot in his or her possession. (MCL 168.932(e))

- A person, other than an authorized election official, who gives, lends or promises any valuable consideration to or for a person to induce that person to both distribute absentee ballot applications and receive signed absentee ballot applications from voters for delivery to the clerk is guilty of a misdemeanor. (MCL 168.931(1)(b))

- A person who participates in a meeting or a portion of a meeting of more than two persons, other than the person's immediate family, at which an absentee ballot is voted is guilty of misdemeanor. (MCL 168.931(1)(m))

- A person who is present while a voter is voting an absentee ballot who suggests how the voter should vote or attempts to influence the voter on how he or she should vote is guilty of a felony. (MCL 168.932(h))

- A person who assists an absentee voter mark his or her ballot who suggests how the voter should vote or attempts to influence the voter on how he or she should vote is guilty of a felony. (MCL 168.932(g))

- A person who assists an absentee voter mark his or her ballot who permits any other person to suggest how the voter should vote or permits any other person to attempt to influence the voter on how he or she should vote is guilty of a felony. (MCL 168.932(g))

- A person in illegal possession of an absentee ballot (voted or unvoted) is guilty of a felony. (MCL 168.932(f))

- An unauthorized person who returns, solicits to return or agrees to return an absentee ballot is guilty of a felony. (MCL 168.932(f))

- A person who assists an absentee voter who falsifies the statement which must be signed by such assistants is guilty of a felony. (MCL 168.761(5))

- A person who plans or organizes a meeting at which absentee ballots are to be voted is guilty of a felony. (MCL 168.932(i))

- An absentee voter who knowingly makes a false statement on the absentee ballot return envelope is guilty of a misdemeanor. (MCL 168.761(5))

4. Posting Absentee Voting Information

Michigan election law, MCL 168.765(5), requires all city and township clerks to post the following absentee voting information anytime an election is conducted which involves a state or federal office:

- The clerk must post before 8:00 a.m. on election day: 1) the number of absent voter ballots distributed to absent voters 2) the number of absent voter ballots returned before election day and 3) the number of absent voter ballots delivered for processing.

- The clerk must post before 9:00 p.m. on election day: 1) the number of absent voter ballots returned on election day 2) the number of absent voter ballots returned on election day which were delivered for processing 3) the total number of absent voter ballots returned both before and on election day and 4) the total number of absent voter ballots returned both before and on election day which were delivered for processing.

- The clerk must post immediately after all precinct returns are complete: 1) the total number of absent voter ballots returned by voters and 2) the total number of absent voter ballots received for processing.

A form which can be used to post the information specified above is provided in the appendix.

5. New Election Mail Postal Tag

The United States Postal Service (USPS) has introduced a new tag that can be used by election officials to identify election mail. The tag (Tag 191) is available to identify both domestic and overseas election mail prepared at the First-Class Mail® or Standard Mail® rates.

Tag 191 has a distinctive lime green color that displays the Official Election Mail logo and the words “Ballots Only.” The tag may be used for official election mail addressed for domestic or international delivery that is prepared in trays or sacks. Although use of the tag is not required,

the Postal Service™ recommends that election officials use the tag to provide greater visibility to election mail during handling and distribution by the Postal Service.

According to USPS representatives, the easiest way for you to obtain a supply of the new tag would be to ask your local Postmaster, Mailpiece Design Analyst (MDA), business mail entry unit (BMEU) contact or whomever the person is that you deal with at your local Post Office to order a supply for you.

Additional information on designing or preparing election mail is available at https://www.usps.com/gov-services/election-mail.htm

Note: Clerks are encouraged to use First-Class Mail® when sending out absentee ballots to ensure timely delivery.

Note: Clerks are encouraged to use First-Class Mail® when sending out absentee ballots to ensure timely delivery.

6. Absent Voter Counting Boards – Assigning Ballots

For the purpose of candidate name rotation, an absent voter counting board is considered a separate precinct. (MCL 168.659a(2)) Multiple ballot styles may be processed by a single absent voter counting board using a single tabulator.

While multiple ballot styles may be processed and counted within a single absent voter counting board, a unique ballot rotation must be used in all cases. As a result, the order in which candidate names appear on an absentee voter's ballot will be different than the order appearing on that same voter's ballot if he or she chose to vote in the precinct.

The following example is provided to illustrate the correct procedure for rotating candidate names when absent voter counting boards are used:

Jurisdiction X contains four precincts and would like to set up an absent voter counting board to process and count their absentee ballots. The ballots contain identical offices. The candidates' names must be rotated for each precinct. In accordance with Michigan election law, the absent voter counting board must be considered a separate precinct (precinct #5) for the purpose of name rotation. As such, *all* voters within the jurisdiction who would like to vote absentee will receive a precinct 5 ballot for this purpose.

Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5 (AVCB)
A	B	C	D	E
B	C	D	E	A
C	D	E	A	B
D	E	A	B	C
E	A	B	C	D

7. Absent Voter Counting Boards – Split Precincts

A split precinct is one in which two or more ballot styles are issued. The particular ballot style that is issued to each voter is based upon the voter's place of residence and the offices and or proposals involved. As discussed in the section above, multiple ballot styles may be processed and counted within a single absent voter counting board, provided that a unique candidate name rotation is observed.

The following example is provided to illustrate the correct procedure for rotating candidate names when absent voter counting boards are used and multiple ballot styles will be processed:

Jurisdiction X contains two precincts and would like to set up an absent voter counting board to process and count their absentee ballots. Precinct 1 is a split precinct issuing two different ballot styles (Ballot A and Ballot B) to its voters while Precinct 2 is not a split precinct and is issuing only one ballot style. Ballot A from Precinct 1 and the ballot from Precinct 2 contain identical offices. The candidates' names must be rotated for each separate precinct. In accordance with Michigan election law, for the purpose of candidate name rotation, an absent voter counting board is considered a separate precinct (precinct #3). As such, *all* voters within the jurisdiction who would like to vote absentee will either receive a precinct 3A ballot or a precinct 3B ballot for this purpose.

Precinct 1		**Precinct 2**	**Precinct 3 (AVCB)**	
Ballot Style A	Ballot Style B	Ballot Style A	Ballot Style A	Ballot Style B
Office #1	Office #1	Office #1	Office #1	Office #1
A	A	B	C	B
B	B	C	A	C
C	C	A	B	A
	Office #2			Office #2
	A			B
	B			C
	C			A

8. Absent Voter Counting Boards – Precinct Delegates

When absent voter counting boards are used for an August primary in which precinct delegates appear on the ballot, special care must be given to insure that the proper candidate name rotations are observed.
The following example is provided to illustrate the correct procedure for rotating candidate names on ballots containing the office of precinct delegate when absent voter counting boards are used:

Jurisdiction X contains four precincts and would like to set up an absent voter counting board to process and count their absentee ballots. The ballots contain identical offices. The candidates' names must be rotated for each separate precinct. In accordance with Michigan election law, for the purpose of candidate name rotation, an absent voter counting board is considered a separate precinct (precinct #5). As such, *all* voters within the jurisdiction who would like to vote absentee will receive a precinct 5 ballot for this purpose and the ballot will reflect the correct precinct delegates.

Precinct 1	**Precinct 2**	**Precinct 3**	**Precinct 4**
Office #1	Office #1	Office #1	Office #1
A	B	C	D
B	C	D	E
C	D	E	A
D	E	A	B
E	A	B	C
Office #2	Office #2	Office #2	Office #2
(Prec. Delegate)	(Prec. Delegate)	(Prec. Delegate)	(Prec. Delegate)
A	A	A	A
B	B	B	B
C	C	C	C
D	D	D	D
E	E	E	E

Precinct #5 – AVCB

Ballot Style 5A (Precinct 1)	Ballot Style 5B (Precinct 2)	Ballot Style 5C (Precinct 3)	Ballot Style 5D (Precinct 4)
Office #1	Office #1	Office #1	Office #1
E	E	E	E
A	A	A	A
B	B	B	B
C	C	C	C
D	D	D	D
Office #2	Office #2	Office #2	Office #2
(Prec. Delegate)	(Prec. Delegate)	(Prec. Delegate)	(Prec. Delegate)
A	A	A	A
B	B	B	B
C	C	C	C
D	D	D	D
E	E	E	E

TOPIC 6: MILITARY AND OVERSEAS VOTERS

1. Military/Overseas Voting Procedures Modified

The federal Military and Overseas Voter Empowerment Act (MOVE Act) of 2009 and the related enabling legislation passed by the Michigan Legislature in 2010 impacted the administration of registration and absentee voting programs for military and overseas civilian voters eligible to vote in Michigan. The MOVE Act and related state legislation accomplished the following:

- Voters covered under the MOVE Act are extended the opportunity to receive absentee ballots for all elections for the calendar year via the Internet or by fax. All absentee ballots must be returned by mail. (Public Act 50 of 2010)

- Established a 45-day absentee ballot delivery deadline for all Michigan elections. (Public Acts 43 and 51 of 2010)

- Expanded the use of the Federal Write-In Absentee Ballot (FWAB) to include primary elections held to nominate federal offices and special elections held to fill federal offices in addition to regular elections held to fill federal offices. (Authority: 42 USC 1973ff)

Military and overseas voters are defined as follows:

1) A member of a uniformed service on active duty who is absent from his or her city or township of residence. (Voter can be inside the United States or outside the United States.)

2) A member of the Merchant Marine who, by reason of service in the Merchant Marine, is absent from his or her city of township of residence. (Voter can be inside the United States or outside the United States.)

3) A spouse or dependent of a member of a uniformed service or a member of the Merchant Marine who, by reason of the active duty or service of the member, is absent from his or her city or township of residence. (Voter can be inside the United States or outside the United States.)

4) A civilian voter who is outside the United States and is eligible to vote in Michigan. A spouse or dependent of an overseas civilian voter who is a citizen of the United States, is accompanying that overseas voter, and is not a qualified and registered elector anywhere else in the United States, may apply for an absent voter ballot even though the spouse or dependent is not a qualified elector of a city or township of this state.

2. Federal Post Card Application Forms (FPCAs)

The Federal Post Card Application (FPCA) is a postage-free voter registration/absent voter ballot application produced and distributed by the federal government for use by military and overseas civilian voters. **The FPCA may serve as both an absentee ballot application *and* a new voter registration form under specific circumstances.**

Absentee ballot requests received from covered voters must be *honored for every election* conducted in the applicant's city or township of residence or village of residence (if any) *through the end of the calendar year* in which the request was received. This includes all school district elections. To facilitate this requirement, city, township and village clerks and school election coordinators must share information as necessary to facilitate the issuance of ballots to covered voters who are entitled to receive an absent voter ballot for each election held during the calendar year.

A person who is eligible to use an FPCA to obtain an absent voter ballot may register up to 8:00 p.m. on the day of the election; the 30-day registration deadline is waived. If an individual submitting an FPCA is not registered to vote, the FPCA can be accepted as the voter's registration application.

Additional Considerations Concerning the Federal Post Card Application (FPCA)

- Local election officials must provide return notification in any instance where a voter registration application or absent voter ballot request submitted by an absent uniformed services voter or an overseas voter is rejected. The notifications can be issued by any convenient means (letter, fax or e-mail).

- The FPCA form is available at the Federal Voting Assistance Program Web site (http://www.fvap.gov/).

- If a uniformed services voter or dependent, or an overseas voter or dependent, submits a signed absent voter ballot request (including a fax or electronically transmitted (emailed) copy of a request containing an image of the applicant's signature), an absent voter ballot is immediately forwarded to the applicant. As noted above, if the applicant is not registered, and the FPCA form was used, the FPCA is accepted as the voter's registration application.

- If the FPCA form was not used, immediately send the requested ballot and registration forms. In this case, it is recommended that a separate envelope be provided for the return of the completed voter registration form. If the registration forms and the ballot are returned by 8:00 p.m. on election night, the ballot can be counted.

Electronic Transmission of Blank Ballots and the "Absent Ballot Tracker" System

- Electronic transmission of voter registration application forms and absent voter ballot request forms: City and township clerks must be prepared to direct the covered voter to the Federal Voting Assistance Program office at www.fvap.gov to access a blank Federal Post Card Application (FPCA) form. Voter requests for the FPCA form or voter requests for ballots may come through the local clerks' MERIT email account assigned by the state.

  City and township clerks who do not have Internet access must work with the county clerk to handle such requests. County clerks must be prepared to work with the local clerks in the county who need such assistance.

- Electronic transmission of blank absent voter ballots: City and township clerks must be prepared to send covered voters a blank absent voter ballot by email or fax if the voter requests the electronic transmission of his or her absent voter ballot. Specially designed absent voter ballots that can be transmitted electronically are supplied through the "Statewide

Lookup" Web site. When transmitted to the voter, the ballot must be accompanied by special voting instructions and a voter certificate. (Both items are available on the Statewide Lookup Web site.)

City and township clerks who do not have Internet access must work with the county clerk to handle such requests. County clerks must be prepared to work with the local clerks in the county who need such assistance.

- Processing voted absent voter ballots issued by email or fax: Voters who receive an absent voter ballot by email must print the ballot, mark the printed ballot and return the marked ballot by mail. If the voter requests that the ballot be delivered by fax, the city or township clerk must prepare and forward a copy of the ballot, voter signature certificate and special voting instructions by fax. The ***electronic submission of voted absent voter ballots is not permitted.*** The votes on such a ballot must be transferred to a regular optical scan ballot to permit the tabulation of the ballot. Standard ballot duplication procedures must be employed. County and local clerks must be prepared to train their election inspectors on the ballot processing steps involved.

- "Absentee Ballot Tracker" system: Federal law requires all states to develop a "free access system" that allows a covered voter to determine whether his or her absentee ballot was received by the city or township clerk. The QVF AV module has been modified to satisfy this requirement. (The voter will be able to access information on the status of his or her absentee ballot through the Michigan Voter Information Center (MVIC) Web site.)
  City and township clerks must be prepared to enter the appropriate absentee voting information for any covered voters in their respective jurisdictions into the QVF AV module.

  City and township clerks who do not have direct QVF access must work with the county clerk to accomplish this task. County clerks must be prepared to assist the local clerks in the county who need such assistance.

Frequently Asked Questions: The following addresses a number of frequently asked questions regarding absent uniformed services and overseas voters:

- A qualified elector who is overseas and who resided in Michigan immediately before leaving the United States may register in the city or township where his or her residence was located – even if an established place of residence is no longer maintained in the city or township or if the residence, or other location, where they resided is no longer in existence.

- There is no limit to the length of time a person may reside or travel outside of the territorial limits of the United States and still vote by absent voter ballot. As long as the person remains qualified to vote and properly applies for ballots, the ballot requests must be honored.

- If an absent uniformed services voter or an overseas voter submitting an absent voter ballot request or voter registration application is not registered in the city or township – and it can be determined from the information supplied on the form that the person does not have the necessary qualifications to vote in the jurisdiction – a letter of explanation must be sent to the applicant.

- If an absent uniformed services voter or overseas voter (or a spouse or dependent) applies for an absent voter ballot in a letter instead of an FPCA, immediately send the requested ballot if the applicant is registered. If the applicant is not registered, immediately send the requested ballot and registration forms. If the registration forms and the ballot are returned by 8:00 p.m. on election night, the ballot can be counted.

3. Federal Write-In Absentee Ballots (FWAB's)

The Federal Write-In Absentee Ballot (FWAB) is a special write-in ballot (provided and distributed by the federal government) for use by military and overseas voters to be used to vote for *federal offices* in primary elections held to nominate federal office and for regular and special elections held to fill *federal offices.*

Additional Considerations concerning the Federal Write-In Absentee Ballot (FWAB)

- A FWAB is not valid unless the voter submitted a written request for an absentee ballot by Saturday 2:00 p.m. preceding the election. An absent voter ballot request received by the Bureau of Elections or a county clerk's office on or before the deadline satisfies the application deadline.

- If a voter who requests an absentee ballot returns both the ballot issued by the clerk's office and an FWAB before 8:00 p.m. on the date of the election, the clerk accepts the ballot issued through his/her office and rejects the FWAB. On the other hand, if both ballots are returned -- and one of the ballots arrives before 8:00 p.m. on the date of the election and the other ballot arrives after 8:00 p.m. on the date of the election – the clerk accepts the ballot submitted on time *regardless of whether it is the FWAB or the ballot issued through his/her office* and rejects the ballot that arrived late.

- If the voter's signature is missing, the FWAB is invalid.

- The FWAB can be used to vote for the federal offices on the ballot (President/ Vice President, U.S. Senator and U.S. Representative); it *cannot* be used to vote for any other offices or on proposals.

- A voter using an FWAB can cast a vote for a candidate seeking a federal office at a general election by writing in the candidate's *name or political party.* If the voter writes in the name of a political party, a vote is counted for the candidate seeking the office under the indicated party's vignette.

- A voter is *not* required to fill in an oval or complete an arrow on the FWAB for their vote to be counted.

- Federal law provides that any abbreviation, misspelling or other minor variation in the form of a candidate's name or the name of a political party is to be disregarded in determining the validity of the vote cast if the voter's intention can be determined.

- If a valid FWAB is received by the local clerk, it is to be sent with other absent voter ballots to be processed utilizing approved ballot duplication process.

4. Required Schedule for Delivery of Ballots to Clerks

- Under the Law, each county board of commissioners must deliver the ballots required for any regular or special election or official primary election to the county clerk at the earliest possible time after the proof of the ballots has been approved. The board also must deliver absent voter ballots to the county clerk at least 47 days before each election. Each county clerk must deliver all absent voter ballots to the clerk of each city and township in the county at least 45 days prior to the election.

- Each county clerk must deliver absent voter ballots for each precinct to the clerk of each township and city in the county. The delivery must be at the earliest possible time and at least 45 days before the each election.

5. Transmission and Return of APO/FPO Absentee Ballots by Mail

Mailing APO/FPO Absentee Ballots: To ensure the most efficient handling of absentee ballots mailed to members of the military stationed outside of the United States, the United States Postal Service (USPS) requests that all APO/FPO absentee ballots be 1) separated from all regular mail and other domestic absentee ballots and 2) delivered directly to a USPS clerk or mail carrier. The USPS further cautions that to avoid delivery delays, APO/FPO absentee ballots should *not* be placed in USPS collection boxes.

Express Mail Label 11-DOD: The unique Express Mail label is only for use with absentee ballots originating from overseas military postal locations. The label, which is distributed by the Military Postal Service, is the result of a joint effort by the Postal Service and the Military Postal Service Agency in response to the MOVE Act. It may be used on any size ballot envelope and is designed to be affixed to the upper right corner of the ballot envelope. A portion of the label is retained by the voter for tracking their ballot. Further information is available from the USPS Web site (https://www.usps.com/gov-services/apo-fpo-procedures.htm).

Obtaining Updated Mailing Addresses: Updated mailing addresses for military voters can be obtained by contacting the Federal Voting Assistance Program (FVAP) office in Washington, D.C. Seeking such information is essential anytime there is a question over a military voter's current address or in any instance where an absent voter ballot mailed to a military voter is returned as "undeliverable." There are two ways to seek such assistance:

- Fax the military voter's name, birth date, Social Security Number (if available) and any addressing information on file for the voter to the FVAP office. Fax number: (703) 696-1352.

- Call the FVAP office and ask to speak to a representative. Toll free number; (800) 438-8683.

TOPIC 7: POLLING PLACE PROCEDURES

1. Establishment

The city council, township board or village council, if applicable, is responsible for determining the location of polling places in the jurisdiction Michigan election law, MCL 168.662, provides the following with respect to the establishment of polling places:

- Whenever possible, a polling place must be located in a publicly owned or controlled facility such as a school building, fire station or police station.

- If it is necessary to establish a polling place in a building other than a publicly owned or controlled facility, the building must be owned or controlled by an organization that is "exempt from federal income tax pursuant to section 501(c) other than 501(c)(4), (5), or (6) of the internal revenue code of 1986…."

- As an exception to the above, a polling place may be established in a "profit or nonprofit residence or facility in which 150 persons or more aged 62 or older reside or at an apartment building or complex in which 150 persons or more reside."

- All polling places must be fully accessible.

- A polling place may *not* be established in a building that is owned by a business, individual, firm, organization, etc. that has established, directs, controls or financially supports the administration of a Political or Independent Committee registered under the Campaign Finance Act. This prohibition extends to a building owned by a subsidiary of a corporation or the local of a labor organization if the parent corporation or labor organization has established, directs, controls or financially supports the administration of a Political or Independent Committee.

- The same polling place may be used to accommodate up to six precincts if convenient and practicable. (Each precinct must have its own precinct board.)

- A polling place may not be established, moved or abolished less than 60 days before an election unless the polling place has been "damaged, destroyed, or rendered inaccessible or unusable as a polling place."

2. Layout

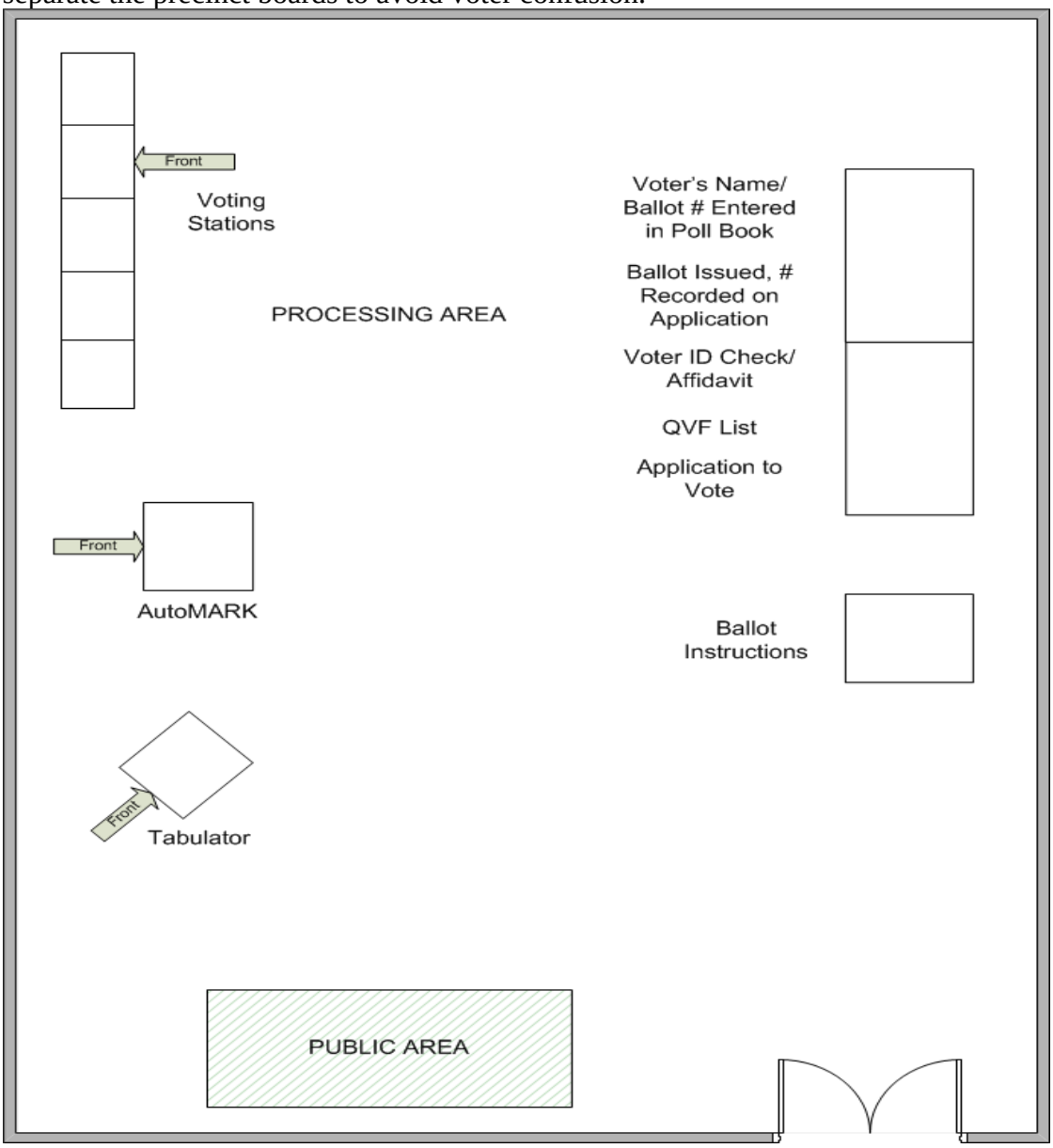
A polling place is composed of a processing/voting area and a public area. When arranging a polling place, consideration must be given to the space needed to establish the two areas, the need for an orderly flow of traffic and the right of voters to cast their ballots in secrecy.

- The processing/voting area of the polling place contains a table and chairs for the election inspectors appointed to work in the precinct. Sufficient room must be available in front of the table for electors who are offering to vote to stand. The election inspectors should be positioned so that they have a clear view of the polling place. The processing/voting

area of the polling place also contains the voting stations and ballot boxes needed to serve the precinct. Ballot boxes must be positioned in full view and close to the election inspectors so that they can be monitored at all times. The processing/voting area is reserved for the precinct inspectors engaged in processing voters, the voters applying to vote and in the process of voting, and any challengers qualified to serve in the precinct. No other persons have the authority to be present in the processing/voting area.

- The public area is reserved for voters entering and exiting the polling place and any persons on hand to observe the election who do not have official "challenger" status.

- Some type of barrier must be established so that the processing/voting area of the polling place can be distinguished from the public area of the polling place. In instances where a polling place is used to accommodate two or more precincts, care must be taken to clearly separate the precinct boards to avoid voter confusion.



3. Optical Scan Voting Systems

A number of important reminders regarding the use of optical scan voting equipment are provided below. The careful observance of the procedural points is essential to the proper use of the equipment.

- The proper way to indicate a vote on an optical scan ballot is to make a mark *within the "predefined area" designated for casting a vote.* Any markings that are inconsistent with this standard cannot be counted as votes. Instructions for distinguishing between "stray marks" and valid votes cast on optical scan ballots are available on the Department's Web site at www.michigan.gov/elections and are also available in the appendix. The instructions were issued by the Secretary of State pursuant to MCL 168.799a(3) as amended under PA 92 of 2004.

- Do *not* instruct or permit your election inspectors to "mark over" or "darken" votes cast on an optical scan ballot that appear "too light" or are marked with a writing implement that the tabulator cannot read. Such ballots *must be duplicated*. In all cases, the original ballot cast by the voter must be preserved exactly as cast by the voter! The proper procedure for duplicating ballots is provided in the appendix.

- It is improper for any member of the precinct board to view a voter's ballot after the voter has cast votes on the ballot. It is extremely important that this point be emphasized to all election inspectors. Voter complaints over this matter typically involve the mishandling of ballots rejected by the tabulator. To ensure the secrecy of optical scan ballots, instruct your election inspectors to remain at least *10 feet away from the tabulator* whenever a voter is depositing his or her voted ballot into the tabulator. To ensure the proper handling of voters who have their ballot rejected, a "script" is provided on the Department's website and is also available in the appendix. The distribution of the script to your precinct boards is recommended. The election worker responsible for monitoring the tabulator should read the script to any voter who experiences the rejection of his or her ballot due to a voting error.

- Optical scan tabulators employed by absent voter counting boards must be programmed to reject blank ballots, ballots containing "overvotes" and ballots containing "crossover" votes (partisan primaries only). If this programming feature is not employed as required, inaccurate vote results can occur due to ballots that contain false "overvotes," false "crossover" votes and ballots containing votes which cannot be scanned by the tabulator due to the voter's use of an improper marking implement. To ensure the proper handling of ballot error messages when processing absentee ballots, a guide is provided in the appendix.

- To preserve the secrecy of optical scan *absentee ballots*, secrecy sleeves must be issued with all optical scan absentee ballots printed on both sides. (It is not necessary to issue secrecy sleeves with optical scan absentee ballots printed on one side only.)

4. Instructing Voters

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.

5. Maintaining Order on Election Day

Michigan election law, MCL 168.678, extends a precinct board's full authority to "maintain peace, regularity and order at the polling place …." Precinct boards are extended such authority as voters have a right to vote a secret ballot in a secure, orderly environment which is free of distractions. To ensure the orderly management of the polls, all city and township clerks are urged to take the following actions *before the polls open:*

- Inside each room where a polling place will be established, clearly mark off the "public area" of the room. The "public area" of the polling place must be clearly distinguishable from the "voting area" of the room. All poll watchers and media representatives must remain in the "public area" of the polling place at all times.

- Outside of each building which will be used as a polling place, measure off and mark where individuals who wish to solicit votes outside of the polls may conduct their campaign activities. (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.)

NOTE: "Exit pollsters" may position themselves as close as 20 feet from a doorway used by voters to enter the polling place.

6. Public Access to Precinct Results after Polls Close

Michigan election law, MCL 168.807, stipulates that as soon as the precinct board has obtained the precinct's vote totals after the polls have closed, the results must be made available to any interested person who may be present in the polling place. Michigan election law, MCL 168.801, further provides that at least one door to the polling place must remain open during the closing of the polls and the generation of the precinct's vote totals.

The polls *must remain open for voting until 8:00 p.m.* It is the duty of the precinct chairperson to publicly announce the closing of the polls by declaring, "The polls are now closed." Every voter standing in line at 8:00 p.m. *must be permitted to vote*. The doors to the polling place must remain unlocked. Persons observing the closing of the polls may not enter the processing area and must conduct themselves in an orderly manner. The board may clear the polls if necessary to assure the orderly completion of the precinct's records.

7. Handling Emergencies that Raise Questions Over the Interruption of the Voting Process or the Extension of the Polling Hours

All polling places must be ready and open for voting at 7:00 a.m. At 7:00 a.m., it is the duty of the precinct chairperson to publicly announce the opening of the polls by declaring, "The polls are now open." The polling place must remain open for voting until 8:00 p.m. At 8:00 p.m., it is

the duty of the precinct chairperson to publicly announce the closing of the polls by declaring, "The polls are now closed." Every voter standing in the line at 8:00 p.m. *must be permitted to vote*.

County and local clerks cannot shorten or extend the polling hours unless and until directed to do so by individuals who retain the proper legal authority. The following points merit emphasis:

- Should any event or emergency occur *outside of your jurisdiction* which raises questions over the interruption of the voting process or the suspension of the election, *do not take any action unless and until you receive direction through the Michigan Department of State's Bureau of Elections.* The careful coordination of such decisions is essential to the orderly conduct of the elections process.

- Should any event or emergency occur *within your jurisdiction* which raises questions over the interruption of the voting process or the closing of one or more polling places in your jurisdiction, *take direction from your local enforcement officials and call the Michigan Department of State's Bureau of Elections (517/373-2540) to alert us to the situation*. It is important that the Bureau be contacted *as soon as possible* in any instance where your local enforcement officials evacuate or close a polling place during the 13-hour polling period. If it is necessary to evacuate a polling place for any reason, *instruct the precinct board to take possession of the poll book before leaving the polling place*.

- Should any situation occur which raises questions over the extension of the polling hours after 8:00 p.m., *do not take any action unless and until you receive direction through the appropriate legal channels*. The polling hours cannot be extended beyond 8:00 p.m. without a court order.

8. Picture Identification Requirement

According to Michigan election law MCL 168.523, every Michigan voter who offers to vote at the polls must show picture identification or sign an affidavit attesting that he or she is not in possession of picture identification.

Voters can satisfy the ID requirement by showing a Michigan driver's license or a Michigan personal identification card.

Voters who do not possess either State of Michigan document may show any of the following forms of picture ID as long as it is current:

• Driver's license or personal ID card issued by another state.

• Federal or state government-issued photo ID.

• U.S. passport.

• Military identification card with photo.

• Student identification with photo from a high school or an accredited institution of higher education.

The following companion documents necessary to implement the requirement are provided in the appendix:

- Voter Processing Flow Charts
- Affidavit of Voter not in Possession of Picture Identification
- "Notice to Voters: New Identification Requirement in Effect" (to be posted at polling place)

Voters Unwilling to Execute a "Sworn" Statement:

In any instance where a voter who must sign the "Affidavit of Voter Not in Possession of Picture Identification" in order to vote refuses to sign the affidavit because it is a "sworn" statement, the election inspector must strike the word "swear" and write the word "affirm" where the word "swear" appears on the affidavit form.

9. Use of Video Cameras and Cell Phones

To ensure that all voters who attend the polls have a full opportunity to exercise their right to vote in private without undue distractions or discomfort, the following must be observed:

- The use of video cameras, still cameras and recording devices by voters, challengers and poll watchers is *prohibited* in the polls during the hours the polls are open for voting. (This *includes* the video camera, still camera and recording features built into many cell phones.)

- Broadcast stations and news media representatives may be permitted to briefly film from the *public area* of the polling room. In no case can personnel working for broadcast stations or the news media set up a camera in the *voting area* of the polling room. In an instance where a broadcast station or media representative wishes to film a polling room and the public area of the polling room is too small to accommodate the film crew without interfering with the voting process, the film crew must film from the entryway to the polling room. Regardless of whether a film crew making such a request positions themselves in the public area of the polling place or the entryway to the polling room, the precinct chairperson must supervise the filming process to ensure that the secrecy of the ballot is fully protected and no voters are inconvenienced by the filming process.

- News reporters are *not* permitted to interview voters inside the polling place.

- The use of cell phones by voters *who have entered a voting station to vote is prohibited.* Voters may be permitted to use cell phones while waiting in line at the processing table if not disruptive to the voting process. Similarly, challengers and poll watchers may use cell phones if not disruptive or intrusive. (Of course, as noted above, the video camera, still camera and recording features built into many cell phones can *never* be used in the polls.)

- Television watching is *prohibited* in the polls during the hours the polls are open for voting.

- To ensure ballot secrecy, security cameras should be turned off or pointed in a direction away from the front of voting booths.

10. Measures to Take if a Ballot Shortage Occurs

If a ballot shortage appears likely, the clerk of the jurisdiction should photocopy an adequate supply of the ballot style that is running low and number them by hand (picking up with the serial number of the last ballot assigned to the precinct). When delivering the photocopied ballots to the precinct, the clerk should instruct the precinct board to:

1. Use scissors to clip off the handwritten serial numbers on the photocopied ballots issued to voters. (This step is necessary as the photocopied ballots will not have perforated "ballot stubs.")

2. Make sure all photocopied ballots voted in the precinct are placed in the tabulator's auxiliary bin.

3. Remove the photocopied ballots from the auxiliary bin after the polls close and count them by hand.

4. Add the hand count totals to the tabulator tape totals to complete the precinct's vote results.

5. Enter a full account of the ballot shortage and the measures taken to remedy the shortage in the remarks section of the precinct's Poll Book.

Hand Counting Votes Cast on Photocopied Ballots

If photocopied ballots are issued at the polls, all votes cast on these ballots must be counted by hand. The following steps must be completed *after* the polls have closed:

1. Remove the ballots from the tabulator's auxiliary bin.

2. Based on the vote cast on each ballot, sort the ballots into piles creating a separate pile for each candidate. (NOTE: One additional "other" pile must be created for over-voted ballots, crossover-voted ballots, blank/unvoted ballots, ballots which do not contain a valid mark and ballots containing invalid write-in votes.)

3. It is important that this process be completed by two election inspectors representing different political parties.

4. Once all ballots have been sorted, visually inspect the ballots in each pile to verify the accuracy of your work. Make corrections as needed.

5. Manually enter the total number of votes received for each candidate on *all three copies* of the totals tapes.

6. NOTE: When counting "straight party votes" cast on a general election ballot, a separate pile is created for each political party. In this case, unless otherwise noted, each candidate seeking office under a party will be awarded the same number of votes.

7. Repeat this process for each office and/or proposal appearing on the ballot.

8. Secure all used and unused photocopied ballots in an approved ballot storage container along with all other ballots assigned to the precinct.

TOPIC 8: WRITE-IN CANDIDATES

1. Write-In Candidate Declaration of Intent

An individual who wishes to seek nomination or election to a federal, state, county, city, township, village or school office with write-in votes is required to file a "Declaration of Intent" with the appropriate election official by 4:00 p.m. on the second Friday preceding the election.

- The local clerk is responsible for notifying the precinct board of any write-in candidates who filed a Declaration of Intent prior to the election.

- A write-in vote cast for an individual who has *not* filled a Declaration of Intent *does not count.* Similarly, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the office for which the write-in vote was cast corresponds to the office identified on the Declaration of Intent; if a partisan primary, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the *office and party* correspond. Write-in votes which do not count for the above reasons are *not* considered when determining whether an "over vote" has occurred or whether a "crossover" vote has been cast at a partisan primary.

- The Declaration of Intent requirement is *waived* if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after the Wednesday immediately preceding the election. If the waiver is invoked, all write-in votes cast for the office must be counted including any write-in votes cast for candidates who have not filed a Declaration of Intent.

2. Documenting and Canvassing Write-In Votes

- A write-in vote cast for an individual who has *not* filed a Declaration of Intent *does not count* and must not be recorded by the precinct board. Similarly, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the office for which the write-in vote was cast corresponds to the office identified on the Declaration of Intent; if a partisan primary, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the *office and party* correspond. Write-in votes which do not count for the above reasons are *not* considered when determining whether an "over vote" has occurred or whether a "crossover" vote has been cast at a partisan primary.

- As an exception, the Declaration of Intent requirement is *waived* if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after the Wednesday immediately preceding the election. If the waiver is invoked, all write-in votes cast for the office must be counted including any write-in votes cast for candidates who have not filed a Declaration of Intent. (The waiver does *not* apply to precinct delegate positions.)

- Write-in votes which show name variations and spellings which do not match the Declaration of Intent form *are acceptable.* It merits note that it is the precinct board's responsibility to record all valid write-in votes *exactly as they were cast* preserving any name variations and/or misspellings which may appear.

Example: John A. Smith - State Representative - Democrat - 16 votes.
Jon Smith - State Representative - Democrat - 2 votes.
J.A. Smith - State Representative - Democrat - 1 vote.

- It is the Board of County Canvassers' responsibility to review all write-in votes and determine how they are to be counted. The Board may accept variations in the spelling of a write-in candidate's name if the manner in which the voter intended his or her vote to be cast is clear.

- A write-in candidate seeking nomination to a partisan office on the August 8 primary ballot is nominated if he or she 1) receives more votes than any other candidate seeking the position and 2) meets a vote threshold formula provided under Michigan election law, MCL 168.582. Under the vote threshold formula, the number of votes received by the write-in candidate must equal the *greater* of the following:

  1) 10 votes.

  2) .15 of 1% (.0015) of the total population, as reflected by the last official federal census, of the district represented by the office sought by the write-in candidate.

  3) **Apply following only if write-in candidate seeks nomination to an office for which only one candidate is to be elected:** 5% (.05) of the greatest number of votes cast under the write-in candidate's party for all candidates running for any office for which only one candidate is to be elected within the district represented by the office sought by the write-in candidate. To determine the number of votes required under this formula:

  A. Working with the write-in candidate's party, identify the "Vote for One" office on the ballot that received the greatest total number of votes. In a partisan primary, this office is typically a "top of the ticket" office, i.e., Governor or U.S. Senator. Do not take into consideration any office where more than one candidate is to be elected (e.g., township trustee).

  B. Next, determine the total number of votes received by all candidates who ran for that office within the district represented by the office sought by the write-in candidate. (For example, if the write-in candidate ran for a countywide office, it would be necessary to include all of the votes cast for all of the candidates running for the office that received the greatest number of votes within the county. If the write-in candidate ran for a township office, it would only be necessary to include all of the votes cast for all of the candidates running for the office that received the highest number of votes within the township.)

  C. Take 5% of that number to find the number of votes required under this formula.

  <u>EXAMPLE</u>: Write-In candidate seeking a township clerk position.

  A. The office that received the greatest total number of votes under the write-in candidate's party was the office of U.S. Senator.

B. The total number of votes received in the township by all candidates who ran for U.S. Senator under the write-in candidate's party was 520.

C. As a result, the number of votes required under this formula is 26 (5% of 520).

4) *Apply following only if write-in candidate seeks nomination to an office for which more than one candidate is to be elected:* 5% (.05) of the greatest number of votes cast by any party on the ballot for any candidate seeking the same office as the write-in candidate.

TOPIC 9: PROVISIONAL BALLOTS

1. Administration of Provisional Balloting Process – Registration Issues

The provisional balloting process must be employed anytime a voter who completes an Application to Vote form does not appear on the precinct's QVF list. 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 for the precinct board to complete the form. Instead, the precinct board 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 precinct board 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 for the precinct board to complete the form. Instead, the precinct board 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 precinct board must complete the form. 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 precinct board must carefully work through each of the four steps explained on the form. After completing the form, the precinct board must make a final determination on whether the ballot issued to the voter can be handled like any other ballot issued in the polls (i.e., deposited in the precinct's tabulator) or must be preserved in a special "provisional ballot security envelope" and returned to the clerk's office for further review after the polls close.

The four-step procedure form is designed to guide the precinct board in making this determination. A ballot deposited into the tabulator is called a **provisional "affidavit"** ballot. A ballot preserved in a provisional ballot security envelope is called a **provisional "envelope"** ballot. The four-step procedure form and provisional ballot security envelopes can be purchased through commercial suppliers. The four-step procedure form is also available on the Department's Web site www.michigan.gov/elections.

"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 this 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 has an obligation to 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.

The free-access system may be "a telephone number that does not require a toll charge, a toll-free telephone number, an internet website, 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.

2. Six-Day "Envelope" Ballot Evaluation Period

City and township clerks who receive one or more "envelope" ballots after the polls close must evaluate the ballots within 6 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.

The procedure for handling "envelope" ballots returned to the clerk's office is available on the Department's Web site at www.michigan.gov/elections and is also provided in the appendix.

3. City and Township Provisional Ballot Report Form

No later than the 7th day after the election, the city or township clerk must complete a "Provisional Ballot Report" form and submit it to the county canvassing board 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.

A "Provisional Ballot Report" form is available on the Department's Web site at www.michigan.gov/elections and is also provided in the appendix.

NOTE: City and township clerks who do not receive any "envelope" ballots after the polls close are encouraged to submit the "Provisional Ballot Report" form to the county canvassing board or local canvassing board as appropriate with the word "NONE" written on the form.

4. County Provisional Ballot Report Form

Within 14 days after the primary or election, the county clerk must complete a "County Provisional Ballot Report" form and submit it to the Bureau of Elections (MCL 168.829(2)). The County 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.

A "County Provisional Ballot Report" form is available on the Department's Web site at www.michigan.gov/elections and is also provided in the appendix.

NOTE: County clerks of jurisdictions who do not issue any provisional ballots are encouraged to submit the "County Provisional Ballot Report" form to the Bureau of Elections with the word "NONE" written on the form.

5. Important Administrative Points

A number of important points related to the administration of the provisional balloting process which merit emphasis are provided below:

- 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.

- In an instance where 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.

6. When to Issue "Envelope" Ballots: Three Instances

All city and township clerks are reminded that a voter may be issued an "envelope" ballot for failing to satisfy the following requirements:

1. The identification requirement and/or residence verification requirement detailed in the Four-Step Procedure form.

2. The federal identification requirement imposed on first-time mail registrants who have never previously voted in Michigan.

3. The Michigan picture identification requirement.

A voter issued an "envelope" ballot for any of the three reasons listed above can satisfy the requirements during the six day "envelope" ballot evaluation period. A document titled, "Procedure for Handling 'Envelope' Ballots Returned to Clerk's Office" is available on the Department's Web site at www.michigan.gov/elections and is also provided in the appendix.

7. "Envelope" Ballot Notices

A voter issued a provisional "envelope" ballot must be issued the proper notices as provided below:

1) Does not appear on the precinct's registration list 2) completed the four-step procedure form and 3) was issued a provisional ballot.

- "Notice to Voters Who do not Appear on the Precinct's Registration List" (Detachable notice attached to the Four-Step procedure form or provided in precinct supply kit).

Unable to satisfy the state and/or federal identification requirement

- "Notice to Voters Unable to Satisfy State and/or Federal Identification Requirement"

Both notices mentioned above are available on the Department's Web site at www.michigan.gov/elections.

TOPIC 10: POLLING PLACE ACTIVITY

1. Campaigning at the Polls

There is often confusion on Election Day over the provisions which govern campaigning at the polls. As a consequence, all precinct chairpersons need to be aware of the following:

- No person is permitted to solicit voters 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*. In addition, no person is permitted to post, display or distribute any material that directly or indirectly makes reference to an election, a candidate or a ballot question in a polling place, in any hallway used by voters to enter or exit a polling place, or within 100 feet of any doorway used by voters to enter the building in which a polling place is located. The following activities are included under the 100-foot restriction:

  - Displaying "pro and con" information on the proposals appearing on the ballot.

  - Approaching voters to encourage them to vote for or against a candidate or ballot question.

  - Distributing any type of campaign literature or write-in stickers.

  - Displaying signs, posters or bumper stickers.

  - Attempting to collect petition signatures.

  - Requesting donations, selling tickets or engaging in similar activities.

- Before the polls open on Election Day, the members of the precinct board should inspect any doors, foyers or halls which the voters must pass through to enter the polling place to ensure that no unauthorized materials or signs are visible which indirectly or directly make reference to the election, candidates or ballots proposals. If any such signage or materials are found, *they must be removed before the polls open.*

- A voter may park a car or other vehicle bearing campaign signs or bumper stickers within 100 feet of the polling place during the time he or she is voting. Under any other circumstances, vehicles bearing campaign signs or bumper stickers must be parked at least 100 feet from any doorway used by voters to enter the building in which the polling place is located.

- Election workers have the right to ask voters entering the polls to remove campaign buttons or to cover up clothing bearing a campaign slogan or a candidate's name. In addition, voters may be told to conceal campaign literature or other campaign materials brought into the polls. While there is nothing to prohibit a voter from referring to campaign literature or "slate cards" when voting, such materials may not be left behind in the voting station. Precinct inspectors should periodically check each voting station for campaign literature left by voters and discard any that is found.

2. Exit Pollsters

"Exit pollsters" are persons employed to survey electors after they have voted. While Michigan election law does not specifically regulate exit polling, the Department of State's Bureau of Elections has established by policy that exit pollsters 1) must remain at least *20 feet* away from the entrance of the building in which the polling place is located 2) not enter the building in which the polling place is located and 3) not question any person *entering* the building in which the polling place is located. It merits emphasis that exit polling is the questioning of voters *after they have left the polls.*

3. Challengers

Complete information on the qualifications, rights and duties of election challengers can be found on the Bureau's Web site at www.michigan.gov/elections. Information on challengers also appears in the precinct manual distributed through the Department, *Managing Your Precinct on Election Day*. Several important points follow:

- Political parties are free to appoint challengers through the date of the election; advance application is not required. Interest groups which support or oppose the passage of a proposal or which have an interest in preserving the purity of elections must apply for authorization to appoint challengers 20 to 30 days prior to the election.

- *A candidate does not have the authority to appoint challengers.* Consequently, an application received from an organization that wishes to gain the authorization to place challengers in the polls must be denied if the name of the organization contains the name of a candidate (examples: "Citizens for Robert Jones," "Committee to Elect Dorothy Smith," "Nancy Lewis for State Representative," etc.). Candidates who wish to have challengers representing their interests in the polls should be advised to contact their local political party organizations.

- An individual appointed to serve as a challenger must be registered to vote in Michigan; registration within the jurisdiction in which the challenger is appointed to serve is not required. Challengers may be appointed to serve in more than one precinct.

- A challenger must have in his or her possession a "Challenger Card" issued by the organization he or she represents. Upon entering the precinct, the challenger must exhibit the card to the chairperson of the election board.

- While a political party or interest group may rotate challengers in a precinct, a political party or interest group may not have more than *two* challengers present in the precinct at anytime throughout the course of the day.

- If two challengers are representing a political party or an organization in the precinct, only one of the challengers may hold the authority to challenge at any given time. The challengers may alternate the authority to challenge at their discretion. The challengers must advise the precinct board each time the challenge authority is exchanged.

- It is the duty of the election board to provide space for challengers which will enable them to observe all election procedures being carried out.

- Challengers may not touch ballots, election materials or voting equipment.

- Challengers may not unnecessarily obstruct or delay the work of the election inspectors.

4. Poll Watchers

An election is an open process that may be observed by any interested person. (However, note that candidates should not be present in the polling place after they have voted because of the possible conflict with the provisions which prohibit campaigning within 100 feet of the polls.) A person who wishes to observe the election process -- but who is not a qualified election challenger -- is commonly called a "poll watcher." The distinction between poll watchers and challengers is summarized below:

- A challenger has the right to challenge procedures and a person's right to vote; a poll watcher does not have this authority.

- A challenger may sit behind the processing table; a poll watcher does not have this privilege. (Poll watchers must seat themselves where they will not interfere with the voting process.)

- Challengers have a right to look at the Poll Book; poll watchers may look at the Poll Book at the discretion of the precinct chairperson. A challenger or a poll watcher may *not* touch the poll book or any other voting records.

- Challengers and poll watchers cannot display any signs, distribute literature or approach voters in the polls or within 100 feet of any doorway being used by voters to enter the building in which the polling place is located.

- Poll watchers and challengers do *not* have the authority to approach voters or talk to voters for any reason.

- Challengers and poll watchers do *not* have the right to use video cameras or recording devices in the polling place.

- A challenger or poll watcher who has the name of an organization he or she represents displayed on a button, armband, vest, t-shirt or other item of clothing must remove it or turn it over.

- Poll watchers and challengers do *not* have the authority to place tables in the polls.

5. Actions to Take if Problems Occur

If a challenger or poll watcher is disruptive or refuses to observe all applicable conduct standards, caution the challenger or poll watcher that he or she will be ejected from the polls if problems persist.

If problems with the challenger or poll watcher continue, eject the individual from the polling place. If the challenger or poll watcher refuses to leave the polling place, contact your local enforcement authorities and ask for assistance in removing the challenger or poll watcher from the polls.

If your local enforcement authorities will not eject challengers or poll watchers from the polls at your request, contact the Michigan Department of State's Bureau of Elections. Phone: (517) 373-2540.

TOPIC 11: PRECINCT DELEGATES

1. Candidate Qualifications

Michigan election law stipulates that a precinct delegate candidate must be "a qualified and registered elector residing within, as well as having his or her actual bona fide residence within, the election precinct for which he or she desires to become a candidate *on the filing deadline*." The precinct delegate filing deadline elapses at 4:00 p.m. on May 15, 2012 – the same filing deadline imposed on all other partisan candidates. With respect to the age qualification, this means that a precinct delegate candidate must be at least 18 years of age by May 15.

- A precinct delegate candidate may hold or seek any other public office in Michigan. Consequently, a precinct delegate candidate may appear as a candidate for another office on the August 7, 2012 primary ballot.

- While a precinct delegate candidate may not serve as an election inspector in the precinct in which he or she resides, a precinct delegate candidate may serve as an election inspector in any other precinct in the county. (MCL 168.677)

2. Creation of Precinct Delegate Positions

The county chairperson of each political party qualified to participate in the statewide August primary certifies to the county election commission no later than April 1st the number of precinct delegate positions to appear under the party's vignette in each precinct in the county. Michigan election law provides that the allotment of delegates to all precincts in the state "shall be made to insure, as near as is practicable, equal apportionment based upon the total vote cast for the candidate of each political party for either president of the United States or secretary of state at the last general November election when elections for those offices were held, whichever is later. However, each precinct shall have at least 1 delegate." (MCL 168.623a)

- The Republican Party and the Democratic Party are qualified to appear on the August 7, 2012 primary ballot.

- If the county chairperson of a political party qualified to participate in the August primary fails to meet the April 1 certification deadline, the county election commission is required to determine the number of precinct delegate positions to appear under the party's vignette in each precinct in the county.

3. Filing Requirements

A person who wishes to seek a precinct delegate position must file an Affidavit of Identity (in duplicate) with the clerk of his or her county, city or township of residence. Petition signatures are *not* required.

To facilitate the precinct delegate candidate filing process, an Affidavit of Identity designed exclusively for use by precinct delegate candidates has been developed by the Department of State's Bureau of Elections. The form is available through commercial vendors and a copy of the form is provided in the appendix. It merits note that the availability of the precinct delegate

Affidavit of Identity form does *not* preclude a precinct delegate candidate from filing with the standard Affidavit of Identity form if desired.

- The deadline for filing an Affidavit of Identity for a precinct delegate position is 4:00 p.m. on Tuesday, May 15, 2012. (MCL 168.624)

- The deadline for withdrawing a precinct delegate filing is 4:00 p.m. on Friday, May 18, 2012. The withdrawal must be in writing and must be filed with the *county clerk*; Michigan election law does *not* make any allowances for filing such withdrawals with the city or township clerk. (MCL 168.624a)

- A city or a township clerk who receives a precinct delegate candidate filing is required to forward a copy of the candidate's Affidavit of Identity to the county clerk by Monday, May 21, 2012. (MCL 168.624)

- Precinct delegate candidates are *not* required to file disclosure forms under Michigan's Campaign Finance Act. Consequently, precinct delegate candidates are *not* required to file the "campaign finance compliance statement" required under MCL 168.558(4). (MCL 168.558(4) requires any candidate filing an Affidavit of Identity to state on the form 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 the Michigan Campaign Finance Act … have been filed or paid.") In addition, precinct delegate candidates are *not* required to file the "campaign finance compliance statement" required under MCL 168.848. (MCL 168.848 requires any candidate elected to office on the state, county or local level to file a similar campaign finance compliance statement prior to assuming office.)

4. Careful Review of Filings Urged

It is important to carefully review all precinct delegate filings to confirm that the filer has accurately identified his or her precinct of residence on the Affidavit of Identity form. Precinct delegate candidates who do not accurately identify their precinct of residence on the form should be immediately contacted and alerted to the error. Such errors can be corrected by the filer through the submission of a notarized statement anytime prior to the precinct delegate filing deadline (4:00 p.m., May 15, 2012).

5. Complaint Process

A complaint may be filed if it is believed that a precinct delegate candidate 1) is not registered to vote in the precinct he or she wishes to represent or 2) does not actually reside within the precinct he or she wishes to represent. The complaint must be presented to the county clerk in writing before the August primary ballots are released for printing.

The county clerk forwards any challenges filed against the registration or residence of a precinct delegate candidate to the appropriate city or township clerk for review. The city or township clerk then has 48 hours to complete the review and report back to the county clerk. (MCL 168.624)

6. Precinct Delegate Ballot

Precinct delegate positions are placed after all other partisan offices on optical scan ballots. The names of precinct delegate candidates are *not* rotated on the ballot unless an absent voter counting board is used.

7. Write-in Candidates for Precinct Delegate

An individual who wishes to seek a precinct delegate position with write-in votes is required to file a "Declaration of Intent" with the city or township clerk by 4:00 p.m. on Friday, August 3, 2012. As an alternative, such candidates may file a Declaration of Intent with the appropriate precinct board on the day of the August primary anytime prior to the close of the polls. (It merits note that there are no provisions of law which permit write-in candidates seeking precinct delegate positions to file on the county level.) A Declaration of Intent form developed exclusively for use by precinct delegate candidates is provided in the appendix. The form is also available through commercial vendors and on the Department's website. (MCL 168.737a)

- Write-in votes cast for a precinct delegate candidate who has not filed a Declaration of Intent *do not count.* (Write-in votes which do not count due to the candidate's failure to file a Declaration of Intent are *not* considered when determining whether an "overvote" has occurred on optical scan ballots.)

- City and township clerks are responsible for notifying the appropriate precinct boards in their jurisdiction of any Declaration of Intent forms submitted by precinct delegate candidates by the above referenced deadline. Precinct boards must carefully maintain any Declaration of Intent forms submitted by precinct delegate candidates at the polls on the day of the August primary.

- The Declaration of Intent "waiver" *does not* apply to precinct delegate positions. (The Declaration of Intent waiver, applicable to all other offices on the ballot, is invoked if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after the Wednesday immediately preceding the election. In such an instance, all write-in votes cast for the office are counted including any write-in votes cast for candidates who have not filed a Declaration of Intent.)

8. Precinct Canvass and Certification of Precinct Delegates

Candidates elected to precinct delegate positions are certified to the county clerk by the precinct board responsible for counting the ballots. The precinct delegate candidates who receive the highest number of votes for the available positions under each party column are elected. (The three vote minimum which was formerly needed to win a precinct delegate position was eliminated under PA 583 of 1996.)

Canvassing documents designed for use by election inspectors are available through commercial vendors. (MCL 168.737a) A sample precinct delegate booklet is available in the appendix.

- **Absent voter counting boards used to administer primary:** If your jurisdiction plans to use absent voter counting boards to administer the August 7 primary, special procedures must be implemented to ensure that complete precinct delegate vote results

are generated and certified for each precinct. To accomplish this, the vote totals from each precinct must be merged with the votes cast by the precinct's absentee voters. A special certifying board must be established to carry out this function.

- **Absent voter counting boards not used to administer primary:** If your jurisdiction does *not* plan to use absent voter counting boards to administer the August 7 primary, the precinct delegate vote results are determined by combining the votes cast for precinct delegates by absentee voters with the votes cast for precinct delegates by the voters who attended the polls. The precinct board is responsible for carrying out this function.

TOPIC 12: CANVASSING ISSUES

1. Establishment and Use of Receiving Boards Encouraged

Michigan election law, MCL 168.679a, provides that the legislative body of a city or township may, by resolution, approve the establishment of one or more "receiving boards" to administer any upcoming election scheduled in the jurisdiction.

When established, receiving boards are responsible for ensuring that 1) all ballot containers delivered to the clerk's office after the polls close are properly sealed 2) all seal numbers are properly recorded and 3) that the number of names entered in the poll book balances with the number of ballots counted in the precinct as shown on the statement of returns.

Appointment Process

If the establishment of one or more "receiving boards" is approved by the jurisdiction's legislative body, the local election commission must appoint at least two election inspectors to each board. When making the appointments, the election commission must appoint an equal number of election inspectors from each of the two major political parties in the state.

Delivery of Materials to Receiving Board

At the close of the polls, two election inspectors representing each of the two major political parties are required to deliver to the appropriate receiving board the precinct's sealed ballot container containing the voted ballots and sealed envelopes containing the canvassing documents (Poll Book and Statement of Votes) addressed to the county clerk, board of county canvassers, and local clerk.

Receiving Board Procedures

Upon the delivery of the ballot container and sealed canvassing documents, the receiving board is authorized to open the sealed envelopes and review the Poll Book and Statement of Votes to verify the following:

A. The ballot container is properly sealed and that the seal number is properly recorded in the Poll Book and Statement of Votes.

   - If *not properly sealed or recorded*, the receiving board and the 2 inspectors who made the delivery shall together take the necessary steps to correct the discrepancy.

   - The inspectors and receiving board members shall *note the discrepancy* and the c*orrective action taken* in the remarks section of the Poll Book and *shall sign* the notation.

B. The number of voters according to the Poll Book equals the total number of ballots tabulated according to the Statement of Votes.

   - If the *number of voters does not equal the number of ballots counted* and the discrepancy is not explained in the remarks section, the receiving board shall:

- Question the inspectors regarding the discrepancy.
- Note the explanation in the remarks section.
- The inspectors and receiving board members shall sign the notation.

C. If the *Poll Book or Statement of Votes* are *inadvertently sealed in the ballot container*, the following steps must be taken:

- The inspectors may open the container and remove the Poll Book or Statements of Votes.
- The inspectors and receiving board members *shall note the corrective action* in the remarks section and shall immediately *sign the notation* (before placing the Poll Book or Statements of Votes into a separate sealed envelope).
- If the *Statement of Votes is sealed in the ballot container* and the Poll Book is sealed in an envelope, the notation is made in the Poll Book before placing the Poll Book and Statement of Votes into a separate envelope.
- The receiving board shall *notify the clerk of the board of canvassers* (County Clerk) of the corrective action taken.

D. After completing the above, the receiving board shall place the Poll Book and Statement of Votes into the appropriate envelopes, which are then sealed with a red paper seal that is initialed by the receiving board members.

E. If permitted by the County Clerk, the Poll Book and Statements of Votes for more than one precinct may be included and delivered in a single envelope.

NOTE: A "Receiving Board Checklist" is provided in the appendix.

2. Delivery of Election Returns for Federal/State Elections

Once the local clerk takes receipt of election materials delivered by precinct inspectors following the close of the polls, Michigan election law MCL 168.809 requires that the city or township clerk immediately deliver the sealed envelopes containing the election documents to the person whom they are addressed. This will require the city or township clerk or in their absence, the deputy clerk to bring the County Clerk's Envelope and the County Canvassers Envelope to the appropriate addressee on election night.

TOPIC 13: RECORD RETENTION AND BALLOT SECURITY

1. Document and Ballot Security Measures

Canvass Documents

Michigan election law requires the Board of County Canvassers to seal all Statement of Votes forms and Poll Books in envelopes upon the completion of the canvass. Red paper seals may be used to comply with the security requirement.

Optical Scan Ballots

All program test materials and used and unused optical scan ballots must be sealed in an approved ballot container. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book (Election Inspectors Certificate), on the Statement of Votes forms and on the Ballot Container Certificate.

Programs

Programs removed from optical scan tabulators must be sealed in an approved ballot container. Programs cannot be erased or transferred to another electronic medium for extended retention until clearance is received from the Department of State's Bureau of Elections.

Program flashcards removed from AutoMARK Voter Assist Terminals must be sealed in an approved ballot container. It merits note that AutoMARK flashcards are not subject to federal retention requirements.

2. Dual-Sided Ballot Containers: Sealing Procedures

If a two-sided ballot container is used to store optical scan ballots, the "back door" *must be permanently sealed prior to being used at any future election*. It is the responsibility of the city or township clerk to ensure that the "back door" is permanently sealed prior to the election. Ballot containers with dual openings that are not sealed according to the following instructions may not be used.

The proper procedures for sealing ballot containers will vary depending upon the type of seal being used. The following provides an overview of the various procedures which may be employed. Please note that regardless of the type of seal used, a certificate containing 1) the number on the seal used to seal the container 2) the signatures of the two election officials that sealed the container and witnessed the sealing (preferably with different political party preferences) and 3) the date upon which the seal was affixed to the container must be inserted into a plastic sleeve and affixed to the container using an official seal.

Flat Metal Seal

Close the container and insert a horseshoe seal adaptor through the metal grommet. Insert the tip of the metal seal through both sides of the horseshoe adaptor. Next, insert the tip of the seal

through the grommet on the plastic sleeve. Insert the tip of the seal into the metal ball applying force until the seal is fully seated.

Pull-Tite Seal

Close the container and insert the pull-tite seal through the metal grommet on the container. The use of a horseshoe adaptor is not required. Insert the tip of the seal through the grommet on the plastic sleeve. Insert the tip of the seal into the opening at the opposite end. Continue pulling the tip of the seal through the opening to ensure a snug fit.

Padlock Seal (wire and plastic seal)

Close and lock the container. Insert the tip of the seal through the grommet on the container. Insert the tip of the seal into the opening at the top of the plastic applying force until the seal is fully seated.

Sealing the "back door" in accordance with these procedures will help to ensure that your precincts will be recountable in the event of an election recount. Following these procedures will also eliminate the need for your election inspectors to record the "back door" seal number in the Poll Book and Statement of Votes at the close of the polls and allow them to give their full attention to sealing and documenting the "front door" seal as required by law. While some election officials tell us that they maintain a record of the seals used to seal the "back door," producing such records at recounts can be problematic as these records are often times lost as administrations change. In addition, unless the office record is attested to by two election officials and dated prior to the election in question, the record itself can be challenged.

3. Retention Schedule

An updated retention schedule for all election related material is included in the appendix. Please note that the document is divided into county records and city/township/village records.

4. State Retention Requirement

The Electronic Voting System Promulgated Rules require election officials to secure 1) voting devices and 2) ballot containers containing optical scan ballots, programs, test decks, accuracy test results, and any other related materials for *30 days* after the certification of a primary or election. The security period is extended if a recount is in progress, a defect in the ballot or voting equipment is being investigated, the destruction of the ballots is stayed by an order of the court, or if the Secretary of State prescribes further retention and security of the materials.

It merits note that *state authority recounts* may be petitioned for during the 48 hours immediately following state certification. During the ballot retention and security periods specified under Michigan election law and Electronic Voting System Rules, local election officials must ensure that the seal of record used to secure the equipment and containers listed above remain intact. The seals may be broken only after security is released by proper authority or during the course of a recount conducted under proper authority. *Local recounts may not begin until written authorization to proceed is received from this office*

5. Federal Retention Requirement

If the office of President, U.S. Senator or U.S. Representative in Congress appears on the ballot, federal law requires that all documents relating to the election - including optical scan ballots and the programs used to tabulate optical scan ballots – be retained for 22 months. To comply with the requirement, the Department of State's Bureau of Elections recommends that optical scan ballots and the programs relating to federal elections be stored in sealed ballot bags in a secure place during the 22-month retention period. The documents subject to the federal retention requirement must not be transferred to ballot bags for extended retention until after they are released under Michigan election law.

NOTE: AutoMARK flashcards and any unused ballots are not subject to the 22-month federal retention period.

6. Heightened Ballot Security Provisions

Michigan election law, MCL 168.810a, stipulates that upon the request of the county clerk, a member of the board of county canvassers or a county political party chairperson ("major political party" only), the city or township clerk is required to initiate the following ballot security measures until the board of county canvassers meets at 1:00 p.m. on the day after the election: 1) immediately place all election materials in a secure location 2) ensure that he or she is the only person who has access to the secured election materials and 3) make arrangements for any individual designated by a county political party chairperson to monitor "all access points to the secure location" until 1:00 p.m. on the day following the election.

Michigan election law further stipulates that when the board of county canvassers meets, the county clerk, a member of the board of county canvassers or a county political party chairperson may petition for a continuation of the security measures. If the request is granted, the board of county canvassers is required to prescribe "the amount of security to be provided and the persons responsible for that security."

TOPIC 14: RECOUNT REMINDERS

1. Plan Ahead for Successful Recounts

While election officials need to be aware of the "tight" races in their area that may result in a recount, all elections should be approached with the view that a recount will be conducted.

A successful recount is a recount where all precincts are fully "recountable"; precincts which are not recountable erode confidence in the integrity of the elections process and reflect badly on the performance of the election officials involved. The careful observance of the following reminders will help to ensure that if a recount is conducted in your jurisdiction, it will be a successful one. *Remember: A recount is essentially a public review of how well the election officials and precinct boards involved have performed their duties!*

Ballots Cast/Poll Book Balance

Precinct boards must make every effort to ensure that the number of ballots cast in their precinct matches the number of names entered in the Poll Book to ensure the "recountability" of the precinct after the election. If anything occurs during the course of the day which will affect the precinct's "balance," the election inspectors should make an appropriate notation on the remarks page of the Poll Book.

Ballot Container Approvals

All ballot containers used to transport and store voted and unvoted ballots must have been inspected and approved by the Board of County Canvassers. Containers which do not carry an approval sticker expiring May 31, 2014 cannot be used. *It merits emphasis that canvass ballot bags cannot be used to transport or store voted and unvoted ballots.* (As an exception, canvass ballot bags may be used to store voted ballots and election materials during the 22-month federal retention period. The 22-month federal retention period must be observed after elections where federal offices or issues appeared on the ballot.)

Sealing Procedures

All ballot containers used to transport and store voted and unvoted ballots must be properly sealed after the polls close. The serial number appearing on the seal used to secure the ballot container must be recorded in three places: 1) the Poll Book (Election Inspectors Certificate), 2) on the Statement of Votes, and 3) on the Ballot Container Certificate.

- Every precinct must be staffed with at least two election inspectors (one Republican; one Democrat) who have been fully trained on the use of election seals and are prepared to ensure that all ballot containers are properly sealed after the polls close.

- If a two-sided ballot container is used to store the ballots, *both sides must be properly sealed and both seals must be properly recorded.* (Here it merits emphasis that the "back door" must be *permanently sealed* and a completed Ballot Container Certificate bearing 1) the seal serial number 2) the signatures of the election officials who sealed the "back door" and 3) the date the "back door" was sealed *must be affixed to the permanent seal.*

- If a tabulator ballot receptacle is used to store the ballots, the top of the receptacle must be sealed with a security lid and any doors which provide access to the receptacle must be sealed *even if the doors can be locked with a key.* All seals must be properly recorded. (As noted above, a tabulator ballot receptacle cannot be used to store ballots unless it passed a ballot container inspection carried out by the Board of County Canvassers. Tabulator ballot receptacles which do not carry a ballot container approval sticker expiring May 31, 2014 *cannot* be used to store ballots.)

2. Accounting for Every Ballot Issued: Important Points to Remember

- Precinct inspectors must always remember to check to see if the serial number appearing on the stub of each voter's ballot matches the number of the ballot issued to the voter *before* the ballot stub is detached. This step is accomplished when the voter returns the ballot to the precinct board for the removal of the stub.

- The precinct inspector removing the ballot stub can accomplish the verification step by calling out the ballot serial number to the inspector handling the Poll Book; checking the ballot serial number against the Application to Vote (if nearby); or checking the ballot serial number against the Poll Book (if nearby). If the serial number on the ballot stub does *not* match the number of the ballot issued to the voter, the inspectors should question the voter and enter the facts in the remarks section of the Poll Book. If the voter cannot give a satisfactory answer, the inspectors should immediately alert the clerk.

- It merits further note that under no circumstances is a voter allowed to leave the polling place with any portion of his or her ballot (including the ballot stub). If a voter attempts to leave the polls with any portion of his or her ballot, the election inspectors should request its return. If the voter refuses to comply with the request, the precinct inspectors must record the facts in the remarks section of the Poll Book.

- Precinct boards that faithfully carry out the ballot serial number verification step and keep a careful watch for voters attempting to leave the polls with their ballot will have no problem balancing the number of ballots cast in the precinct against the number of names entered in the Poll Book at the end of the day. Precinct boards that are careless about these responsibilities often find that the precinct is "out of balance" after the close of the polls when it is too late to uncover an explanation. It needs to be remembered that a precinct must be "in balance" in order to be recountable after the election; precincts that are "out of balance" are *not* recountable.

- It merits final note that while the various recordkeeping steps associated with the voter processing procedures and ballot verification check may be rearranged to meet administrative preferences, the adoption of a process which involves the entry of the voter's name in the Poll Book *before* the voter enters the voting station is strongly encouraged to further promote the accurate accounting of all ballots issued in the precinct.

TOPIC 15: BUREAU OF ELECTIONS COMMUNICATIONS

1. Merit Mail

The Michigan Bureau of Elections has established a uniform email system called Merit Mail. Your Merit Mail account is the only email address that the Bureau of Elections uses for official communications like "Election News" and "News You Can Use." Further, your jurisdiction's Merit Mail address may be utilized by military or overseas voters to request a MOVE ballot. As a result of these important ballot requests and Bureau of Elections communications, please be sure to check this email account regularly.

If you do not think you will remember to check this account often, you can set preferences in order to have the messages automatically forwarded to an account of your choosing. Below are the instructions for logging in to the Merit Mail system, and for forwarding email. Please note, that you can only have messages forwarded to a single address. Please contact the QVF Help Desk at 1-800-310-5697, if you have any further questions.

Merit Mail Instructions for Log-In and Message Forwarding

The link below will take you to the Merit Mail login page:

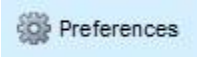
https://webmail.merit.edu

Your username is:
Your password is:

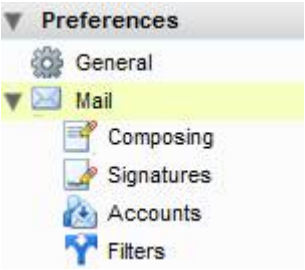
Note: If unknown, your username and password can be obtained by calling the QVF HelpDesk at the number provided above.

To set up forwarding to a different email account:

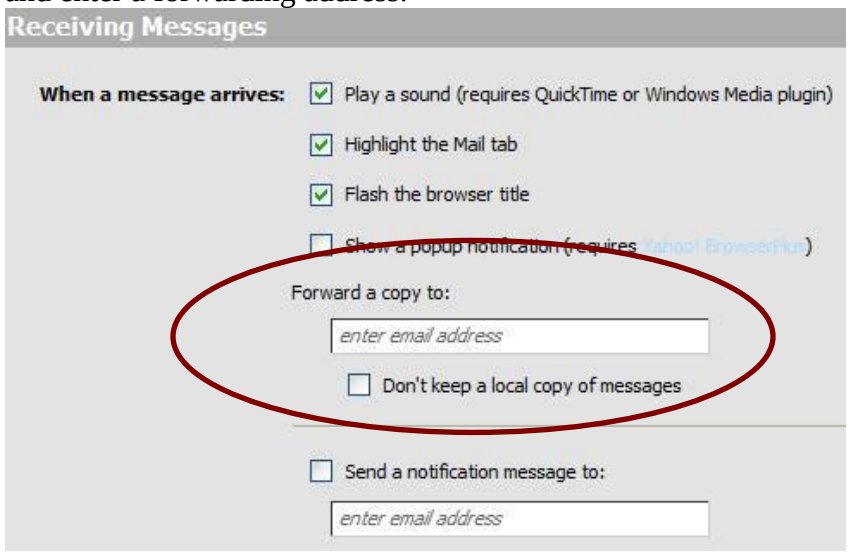
1. Select the *Preferences* tab toward the top-right of the screen.



2. Select *Mail* from the window on the far left. (second item in the list)



3. Scroll down to the *Receiving Messages* area and there you can set forwarding preferences and enter a forwarding address.



4. Make sure to click on the 'Save' button in the upper left-hand corner of your screen to save your email set-up preference changes.

TOPIC 16: Federal Recordkeeping and Reporting Requirements

Rules promulgated by the Election Assistance Commission (EAC) to administer the National Voter Registration Act of 1993 (NVRA) require the Secretary of State to provide the EAC with a detailed report on Michigan's implementation of the NVRA every two years. Given the data required in the report, Michigan's city and township clerks must maintain the data identified below *on an ongoing basis*. It bears emphasis that the ongoing compilation of the data is *absolutely essential* as the nature of the required information is such that its reconstruction "after the fact" would be impossible.

The period covered by the biennial report begins the day after the last November general election and ends on the date of the following November general election. Most information required for the EAC report is pulled from the Qualified Voter File by the Bureau of Elections. The data which must be maintained by city and township clerks in preparation for the completion of the report is detailed below:

1) The total number of confirmation notices mailed during the reporting period.

2) The total number of confirmation notice replies received during the reporting period from voters indicating that their registration <u>should not be cancelled</u>.

3) The total number of confirmation notice replies received during the reporting period from voters confirming that their registration <u>should be cancelled</u>.

4) The total number of cancellation notices that were returned as "<u>undeliverable</u>".

5) The total number of cancellation notices that received no reply and were not returned as "undeliverable".

6) Number of absentee ballots distributed to all voters.

7) Of the absentee ballots distributed to all voters, the number distributed to the following types of voters:

   - Domestic military voters
   - Overseas military voters
   - Overseas civilian voters
   - Domestic civilian voters

8) Of all the absentee ballots distributed to military and overseas voters, the number distributed by <u>regular mail</u> and by <u>electronic method</u> (fax or email).

9) Of all the absentee ballots distributed to military and overseas voters, the number requested utilizing an FPCA form.

10) Number of absentee ballots returned by all voters in time to be counted.

11) Of the absentee ballots returned by all voters in time to be counted, the number returned by 1) domestic military voters 2) overseas military voters and 3) overseas civilian voters.

12) Number of Federal Write-In Ballots (FWAB's) returned by all military and overseas voters in time to be counted by 1) domestic military voters 2) overseas military voters and 3) overseas civilian voters.

13) Number of returned absentee ballots and FWAB's which were rejected and not counted, including those returned late.

14) Of the returned absentee ballots and FWAB's which were rejected and not counted, the number returned by 1) domestic military voters 2) overseas military voters and 3) overseas civilian voters.

15) For every returned absentee ballot which is rejected and not counted, the reason for each rejection.

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AFFIDAVIT OF IDENTITY AND RECEIPT OF FILING

PLEASE COMPLETE SECTIONS I, II, III AND IV BELOW (Print or Type) – See Reverse Side for Important Notifications

OFFICE USE ONLY
Received by _____ Office Code _____
No. of Petition Sheets or Receipt No. _____ Date of Filing _____
CFR I.D. No. _____

I. CANDIDATE IDENTIFICATION

Name _____ Birth date ____/____/____
(Last) (First) (Middle) (Month) (Day) (Year)

Have you changed your name within the last 10 years for reasons other than marriage? ☐ Yes ☐ No

If yes, enter full former name here (See "Section A" on reverse) _____

I WISH TO HAVE MY NAME APPEAR ON THE BALLOT AS PRINTED BELOW (Nicknames/titles not permitted. See "Section B" on reverse.)

Residence Address (Street Address, City, Zip Code) _____

Mailing Address (See "Section C" on reverse) _____

Phone (_____) _____ Email _____

☐ City ☐ Township of _____ Precinct # (required) _____ and Ward # (if any) _____

County of _____. Resident of County for _____ years. Resident of Michigan for _____ years.

I am a citizen of the United States: ☐ Yes ☐ No (You must be a United States citizen to seek office.)

I am registered and qualified to vote at the address listed above: ☐ Yes ☐ No

II. OFFICE SOUGHT

Date of Election: Primary Election ____/____/____ General Election ____/____/____
(Month) (Day) (Year) (Month) (Day) (Year)

Office Sought _____ District/Circuit # (if applicable) _____

If a partisan office, list political party _____
(Note: If filing a Qualifying Petition list "No Party Affiliation")

Term of Office ☐ Regular Term ☐ Partial Term Expiring ____/____/____
(Month) (Day) (Year)

Judicial Candidates Only (See "Section D" on reverse) ☐ Incumbent Position ☐ Non-Incumbent Position ☐ New Judgeship

III. FILER'S ACKNOWLEDGMENT – This filing contains the following (check all that apply):

☐ Nominating or Qualifying Petitions (Estimated number of signatures: _____)
☐ Filing Fee of $100.00 (if applicable)
☐ Certification of Party Nomination and Certificate of Acceptance (if applicable)
☐ Affidavit of Constitutional Qualification (judicial candidates only)
☐ Affidavit of Candidacy (incumbent judicial candidates only)

☐ Destroy petitions in January
☐ Return petitions in January

IV. CAMPAIGN FINANCE COMPLIANCE STATEMENT AND ATTESTATION

- By signing this affidavit, I swear (or affirm) that the facts I have provided are true. I further swear (or affirm) that the facts contained in the statement set forth below are true. (See Section "E" on reverse for further information.)

  At this date, all statements, reports, late filing fees, and fines due from me or any Candidate Committee organized to support my election to office under the Michigan Campaign Finance Act, PA 388 of 1976, have been filed or paid.

- I acknowledge that making a false statement in this affidavit is perjury – a felony punishable by a fine up to $1,000.00 or imprisonment for up to 5 years, or both. (MCL 168.558, 933 and 936)

SIGNATURE OF CANDIDATE _____

Subscribed and sworn to by _____ Name of Notary _____
before me on the _____ day of _____, ____ Notary Public, State of Michigan, County of _____
My commission expires _____
_____ Acting in the County of _____
Signature of notary public

ED-104 (3/2008) **Michigan Department of State**

AFFIDAVIT OF IDENTITY

All candidates seeking elective office in Michigan must submit an Affidavit of Identity (two copies) when filing. A candidate who fails to file Affidavits of Identity as required is ineligible to appear on the ballot (MCL 168.558 as amended under PA 163 of 2002).

A. CHANGE OF NAME

Michigan election law, MCL 168.558, stipulates that a candidate who is "not using a name, whether a given name, a surname, or otherwise, that is not a name that he or she was given at birth" must indicate his or her full former name on the Affidavit of Identity. The requirement to indicate a name change on the Affidavit of Identity does *not* apply if:

- The candidate's name was formally changed 10 or more years ago.
- The candidate's name was changed in a Certificate of Naturalization issued by a federal district court 10 or more years ago.
- The candidate's name was changed because of marriage.
- The candidate's name was changed through divorce to a "legal name by which the individual was previously known."

Michigan election law provides that a candidate required to indicate a name change on the Affidavit of Identity must be listed on the ballot "with his or her current name and former name as prescribed by the Secretary of State." (MCL 168.560b)

B. APPEARANCE OF NAME ON BALLOT

Michigan election law provides the following stipulations regarding the manner in which a candidate can have his or her name printed on the ballot:

- A candidate "may specify that both his or her given name and middle name, or only a middle name, shall appear on the ballot."
- A candidate "may specify that either an initial or a recognized diminutive for the candidate's given name or middle name, or for both, shall appear on the ballot."
- A candidate may *not* use a "nickname that is not a recognized diminutive of the candidate's given name or middle name" on the ballot.
- A married person may *not* use his or her spouse's given name, middle name or a diminutive of his or her spouse's given name or middle name on the ballot.

C. MAILING ADDRESS

A candidate who wishes to receive communications from the Michigan Department of State's Bureau of Elections at an address other than his or her residential address should enter a "mailing address" where indicated. (Note: A candidate may list a P.O. Box for his or her "mailing address"; a candidate may *not* list a P.O. Box for his or her residential address.)

If a "mailing address" is listed, it will be shown on the candidate listings prepared and distributed by the Bureau. If a "mailing address" is *not* listed, the candidate's residential address will be shown on the candidate listings prepared and distributed by the Bureau. All candidate listings prepared by the Bureau are posted on the Bureau's website for public access.

D. JUDICIAL CANDIDATES

Place a check in the box before "Incumbent Position" if the candidate is seeking a judicial office for which the incumbent is seeking reelection.

Place a check in the box before "Non-Incumbent Position" if the candidate is seeking a judicial office for which the incumbent is *not* seeking reelection.

Place a check in the box before "New Judgeship" if the candidate is seeking a newly created judicial seat.

E. CAMPAIGN FINANCE ACT COMPLIANCE STATEMENT

Do not sign or submit this affidavit unless you are able to agree with the facts set forth in the "Campaign Finance Compliance Statement" which appears under Section IV on the reverse side of this form. If you need information on your current compliance status under the Michigan Campaign Finance Act, contact the Michigan Department of State's Bureau of Elections and/or the appropriate county clerks as necessary.

Candidates who are exempt from Michigan's Campaign Finance Act are limited to those individuals who seek 1) the office of U.S. Senator or U.S. Representative in Congress 2) a precinct delegate position and 3) a school board position in a district with a pupil count of 2,400 or less. (School board position exemption does not apply if candidate spends or receives over $1,000.00 for election.)

F. WITHDRAWAL OF FILING

Candidates who wish to withdraw a filing submitted for an elective office must submit a written withdrawal statement to their filing official no later than the third day after the applicable filing deadline.

INSTRUCTIONS ON REVERSE SIDE

COUNTY/LOCAL PROPOSAL PETITION
(COUNTYWIDE)

We, the undersigned qualified and registered electors, residents in the County of _____, State of Michigan, respectively petition for: _____

WARNING–A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					MONTH	DAY	YEAR
CITY OF ☐ TOWNSHIP OF ☐	1.						
CITY OF ☐ TOWNSHIP OF ☐	2.						
CITY OF ☐ TOWNSHIP OF ☐	3.						
CITY OF ☐ TOWNSHIP OF ☐	4.						
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CITY OF ☐ TOWNSHIP OF ☐	9.						
CITY OF ☐ TOWNSHIP OF ☐	10.						
CITY OF ☐ TOWNSHIP OF ☐	11.						
CITY OF ☐ TOWNSHIP OF ☐	12.						

SAMPLE

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City or Township indicated preceding the signature, and the elector was qualified to sign the petition.

WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

Michigan Election Resources - Form No. 2000 - 2002 Revision - Approved by State Director of Elections

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

INSTRUCTIONS ON REVERSE SIDE

COUNTY/LOCAL PROPOSAL PETITION

We, the undersigned qualified and registered electors, residents in the ☐ City ☐ Township ☐ Village of (CHECK ONE) _____, in the County of _____, State of Michigan, respectively petition for:

_____

_____

WARNING–A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
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SAMPLE

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WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

Igan Election Resources - Form No. 2010 - 2002 Revision - Approved by State Director of Elections

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City, Township or Village Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

INSTRUCTIONS ON REVERSE SIDE

QUALIFYING PETITION

CANDIDATE WITHOUT PARTY AFFILIATION (COUNTYWIDE)

* The "Countywide" Qualifying Petition form may be used by any candidate without political party affiliation who seeks a partisan office. Exception: the form may not be used by a candidate without political party affiliation who seeks the office of County Commissioner; such candidates must use the "City/Township" Qualifying Petition form.

We, the undersigned, registered and qualified electors of the County of _____, and State of Michigan, nominate _____ (Name of Candidate) _____ (Street Address or Rural Route)

_____ (City or Township), as a candidate without party affiliation for the office of * _____ (Title of Office) _____ (District, If Any)

in order that the name of the candidate be placed without party affiliation on the ballot for the election to be held on the _____ day of _____, 20____.

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING MONTH	DAY	YEAR
CITY OF ☐ TOWNSHIP OF ☐	1.						
CITY OF ☐ TOWNSHIP OF ☐	2.						
CITY OF ☐ TOWNSHIP OF ☐	3.						
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CITY OF ☐ TOWNSHIP OF ☐	10.						
CITY OF ☐ TOWNSHIP OF ☐	11.						
CITY OF ☐ TOWNSHIP OF ☐	12.						
CITY OF ☐ TOWNSHIP OF ☐	13.						
CITY OF ☐ TOWNSHIP OF ☐	14.						
CITY OF ☐ TOWNSHIP OF ☐	15.						

SAMPLE

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City or Township indicated preceding the signature, and the elector was qualified to sign the petition.

WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

Michigan Election Resources - Form No. 2008 - 2002 Revision - Approved by State Director of Elections

INSTRUCTIONS ON REVERSE SIDE

QUALIFYING PETITION

CANDIDATE WITHOUT PARTY AFFILIATION (CITY/TOWNSHIP)

We, the undersigned, registered and qualified electors of the City / Township of (STRIKE ONE) _____, in the County of _____, and State of Michigan, nominate

_____ (Name of Candidate), _____ (Street Address or Rural Route), _____ (City or Township), as a candidate without party affiliation for the office

of _____ (Title of Office), _____ (District, If Any) in order that the name of the candidate be placed without party affiliation on the ballot for the election to be held on the _____ day of _____, 20____.

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
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WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

Michigan Election Resources - Form No. 2007 - 2002 Revision - Approved by State Director of Elections

INSTRUCTIONS ON REVERSE SIDE

NOMINATING PETITION

(CITY/TOWNSHIP NONPARTISAN)

We, the undersigned, registered and qualified voters of the City / Township of (STRIKE ONE) _____, in the County of _____, and State of Michigan

nominate _____ (Name of Candidate), _____ (Street Address or Rural Route), _____ (City or Township), as a candidate for the office

of _____ (Title of Office), _____ (District, If Any) to be voted for at the Primary Election to be held on the _____ day of _____, 20____

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
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SAMPLE

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CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

Michigan Election Resources - Form No. 2005 - 2002 Revision - Approved by State Director of Elections

INSTRUCTIONS ON REVERSE SIDE

NOMINATING PETITION
(COUNTYWIDE NONPARTISAN)

* The "Countywide" Nonpartisan Petition form may be used by any nonpartisan candidate. Exceptions: the form may not be used by a candidate who seeks a school board position, intermediate school board position, community college trustee position, library board position or a district library board position.

We, the undersigned, registered and qualified voters of the County of _____, and State of Michigan, nominate _____ (Name of Candidate) _____ (Street Address or Rural Route)

_____ (City or Township), as a candidate for the office of * _____ (Title of Office) _____ (District)

to be voted for at the Primary Election to be held on the _____ day of _____, 20_____.

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					MONTH	DAY	YEAR
CITY OF ☐ TOWNSHIP OF ☐	1.						
CITY OF ☐ TOWNSHIP OF ☐	2.						
CITY OF ☐ TOWNSHIP OF ☐	3.						
CITY OF ☐ TOWNSHIP OF ☐	4.						
CITY OF ☐ TOWNSHIP OF ☐	5.						
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CITY OF ☐ TOWNSHIP OF ☐	12.						
CITY OF ☐ TOWNSHIP OF ☐	13.						
CITY OF ☐ TOWNSHIP OF ☐	14.						
CITY OF ☐ TOWNSHIP OF ☐	15.						

SAMPLE

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City or Township indicated preceding the signature, and the elector was qualified to sign the petition.

WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

Michigan Election Resources - Form No. 2006 - 2002 Revision - Approved by State Director of Elections

INSTRUCTIONS ON REVERSE SIDE

NOMINATING PETITION

(CITY/TOWNSHIP PARTISAN)

We, the undersigned, registered and qualified voters of the City / Township of (STRIKE ONE) _____, in the County of _____, and State of Michigan, nominate

_____ (Name of Candidate), _____ (Street Address or Rural Route), _____ (City or Township), as a candidate of the _____ Party

for the office of _____ (Title of Office), _____ (District, If Any) to be voted for at the Primary Election to be held on the _____ day of _____, 20____.

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
				MONTH	DAY	YEAR
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						

SAMPLE

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

Michigan Election Resources - Form No. 2001 - 2002 Revision - Approved by State Director of Elections

INSTRUCTIONS ON REVERSE SIDE

NOMINATING PETITION

(COUNTYWIDE PARTISAN)

* The "Countywide" Partisan Petition form may be used by any partisan candidate. Exception: the form may not be used by a partisan candidate who seeks the office of County Commissioner; such candidates must use the "City/Township" Partisan Petition form.

We, the undersigned, registered and qualified voters of the County of _____, and State of Michigan, nominate _____ (Name of Candidate), _____ (Street Address or Rural Route),

_____ (City or Township), as a candidate of the _____ Party for the office of * _____ (Title of Office), _____ (District, if Any)

to be voted for at the Primary Election to be held on the _____ day of _____, 20_____.

WARNING–A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING MONTH	DAY	YEAR
CITY OF ☐ TOWNSHIP OF ☐	1.						
CITY OF ☐ TOWNSHIP OF ☐	2.						
CITY OF ☐ TOWNSHIP OF ☐	3.						
CITY OF ☐ TOWNSHIP OF ☐	4.						
CITY OF ☐ TOWNSHIP OF ☐	5.						
CITY OF ☐ TOWNSHIP OF ☐	6.						
CITY OF ☐ TOWNSHIP OF ☐	7.						
CITY OF ☐ TOWNSHIP OF ☐	8.						
CITY OF ☐ TOWNSHIP OF ☐	9.						
CITY OF ☐ TOWNSHIP OF ☐	10.						
CITY OF ☐ TOWNSHIP OF ☐	11.						
CITY OF ☐ TOWNSHIP OF ☐	12.						
CITY OF ☐ TOWNSHIP OF ☐	13.						
CITY OF ☐ TOWNSHIP OF ☐	14.						
CITY OF ☐ TOWNSHIP OF ☐	15.						

SAMPLE

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City or Township indicated preceding the signature, and the elector was qualified to sign the petition.

WARNING–A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

_____ (Signature of Circulator) _____ / / (Date)

_____ (Printed Name of Circulator)

_____ (City or Township Where Registered)

_____ Complete Residence Address (Street and Number or Rural Route) _____ (Zip Code)

Michigan Election Resources - Form No. 2002 - 2002 Revision - Approved by State Director of Elections

WRITE-IN CANDIDATE
DECLARATION OF INTENT

_____
(NAME OF CITY, TOWNSHIP, VILLAGE OR SCHOOL DISTRICT)

As a write-in candidate for public office, you must file this form no later than 4:00 p.m. on the second Friday immediately preceding the election. You may have additional filing obligations under Michigan's Campaign Finance Act (P.A. 388 of 1976). Ask your filing official for further information.

As a write-in candidate for a precinct delegate position, you must file this form with the clerk of your city or township of residence no later than 4:00 p.m. on the first Friday immediately preceding the August primary. As an alternative, you may file this form with your board of election inspectors on the day of the August primary any time prior to the close of the polls.

Name_____
(Print or Type)

Residence Address_____ _____ _____
(Street Address) (Post Office) (Zip Code)

☐ City or ☐ Township of_____

I am registered and qualified to vote at this address: ☐ Yes ☐ No Birth Date_____/_____/_____

Home Phone (_____) _____ Business Phone (_____) _____

DATE OF ELECTION: Primary _____/_____/_____ General _____/_____/_____

OFFICE SOUGHT:_____

☐ District No. (if any) _____ ☐ Precinct No. (if Precinct Delegate Candidate) _____

☐ Partisan Office -- Party* _____ ☐ Nonpartisan Office
(*NOTE: Required for partisan primary election only)

TERM: ☐ Regular ☐ To Fill Vacancy - Term Ending _____ ☐ Other _____

JUDICIAL CANDIDATES ONLY:

☐ Incumbent Position - Place a check in this box if you are running for a judicial office for which the incumbent is seeking reelection.

☐ Non-Incumbent Position - Place a check in this box if you are running for a judicial office for which the incumbent is not seeking reelection.

☐ New Judgeship - Place a check in this box if you are running for a newly created judicial seat.

By signing this affidavit, I swear the statements made above are true and do hereby declare my intent to seek the above elective office as a write-in candidate.

SIGNATURE OF WRITE-IN CANDIDATE:_____

Subscribed and sworn to by_____

before me on the _____day of _____, _____

_____
Signature of notary public

Name of Notary: _____

Notary Public, State of Michigan, County of _____

My commission expires _____

Acting in the County of _____

OFFICE USE ONLY

OFFICE CODE_____ DATE OF FILING_____/_____/_____

CFR I.D._____ RECEIVED BY _____

Revised 02/2007

BALLOT PROOFING

Proper ballot proofing requires the examination of all parts of the ballot.

- HEADING: Identifies the legal name of the jurisdiction, the county(s) and date of the election.

- INSTRUCTIONS TO VOTER: Careful examination is necessary to determine that instructions match the ballot content.

- OFFICE: Verify that the title of offices includes the office name, the term in years, the date of expiration and the number of votes an elector is entitled to cast.

- CANDIDATE NAMES: Check the spelling of each candidate's name against the Affidavit of Identity. The name should appear as required by the candidate without the use of nicknames or titles.

- ROTATION OF NAMES: In all primary elections, if there are more names under an office than there are candidates to be nominated and the same office appears in more than 1 precinct, the names are rotated. Candidates surnames are positioned on the ballot in alphabetical order then rotated by precinct

- QUESTIONS: Read each question to see that the wording is the duplicate of wording approved by the governing board to be presented to the electors of the jurisdiction.

OPTICAL SCAN PROGRAM TESTING AND SECURITY CERTIFICATION

_____ _____
Name of city, township, village or school district County

____Primary_____General____Special____Regular Date of Election:_____

PRELIMINARY ACCURACY TEST (The Preliminary test is the responsibility of the Election Commission. The Election Commission may delegate the administration of the test to an authorized assistant.) The undersigned certifies that the listed precinct tabulators have been tested using the test deck prepared under the direction of the Election Commission, the tabulator results agree with the predetermined test deck results and the official ballots have been compared and agree with the program edit listings. Further the test deck, program predetermined results and the results of the Preliminary Test were secured under the seal listed.

PRECINCT #	TABULATOR #	TEST DATA SEAL #	DATE OF PRELIMINARY TEST

_____/_____/_____
Member(s) of Election Commission or Authorized Assistant(s)

PUBLIC ACCURACY TEST – We, the Accuracy Board, hereby certify that notice of this test was published 48 hours prior to the conduct of the test and the container holding the testing materials was sealed with the seal recorded on the Preliminary Accuracy Test Certificate. The listed precincts were tested at the Public Accuracy Test using the test deck prepared under the direction of the Election Commission and the results agree with the predetermined results of the test deck. The test deck, program, predetermined results and results of the Public Accuracy Test were secured following the test under the seal listed below.

PRECINCT #	TABULATOR #	TEST DATA SEAL #	DATE OF PUBLIC TEST

_____ _____
Member – Accuracy Board/Representative Member – Accuracy Board/Representative

_____
Member – Accuracy Board/Representative

Public Notice
Sample Township

NOTICE IS HEREBY GIVEN that the
Public Accuracy Test for the
May 6, 2008 Election
has been scheduled for Thursday
May 1, 2008 at 10:00 AM in the
Township Hall Meeting Room,
24821 Front Ave.
Mattawan, Michigan.

The Public Accuracy Test is conducted
to demonstrate that the program
and computer that will be used
to tabulate the results of the
election, counts the votes in
the manner prescribed by law.

Mary Smith
Sample Township Clerk

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Public Accuracy Test for the May 6, 2008 Election has been scheduled for Thursday, April 24, 2008 at 9:00 a.m., in the offices of the clerks of the Kalamazoo County municipalities as listed below.

ALAMO TOWNSHIP	Garilyn Sportel-Bogard	7901 North 6th St. - Kalamazoo
BRADY TOWNSHIP	Cande Vermeulen	13123 South 24th St. - Vicksburg
CHARLESTON TOWNSHIP	Linda Kramer	1499 South 38th St. – Galesburg
CLIMAX TOWNSHIP	Marcia Lewis	151 S. Main St. - Climax
COMSTOCK TOWNSHIP	Anna L. Goodsell	6138 King Highway - Comstock
COOPER TOWNSHIP	Bonnie L. Sytsma	1590 West D Ave. - Kalamazoo
KALAMAZOO TOWNSHIP	Donald Z. Thall	1720 Riverview Dr. – Kalamazoo
OSHTEMO TOWNSHIP	Deborah L. Everett	7275 West Main St. - Kalamazoo
PAVILION TOWNSHIP	Karen E. Hayward	7510 East Q Ave. – Scotts
PRAIRIE RONDE TOWNSHIP	Michael Rochholz	8140 West W Ave. - Schoolcraft
RICHLAND TOWNSHIP	Jacqueline Light	7401 North 32nd St. - Richland
ROSS TOWNSHIP	Martha Chambers	12086 East M-89 - Richland
SCHOOLCRAFT TOWNSHIP	Virginia M. Mongreig	50 East VW Ave. - Vicksburg
TEXAS TOWNSHIP	Linda M. Kerr	7110 West Q Ave. - Kalamazoo
WAKESHMA TOWNSHIP	Jerry Hamelink	13988 South 42nd St. - Fulton
GALESBURG CITY	Debbie Miner	200 E. Michigan Ave. - Galesburg
KALAMAZOO CITY	Scott Borling	3001 S. Burdick St. - Kalamazoo
PARCHMENT CITY	Curtis Flowers	650 S. Riverview Dr. - Parchment
PORTAGE CITY	Timothy A. Snow Kalamazoo County Clerk	7900 S. Westnedge Ave. - Portage

The Public Accuracy Test is conducted to determine that the program(s) and the computer being used to tabulate the results of the election, counts the votes in the manner prescribed by the law.

TIMOTHY A. SNOW
KALAMAZOO COUNTY CLERK & REGISTER OF DEEDS

NOTICE OF LAST DAY OF REGISTRATION
FOR THE ELECTION TO BE HELD ON
TUESDAY, MAY 6, 2008
SAMPLE TOWNSHIP, MICHIGAN

TO THE QUALIFIED ELECTORS OF SAMPLE TOWNSHIP:

PLEASE TAKE NOTICE that an election will be held in Sample Township on Tuesday, May 6, 2008. The last day to register for the election is Monday, April 7, 2008 by 5:00 p.m. Persons residing in Sample Township registering after the deadline will not be eligible to vote at the election.

Voters may register by mail using a mail-in voter registration form or in person at a Secretary of State Branch Office or the applicant's county, city or township clerk's office.

PLEASE TAKE NOTICE that the Acme School district will be electing two (2) members to their Board of Education for full terms of four (4) years ending 2012.

THE FURTHER PURPOSE of the election is to vote on the following millage proposal as presented and listed below:

ACME PUBLIC SCHOOLS:

ACME PUBLIC SCHOOLS GENERAL OBLIGATION UNLIMITED TAX BOND PROPOSAL FOR BUILDING AND SITE PURPOSES IN THE AMOUNT OF NOT TO EXCEED $475,000

Full text of the ballot proposal may be obtained at the administrative offices of Acme Public Schools, 650 Third St., Acme, MI 49123, telephone: 616/555-1222.

COUNTY TREASURER'S STATEMENT – SAMPLE COUNTY

(Insert County Treasurer's Statement if election is required)

PERSONS ENTITLED to be registered voters in Sample Township must possess the following qualifications on or before the day of the election: (1) a citizen of the United States; (2) not less than 18 years of age; (3) a resident of the State of Michigan and Sample Township for not less than 30 days prior to the election (MCL 168.492). In addition, qualified electors must be registered to vote not less than 30 days prior to the election (MCL 168.497).

Registrations will be received at Sample Township Hall located at 123 First St., Sample, MI 49123, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

Mary Smith
Sample Township Clerk

Persons with special needs as defined by the Americans with Disabilities Act should contact the clerk's office.

NOTICE OF ELECTION
SAMPLE TOWNSHIP, MICHIGAN
MAY 6, 2008 ELECTION

TO THE QUALIFIED ELECTORS OF SAMPLE TOWNSHIP:

NOTICE IS HEREBY GIVEN THAT AN ELECTION WILL BE HELD IN SAMPLE TOWNSHIP ON TUESDAY, MAY 6, 2008. THE POLLS WILL BE OPEN FROM 7:00 A.M. to 8:00 P.M.

PLEASE TAKE NOTICE that the Acme School district will be electing two (2) members to their Board of Education for full terms of four (4) years ending 2012.

THE FURTHER PURPOSE of the election is to vote on the following millage proposal as presented and listed below:

ACME PUBLIC SCHOOLS:

ACME PUBLIC SCHOOLS GENERAL OBLIGATION UNLIMITED TAX BOND PROPOSAL FOR BUILDING AND SITE PURPOSES IN THE AMOUNT OF NOT TO EXCEED $475,000

Full text of the ballot proposal may be obtained at the administrative offices of Acme Public Schools, 650 Third St., Acme, MI 49123, telephone: 616/555-1222.

All electors who are registered with the township clerk in which they reside are eligible to vote at this election. To comply with the Help America Vote Act (HAVA), voting instructions will be available on audio tape and in Braille. Arrangements for obtaining the instructions in these alternative formats can be made by contacting the township clerk in advance of the election. All polling locations are accessible for voters with disabilities.

POLLING LOCATIONS

Precinct 1	Township Hall, 123 First. St.
Precinct 2	East Fire Station, 8700 E. Michigan Ave.
Precinct 3	Sunset Elementary School, 203 Holmes Dr.
Precinct 4	Yorkville Community Church, 1152 East Fifth Ave.

COUNTY TREASURER'S STATEMENT – SAMPLE COUNTY

(Insert County Treasurer's Statement if election is required)

Absentee ballots are available for all elections; registered voters may contact the local clerk to obtain an application for an absent voter ballot. You may vote by absentee ballot if you:

- Are unable to attend the polls without assistance;
- Are 60 years of age or older;
- Expect to be absent from your city or township for the entire time the polls are open on election day;
- Are in jail, awaiting arraignment or trial;
- Have been assigned to work as a precinct inspector in a precinct other than where you are registered; or
- Are unable to attend the polls because of religious beliefs.

Mary Smith
Sample Township Clerk
123 First. St.
Sample, MI 49123
(616) 555-1222

AutoMARK VOTER ASSIST TERMINAL (VAT)
PREPARATION CHECKLIST AND TEST CERTIFICATION FORM

PREPARATION CHECKLIST - The following tasks must be completed prior to each election for each AutoMARK terminal that will be assigned to a polling location. Refer to the "Pre-Election Day Checklist" provided by ES&S for details on how to perform the following:

- ❑ Install the flash card containing the election specific information and instructions. Ensure that the flash card is unlocked.
- ❑ Install the ink cartridge; ensure that there is enough ink for election-day use. (If a new ink cartridge has been installed, reset the ink cartridge "Ink Remaining Percentage" to 100%.)
- ❑ Ensure that the Printer Head Selection has been properly set.
- ❑ Ensure that the date and time are properly set.
- ❑ Ensure that the battery is fully charged.
- ❑ Calibrate the touch screen.
- ❑ Ensure that all touch screen selections are performing properly.
- ❑ Ensure that all keypad functions are performing properly.

_____ _____
Name of city, township, or village Name of county

(Check election date below)

____ February ____ May ____ August ____September ____ November ____Other (enter date)_____

PRELIMINARY ACCURACY TEST - (The Preliminary test is the responsibility of the Election Commission. The Election Commission may delegate the administration of the test to an authorized assistant.) The undersigned certifies that the listed voting assistance terminals (VATS) were prepared according to the above check-list and were tested using the test decks prepared under the direction of the Election Commission; the test results demonstrated that the official ballots were properly marked and that the ballot specific information agreed with the program edit listings. Further, the test decks, were secured using the seal # listed below. The proper program was installed into each terminal using the seal # recorded on the Clerk's Preparation Certificate in the Poll Book of the precinct to which the terminal was assigned.

PRECINCT #	TERMINAL SERIAL #	TEST DATA CONTAINER SEAL #	DATE OF PRELIMINARY TEST

_____/_____/_____
Signatures of Member(s) of Election Commission or Authorized Assistant(s)

ABSENTEE BALLOTS

-- INFORMATION POSTING –

DATE OF ELECTION:_____

Complete and post before 8:00 a.m. on election day.

Number of absent voter ballots distributed to absent voters: _____

Number of absent voter ballots returned before election day: _____

Number of absent voter ballots delivered for processing: _____

Complete and post before 9:00 p.m. on election day.

Number of absent voter ballots returned on election day: _____

Number of absent voter ballots returned both before and on election day: _____

Number of absent voter ballots returned both before and on election day which were delivered for processing: _____

Complete and post immediately after all precinct returns are delivered.

Number of absent voter ballots returned by voters: _____

Number of absent voter ballots received at the precincts or absent voter counting board(s) for processing: _____

Photo Identification at Polls
(Voter not subject to additional federal identification requirement)

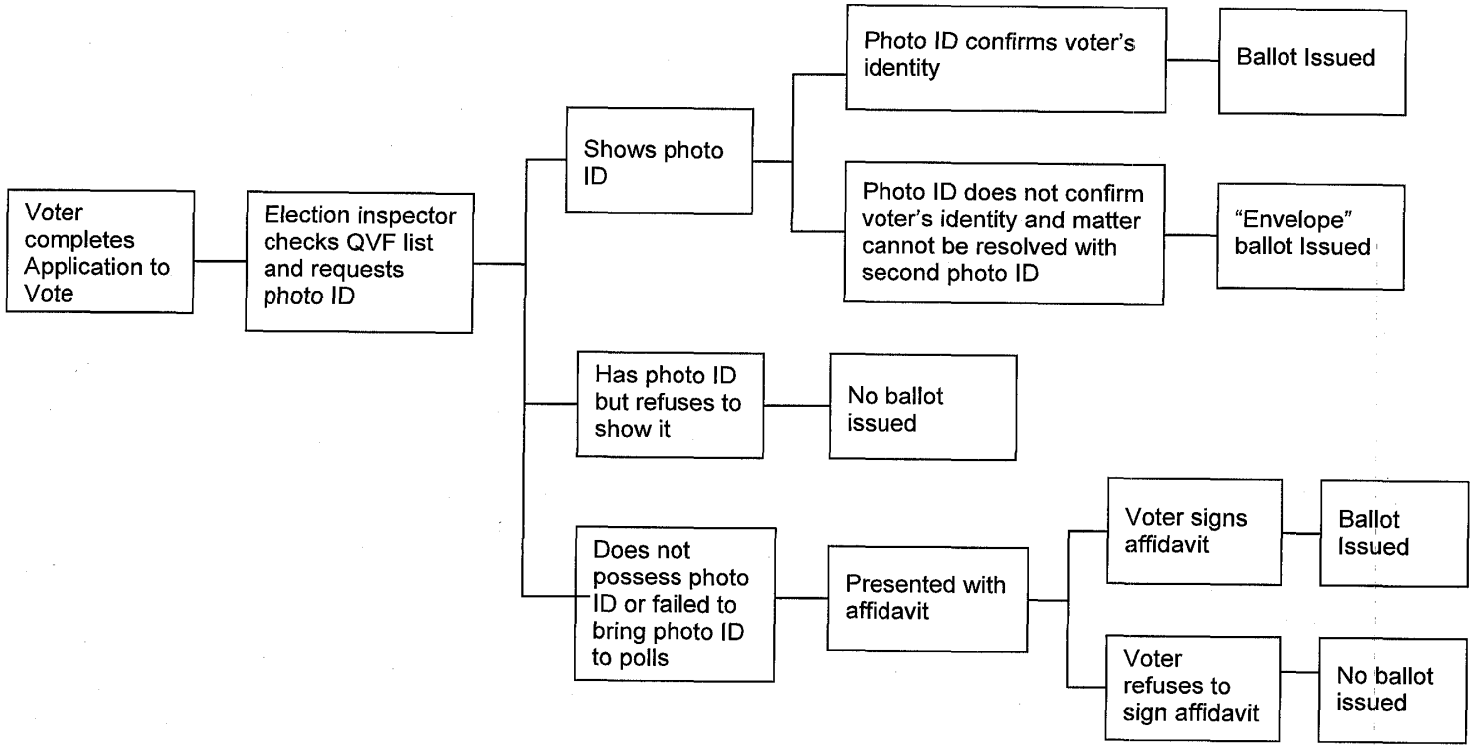
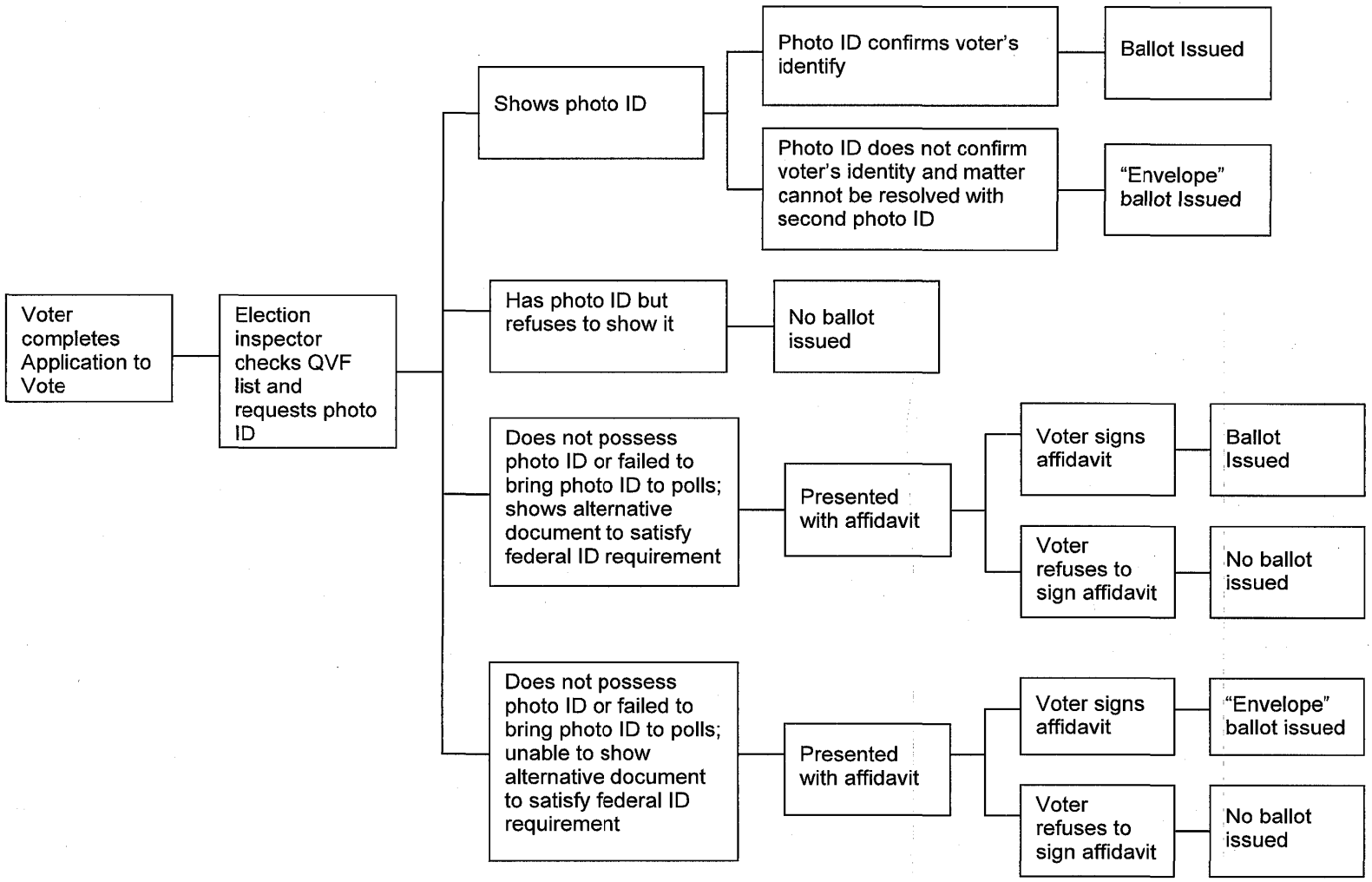


Photo Identification at Polls
(Voter subject to additional federal identification requirement)



Application to Vote – Poll List

Picture identification requirement: *All Michigan voters must show a Michigan driver's license, a Michigan personal identification card or some other acceptable form of picture identification before voting. A voter who is unable to show picture identification can vote after signing an affidavit attesting that he/she is not in possession of picture identification.*

Date of Election _____ **Precinct** _____

I certify that I am a registered and qualified elector in the above precinct and hereby make application to vote at this election.

ELECTION INSPECTOR COMPLETES
☐ AFFIDAVIT ON REVERSE COMPLETED
ELEC. INSP. INITIAL
BALLOT STYLE
BALLOT NO.
VOTER NO.

PRINT NAME: _____

DATE OF BIRTH: _____

RESIDENCE ADDRESS: _____

SIGN HERE X_____
SIGNATURE OF VOTER

AFFIDAVIT OF VOTER NOT IN POSSESSION OF PICTURE IDENTIFICATION

I, _____ hereby affirm that I am
(Print Name)

not in possession of a driver's license, a state-issued personal identification card or any other acceptable form of picture identification and wish to vote.

By signing this affidavit, I swear/affirm that the statements made above are true.

SIGNATURE OF VOTER: X_____

Penalty: Making a false statement in this affidavit is perjury, punishable by a fine up to $1,000.00 or imprisonment for up to 5 years, or both.

To be completed by Election Inspector

Sworn and subscribed to before me this _____ day of _____, _____

I certify that the elector named above has completed the above affidavit in my presence.

X_____
Signature of Election Inspector

AFFIDAVIT OF VOTER NOT IN POSSESSION OF PICTURE IDENTIFICATION

I, _____ hereby affirm that I reside at
(Print Name)

_____,
(Present Street Address)

I further affirm that I am not in possession of a driver's license, a state-issued personal identification card or any other form of picture identification and wish to vote.

By signing this affidavit, I swear that the statements made above are true.

SIGNATURE OF VOTER: **x** _____

Penalty: Making a false statement in this affidavit is perjury, punishable by a fine up to $1,000.00 or imprisonment for up to 5 years, or both.

To be completed by Election Inspector

Sworn and subscribed to before me this _____day of _____, _____

I certify that the elector named above has completed the above affidavit in my presence.

x _____
Signature of Election Inspector

Return this form in Local Clerk Envelope

Michigan Department of State
Bureau of Elections

Notice to Voters: Voter Identification Requirement in Effect

Every Michigan voter who offers to vote in the polls must comply with the requirement by showing picture identification or signing an affidavit attesting that he or she is not in possession of picture identification. (See MCL 168.523 for voter identification requirement.)

Voters with picture ID: Voters can satisfy the ID requirement by showing a Michigan driver's license or a Michigan personal identification card.

Voters who do not possess either document may show any of the following forms of picture ID as long as it is current:

- Driver's license or personal ID card issued by another state.
- Federal or state government-issued photo ID.
- U.S. passport.
- Military identification card with photo.
- Student identification with photo from a high school or an accredited institution of higher education.
- Tribal identification card with photo.

Voters without picture ID: Michigan election law anticipates that not all voters will have picture ID. Voters who do not have acceptable picture ID or forgot to bring acceptable picture ID to the polls can vote like any other voter by signing an affidavit.

Questions regarding the voter identification requirement can be directed to your local city or township clerk's office.

For more election related information, visit www.michigan.gov/vote

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

April 2011

Identification and Residence Verification Requirements: Listings of Acceptable Documents

The following lists the types of documents voters can use to satisfy 1) the identification and residence verification requirements associated with the "provisional balloting process" and 2) the federal identification requirement imposed on first-time mail registrants.

Provisional balloting identification requirement: A voter who does not appear on the QVF list who wishes to vote a provisional ballot must identify himself or herself as a part of the provisional balloting process (see Step Three of the Four-Step Procedure form). To satisfy the identification requirement, the voter can show:

- A **Michigan** driver's license. OR
- A **Michigan** personal identification card. OR
- Any other type of **government issued** identification card which shows the voter's photo. OR
- An identification card issued by a **Michigan** university or college which shows the voter's photo.

Provisional balloting residency verification: In addition to the above, a voter who does not appear on the QVF list who wishes to vote a provisional ballot must show documentation to confirm that he or she currently resides in the precinct (see Step Three on the Four-Step Procedure form). To satisfy the residence confirmation requirement, the voter can show:

- A **Michigan** driver's license that lists the voter's address **in the precinct**. OR
- A **Michigan** personal identification card that lists the voter's address **in the precinct**. OR
- Any other type of **government issued** photo identification card that lists the voter's address **in the precinct**. OR
- A photo identification card issued by a **Michigan** university or college that lists the voter's address **in the precinct**.

If the voter is unable to satisfy the residence confirmation requirement by showing one of the above listed documents, the voter can show one of the alternative documents listed below. If the

BUREAU OF ELECTIONS
RICHARD H. AUSTIN BUILDING • 1ST FLOOR • 430 W. ALLEGAN • LANSING, MICHIGAN 48918
www.Michigan.gov/sos • (517) 373-2540

voter must rely on one of the following alternative documents to confirm his or her residence address in the precinct, the voter must be issued an "envelope" ballots as explained in the Four-Step Procedure form instructions.

- A current utility bill that contains the voter's name and address **in the precinct** (see examples below). OR
- A current bank statement that contains the voter's name and address **in the precinct** (see examples below). OR
- A current paycheck or government check that contains the voter's name and address **in the precinct** (see examples below). OR
- Any other government document that contain the voter's name and address **in the precinct** (see examples below).

Federal identification requirement imposed for first-time mail registrants: Federal law stipulates that a voter who has never voted in Michigan who chooses to register by mail must satisfy an identification requirement. To satisfy the identification requirement, the voter can:

- Accurately enter his or her state issued driver's license number, personal identification card number or the last four digits of his or her Social Security Number where requested on the mail-in voter registration form. OR
- Send one of the following forms of identification when mailing the mail-in voter registration form to his or her county or local clerk: a copy of any current and valid photo identification (see examples below) or a copy of a paycheck, government check, utility bill, bank statement or a government document which lists his or her name and address (see examples below).

If a voter subject to the new federal identification requirement does not meet the requirement when registering, the voter must present one of the above listed documents before voting in the first election in which he or she wishes to participate. The federal identification requirement does <u>not</u> apply if:

1) The voter hand delivers his or her mail registration form to the county or local clerk's office; OR
2) The voter is disabled; OR
3) The voter is eligible to vote under the Uniformed and Overseas Citizens Absentee Voting Act.

Examples of Acceptable Photo Identification
(Document Must Be Current and Valid;
Listing Applies to
Federal ID Requirement Only)

Driver's license with photo (any state)

Personal identification card with photo (any state)

Government issued photo identification card

Passport

Student identification card with photo

Credit or automated teller card with photo

Military identification card with photo

Employee identification with photo

Tribal identification with photo

Examples of Acceptable Paychecks, Government Checks, Utility
Bills and Bank Statements
(Must Contain Voter's Name and Address)

A paycheck or paycheck stub from any employer issued within the last year

A Social Security Administration check statement issued within the last year

Government or military paycheck or paycheck stub issued within the last year

Tax return check or check statement issued by the IRS or the State of Michigan within the last year

A gas, telephone, electric, water, cable or other utility bill issued within the last year

A statement from a bank or credit union dated within the last year

Example of Acceptable Government Documents
(Must Contain Voter's Name and Address)

Vehicle registration

Electronic Benefit Transaction (EBT) card

Department of Social Services (DSS) card

Insurance card issued pursuant to a government administered or subsidized health insurance program such as Medicare or Medicaid

Veteran's identification card

Lease agreement provided under a public housing program or subsidized housing program

Public housing identification card

Tuition statement or bill from a public college or university

Correspondence or a bill received from a federal, state or local government

Discharge certificate, release papers, pardon, or other official document issued to the voter in connection with the resolution of a criminal case, indictment, sentence or other matter, in accordance with state law

Discount card issued by a public transportation authority or a provider to senior citizens or persons with disabilities

Marriage license

STATE OF MICHIGAN
BUREAU OF ELECTIONS
LANSING

February 2012

Procedure for Handling "Envelope" Ballots Returned to Clerk's Office

Within 6 days after the election, the city or township clerk must evaluate each "envelope" ballot voted by the jurisdiction's voters to determine if the ballot can be counted. When making this determination, the city or township clerk is not permitted to open the PROVISIONAL BALLOT SECURITY ENVELOPE holding the ballot.

I. MISSING REGISTRATION: Determining the validity of an "envelope" ballot issued to an elector whose name did not appear on the precinct's QVF list

All of the information needed to determine the validity of an "envelope" ballot issued to such an elector is recorded on the four-step procedure form completed by the precinct board.

THE "ENVELOPE" BALLOT CAN BE COUNTED IF:

- A valid voter registration application for the elector is located; the registration application was submitted by the elector on or before the "close of registration" for the election at hand;

OR

- The elector completed the 4-step procedure form properly by:
    - Signing the affidavit and confirming registration prior to the close of registration
    - Completing a new voter registration form
    - Showing an acceptable form of photo ID[1]
    - Showing an acceptable form of proof of residency[2]

[1] Acceptable IDENTIFICATION documents include: Michigan Driver's License, Michigan Personal Identification Card, other government-issued photo identification card or a photo identification card issued by a Michigan university or college.

[2] Acceptable proof of RESIDENCY documents include: Any of the above identification documents OR a current utility bill, current bank statement, current paycheck or government check or any other government document.

In either case, ensure that the "envelope" ballot was voted in the proper precinct. Only "envelope" ballots processed in the proper precinct are valid.

SUBMISSION OF PHOTO ID AND RESIDENCE CONFIRMATION DOCUMENT DURING 6-DAY "ENVELOPE" BALLOT EVALUATION PERIOD PERMITTED:

- In an instance where the elector was unable to identify himself or herself with acceptable form of photo ID[1] and/or an acceptable form of proof of residency[2] (see above), the ballot can be counted if the voter is able to produce the required document(s) during the 6-day "envelope" ballot evaluation period. The voter can appear in person in the city or township clerk's office to show the document(s), fax the document(s) to the clerk or mail a copy of the document(s) to the clerk. The document(s) must reach the city or township clerk no later than the sixth calendar day after the date of the election.

- In any instance where an "envelope" ballot is counted because the voter was able to produce the required photo ID[1] and/or residence confirmation[2] document(s) during the 6-day "envelope" ballot evaluation period, the clerk must enter a notation on the Four-Step Procedure form completed when the voter was issued the "envelope" ballot in the polls.

THE "ENVELOPE" BALLOT CANNOT BE COUNTED IF:

- The elector was unable to identify himself or herself at the polls or during the 6-day "envelope" ballot evaluation period by showing an acceptable form of photo ID[1] and/or an acceptable form of proof of residency[2]. Both ID and residency must be verified before an "envelope" ballot can be counted.

IMPORTANT NOTE REGARDING ELECTORS WHO VOTED IN 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, you must make every effort 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.

II. FEDERAL ID REQUIREMENT: Determining the validity of an "envelope" ballot issued to an elector subject to the federal identification requirement

- The "envelope" ballot can be counted if during the 6-day "envelope" ballot evaluation period the elector provides an acceptable form of photo ID[1] **OR** an acceptable form of proof of residency[2] (see above). Only one of these forms is necessary to meet the federal ID requirement. The voter can appear in person in the city or township clerk's office to show the required ID, fax the required ID to the clerk or mail a copy of the required ID to the clerk. In an instance where an "envelope" ballot is counted because the voter was able to produce the required ID during the 6-day "envelope" ballot evaluation period, the clerk must enter a notation on the PROVISIONAL BALLOT SECURITY ENVELOPE.

- The "envelope" ballot cannot be counted if the voter fails to provide the proper identification to satisfy the federal ID requirement during the 6-day "envelope" ballot evaluation period.

III. MICHIGAN VOTER IDENTIFICATION REQUIREMENT: Determining the validity of an "envelope" ballot issued to a voter because questions over the voter's identity remained after an inspection of the picture identification produced by the voter

- The "envelope" ballot can be counted if the elector appears in person and provides a Michigan Driver's License or a Michigan Personal Identification Card during the 6-day "envelope" ballot evaluation period. Voters can also show any of the following forms of picture identification as long as they are current: a driver's license or personal identification card issued by another state; a federal or state-government issued photo identification; a U.S. passport; a military identification card with photo; a student identification with photo from a high school or an accredited institution of higher education; or a tribal identification with photo. In all cases, the picture identification must resolve the questions over the voter's identity which prompted the issuance of an "envelope" ballot to the voter.

- The "envelope" ballot cannot be counted if the voter fails to personally appear in the clerk's office during the 6-day "envelope" ballot evaluation period and provide an acceptable form of photo ID.

IV. Disposition of valid "envelope" ballots which can be counted

- If the "envelope" ballot can be counted, remove the ballot from the PROVISIONAL BALLOT SECURITY ENVELOPE and remove the stub from the ballot. Do not remove the ballot from its secrecy sleeve during this step.

- Place the ballot in a ballot container.

- After you have placed all of the valid "envelope" ballots that can be counted in the container, remove the ballots and count the valid votes on the ballots.

- After counting the valid votes on the ballots, complete a PROVISIONAL BALLOT REPORT FORM. After completing the form, submit it to the county canvassing board or local canvassing board as appropriate. The form must be transmitted to the canvassing board no later than the 7th day after the election.

- After recording the valid votes on the "envelope" ballots that can be counted, seal the counted "envelope" ballots and PROVISIONAL BALLOT SECURITY ENVELOPES which contained the ballots in a ballot container. Attach a ballot tag to the seal which indicates that the container holds the "envelope" ballots returned after the election which were determined valid and counted. Retain the PROVISIONAL BALLOT SECURITY ENVELOPES which were determined invalid and not opened in a separate secure place in your office.

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

February 2012

PROVISIONAL BALLOT REPORT FORM

Jurisdiction: _____ Date of election: _____

I. Enter, by precinct, 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 closed ("envelope" ballots).

Of those provisional ballots which were secured in PROVISIONAL BALLOT SECURITY ENVELOPES, indicate 1) the number that were determined valid and counted and 2) the number that were determined invalid and not counted.

Precinct #	Number of Provisional Ballots Counted or Tabulated in the Polls	Number of Provisional Ballots Secured in Provisional Ballot Security Envelopes ("Envelope" Ballots)	Number of "Envelope" Ballots Determined Valid	Number of "Envelope" Ballots Determined Invalid	Number of Voters Who Completed an Affidavit of Voter Not in Possession of Picture Identification Form

(Attach additional sheets if necessary)

BUREAU OF ELECTIONS
RICHARD H. AUSTIN BUILDING • 1ST FLOOR • 430 W. ALLEGAN • LANSING, MICHIGAN 48918
www.Michigan.gov/elections • (517) 373-2540

II. Create an "Envelope Ballot Vote Certification" document and attach it to this form to show the votes counted on the valid "envelope" ballots cast in your jurisdiction. The "Envelope Ballot Vote Certification" document must list 1) the name of each candidate who is entitled to additional votes 2) the precinct where the votes must be added and 3) the number of votes which must be added for each candidate in each affected precinct.

III. Enter, by precinct, the number of voters who completed an Affidavit of Voter Not in Possession of Picture Identification Form.

Signature of Clerk or Authorized Assistant	Position
Date	( ) Phone Number

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

February 2012

COUNTY PROVISIONAL BALLOT REPORT FORM

-- All requested information can be obtained from the "Provisional Ballot Report Forms" submitted by the local jurisdictions in your county --

County:_____ Date of election: _____

Enter the number of provisional ballots issued in your county which were 1) counted or tabulated in the polls on election day and 2) secured in PROVISIONAL BALLOT SECURITY ENVELOPES for delivery to the local clerk's office after the polls closed ("envelope" ballots).

Of those provisional ballots which were secured in PROVISIONAL BALLOT SECURITY ENVELOPES, indicate 1) the number that were determined valid and counted and 2) the number that were determined invalid and not counted.

Enter the number of voters who completed and Affidavit of Voter Not in Possession of Picture Identification Form.

Number of Provisional Ballots Counted or Tabulated in the Polls	
Number of Provisional Ballots Secured in Provisional Ballot Security Envelopes ("Envelope" Ballots)	
Number of "Envelope" Ballots Determined Valid	
Number of "Envelope" Ballots Determined Invalid	
Number of Voters Who Completed an Affidavit of Voter Not in Possession of Picture Identification Form	

_____ _____
Signature of County Clerk or Authorized Assistant Position

_____ (_____)_____
Date Phone Number

Please mail or fax this form to:

Michigan Department of State
Bureau of Elections
P.O. Box 20126
Lansing, MI 48901-0726
Fax: (517) 373-0941

NOTICE TO VOTERS UNABLE TO SATISFY
STATE AND/OR FEDERAL IDENTIFICATION REQUIREMENT
(Notice must be issued to any voter who is required to vote an "envelope" ballot because he or she is unable to satisfy Michigan's voter identification requirement and/or the federal voter identification requirement.)

Check applicable box below:

☐ As questions over your identity remained after an inspection of the picture identification you produced to satisfy Michigan's voter identification requirement, special procedures were followed when issuing you a ballot.

☐ As you are subject to the federal voter identification requirement and have not satisfied the requirement to date, special procedures were followed when issuing you a ballot. The federal voter identification requirement applies to voters who 1) have never previously voted in Michigan 2) registered to vote by mail and 3) are not exempted from the ID requirement under federal law.

IMPORTANT: MAKING SURE YOUR BALLOT COUNTS

To ensure that your ballot counts, you must provide your local city or township clerk with an appropriate identification document no later than the sixth calendar day after the election. Except as noted below, you can appear in person in your city or township clerk's office to show the document, fax the document to the clerk or mail a copy of the document to the clerk. If you do not satisfy the identification requirement within six calendar days after the election, your ballot will not count. The following lists the types of documents you can use to satisfy the identification requirement:

Documents which satisfy federal voter identification requirement imposed on first-time mail registrants who have never previously voted in Michigan: A copy of any current and valid photo identification or a copy of a paycheck, government check, utility bill, bank statement or a government document* which lists your name and address.

Documents which satisfy Michigan voter identification requirement imposed on all voters who attend the polls to vote: A Michigan Driver License; a Michigan Personal Identification Card; driver's license or personal identification card issued by another state; a federal or state-government issued photo identification; a U.S. passport; a military identification card with photo; a student identification with photo from a high school or an accredited institution of higher education; or a tribal identification with photo. In all cases, the picture identification must be current. To satisfy the Michigan voter identification requirement, you must appear in person in your city or township clerk's office.

NEED MORE INFORMATION?

For additional information, contact your city or township clerk's office in person or by phone. If your ballot cannot be counted, the clerk will explain why. Contact information:

* Contact your local city or township clerk if you wish to obtain information on the government documents which can be used to satisfy the requirement.

PRECINCT DELEGATE
AFFIDAVIT OF IDENTITY AND RECEIPT OF FILING

PLEASE COMPLETE SECTIONS I, II AND III BELOW (PRINT OR TYPE) – See Reverse Side for Important Notifications

OFFICE USE ONLY

Received by _____ Date of Filing _____

☐ County ☐ City ☐ Township of _____

I. CANDIDATE IDENTIFICATION/APPEARANCE OF NAME ON BALLOT

Name _____ Birth date _____ / _____ / _____
(Last) (First) (Middle) (Month) (Day) (Year)

Have you changed your name within the last 10 years for reasons other than marriage? ☐ Yes ☐ No

If yes, enter full former name here (See "Section A" on reverse) _____

I WISH TO HAVE MY NAME APPEAR ON THE BALLOT AS PRINTED BELOW (Nicknames/titles not permitted. See "Section B" on reverse.)

Residence Address _____ _____ _____
(Street Address) (Post Office) (Zip Code)

Mailing Address (See "Section C" on reverse) _____

Phone (_____) _____ Email _____

County of _____. Resident of County for _____ years. Resident of Michigan for _____ years.

I am a citizen of the United States: ☐ Yes ☐ No (You must be a United States citizen to seek a precinct delegate position.)

II. POSITION DESIGNATION

I wish to appear on the primary ballot as a precinct delegate candidate as indicated below:

☐ City ☐ Township of _____ Precinct # _____ Ward # (if any) _____

Political Party _____ Date of Primary _____

I am registered and qualified to vote in the precinct identified above: ☐ Yes ☐ No
(You must be registered to vote and reside within the precinct you wish to represent as a precinct delegate.)

III. FILER'S ACKNOWLEDGMENT

By signing this affidavit, I swear that the statements made above are true. I further acknowledge that making a false statement in this affidavit is perjury, punishable by a fine of up to $1,000.00 or imprisonment for up to 5 years, or both.

SIGNATURE OF CANDIDATE _____

Subscribed and sworn to by _____ Name of Notary _____

before me on the _____ day of _____, _____ Notary Public, State of Michigan, County of _____

My commission expires _____

_____ Acting in the County of _____
Signature of notary public

(8/2005)

PRECINCT DELEGATE
AFFIDAVIT OF IDENTITY

A candidate who seeks a precinct delegate position must file an Affidavit of Identity with his or her county clerk or, as an alternative, his or her city or township clerk no later than 4:00 p.m. on the twelfth Tuesday prior to the August primary. A city or township clerk receiving this form must forward a copy to the county clerk within four days after the filing deadline. (MCL 168.624)

A. CHANGE OF NAME

Michigan election law, MCL 168.558, stipulates that a candidate who is "not using a name, whether a given name, a surname, or otherwise, that is not a name that he or she was given at birth" must indicate his or her full former name on the Affidavit of Identity. The requirement to indicate a name change on the Affidavit of Identity does *not* apply if:

- The candidate's name was formally changed 10 or more years ago.
- The candidate's name was changed in a Certificate of Naturalization issued by a federal district court 10 or more years ago.
- The candidate's name was changed because of marriage.
- The candidate's name was changed through divorce to a "legal name by which the individual was previousl known."

Michigan election law provides that a candidate required to indicate a name change on the Affidavit of Identity must be listed on the ballot "with his or her current name and former name as prescribed by the Secretary of State." (MCL 168.560b)

B. APPEARANCE OF NAME ON BALLOT

Michigan election law provides the following stipulations regarding the manner in which a candidate can have his or her name printed on the ballot:

- A candidate "may specify that both his or her given name and middle name, or only a middle name, shall appear on the ballot."
- A candidate "may specify that either an initial or a recognized diminutive for the candidate's given name or middle name, or for both, shall appear on the ballot."
- A candidate may *not* use a "nickname that is not a recognized diminutive of the candidate's given name or middle name" on the ballot.
- A married person may *not* use his or her spouse's given name, middle name or a diminutive of his or her spouse's given name or middle name on the ballot.

C. MAILING ADDRESS

A candidate who wishes to receive communications from his or her filing official at an address other than his or her residential address should enter a "mailing address" where indicated. (Note: A candidate may list a P.O. Box for his or her "mailing address"; a candidate may *not* list a P.O. Box for his or her residential address.)

D. WITHDRAWAL OF FILING

A precinct delegate candidate who wishes to withdraw his or her filing must submit a written withdrawal statement to the filing official no later than 4:00 p.m. on the third day after the filing deadline.

PRECINCT DELEGATE
WRITE-IN CANDIDATE
DECLARATION OF INTENT

_____
(NAME OF CITY OR TOWNSHIP)

As a write-in candidate for a precinct delegate position, you must file this form with the clerk of your city or township of residence no later than 4:00 p.m. on the first Friday immediately preceding the August primary. As an alternative, you may file this form with your board of election inspectors on the day of the August primary any time prior to the close of the polls.

Name_____
(Print or Type)

Residence Address_____ _____ _____
(Street Address) (Post Office) (Zip Code)

☐ City or ☐ Township of_____

I am registered and qualified to vote at this address: ☐ Yes ☐ No Birth Date_____/_____/_____

Home Phone (_____) _____ Business Phone (_____) _____

DATE OF PRIMARY: _____/_____/_____

OFFICE SOUGHT: Precinct Delegate.

Precinct No. _____

Political Party _____

By signing this affidavit, I swear the statements made above are true and do hereby declare my intent to seek the precinct delegate position identified above as a write-in candidate.

SIGNATURE OF WRITE-IN CANDIDATE:_____

Subscribed and sworn to by _____ Name of Notary _____

before me on the _____day of _____,_____ Notary Public, State of Michigan, County of _____

_____ My commission expires _____

_____ Acting in the County of _____
Signature of notary public

OFFICE USE ONLY

OFFICE CODE_____ DATE OF FILING_____/_____/_____

RECEIVED BY_____

Revised 02/2007

DELEGATES ELECTED TO COUNTY CONVENTION

– AT THE –

PRIMARY ELECTION

– HELD ON –

TUESDAY, AUGUST 3, 2010

In the _____ of the City / Township of _____
(Ward/Precinct) (Circle One) (Name of City or Township)

County of _____

STATE OF MICHIGAN

ELECTION INSPECTOR INFORMATION

- Instructions for filling out this booklet begin on Page 1.
- Tally all write-in votes for declared delegate candidates in this booklet.
- Be sure that the "Certificate of Election Inspectors" on back is completed and signed by all inspectors.
- Place in envelope #1 to County Clerk marked "List of Delegates Elected".

MER Michigan Election Resources
Form No. 402D

INSTRUCTIONS TO ELECTION INSPECTORS

ENTER INFORMATION FOR REPUBLICAN PARTY DELEGATE CANDIDATES ON PAGE 2

ENTER INFORMATION FOR DEMOCRATIC PARTY DELEGATE CANDIDATES ON PAGE 3

1. Complete the blanks on the front cover and in the headings on pages 2 and 3. PRINT THE NAME AND REGISTERED ADDRESS of each delegate candidate appearing on the ballot in column 1 on page 2 for Republican Party candidates and page 3 for Democratic Party candidates. (This step may have already been completed by the clerk.)

2. Tally the WRITE-IN votes received by each declared write-in delegate candidate and record the totals in area "A" on page 4 for Republican Party candidates and area "B" on page 4 for Democratic Party candidates. (If no write-in votes were cast for any candidate for delegate, write "NONE" across area "A" and "B" on page 4.)

   (NOTE: When tallying write-in votes enter each name as recorded by the voter. Example: William Baker - 3 votes, Bill Baker - 2 votes, Baker - 1 vote. When determining the total number of write-in votes received, all votes cast for the same candidate are combined, i.e. William Baker - 6 votes.)

   List the name and registered address of each declared candidate receiving write-in votes for delegate in column 1 on pages 2 and 3. (If a candidate is not found in the registration records, list only the candidate's name.) Transfer the total number of write-in votes received by each declared write-in candidate to column 2 on pages 2 and 3.

3. From the statement of votes tape, record the total number of votes received in column 2 on pages 2 and 3.

4. Indicate whether each candidate is REGISTERED IN YOUR PRECINCT by placing "Yes" or "No" in column 3 on pages 2 and 3. This step must be completed for both write-in candidates and candidates appearing on the ballot.

5. DETERMINE WHO WAS ELECTED and place a check mark in column 4 on pages 2 and 3.

   - The number to be elected in your precinct for each party is listed at the top of pages 2 and 3. (This number also appears on the ballot.)
   - Place a check mark in column 4 for each candidate who received the highest number of votes up to the number of candidates to be elected. (If two or more candidates are tied for a delegate position, place a check mark and the words "TIE VOTE" in column 4 beside each of the tied candidates.)
   - REMEMBER: To be elected, the candidate must be registered to vote in this precinct. (A minimum number of votes is <u>not</u> required.)

6. Complete and sign the "Certificate of Election Inspectors" on back. Place this booklet in Envelope #1 to County Clerk marked "List of Delegates Elected".

CITY / TOWNSHIP OF: _____ WARD / PRECINCT #: _____
(Circle One)

REPUBLICAN PARTY

NUMBER OF DELEGATES TO BE ELECTED: _____

(1)	(2)	(3)	(4)
Print each Candidate's Name and Registered Address	Total Votes Received	Registered in Precinct? ("Yes" or "No")	Place a Check Mark (✓) in Column if Elected
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			

Page 2

CITY / TOWNSHIP OF: _____ WARD / PRECINCT #: _____
(Circle One)

DEMOCRATIC PARTY

NUMBER OF DELEGATES TO BE ELECTED: _____

(1) Print each Candidate's Name and Registered Address	(2) Total Votes Received	(3) Registered in Precinct? ("Yes" or "No")	(4) Place a Check Mark (✓) in Column if Elected
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			
Name: _____ Reg. Address: _____			

REPUBLICAN PARTY WRITE-IN TALLY

(CANDIDATE'S NAME PLACED ON BALLOT BY VOTER)

NAME	WRITE-IN TALLY								TOTAL WRITE-IN VOTES

A

DEMOCRATIC PARTY WRITE-IN TALLY

(CANDIDATE'S NAME PLACED ON BALLOT BY VOTER)

NAME	WRITE-IN TALLY								TOTAL WRITE-IN VOTES

B

Page 4

CERTIFICATE OF ELECTION INSPECTORS

STATE OF MICHIGAN

County of: _____

City / Township of: _____
(Circle One)

Ward / Precinct #: _____

WE HEREBY CERTIFY that this is a correct statement and return of the votes cast for Delegate to the County Convention on the Republican and Democratic Party tickets. The candidates receiving sufficient votes are so indicated by a check mark and are declared elected by the undersigned Board of Election Inspectors.

X _____
Chairperson Phone

X _____
Phone

X _____
Phone

X _____
Phone

X _____
Phone

X _____
Phone

X _____
Phone

X _____
Phone

X _____
Phone

X _____
Phone

BOARD OF ELECTION INSPECTORS

Signed this _____ day of August, 2010

PLACE THIS **BOOKLET** IN **ENVELOPE #1** TO COUNTY CLERK MARKED **"LIST OF DELEGATES ELECTED."** (INCLUDE COPIES OF ANY **"PRECINCT DELEGATE WRITE-IN CANDIDATE DECLARATION OF INTENT"** FORMS WHICH WERE FILED IN PRECINCT.)

Instructional Steps for Receiving Boards

Upon the delivery of the ballot container, Poll Book and Statement of Votes, the receiving board follows the steps outlined below:

1) **The receiving board checks to confirm that the election inspectors did not seal the Poll Book or the Statement of Votes in the ballot container.**

Corrective actions if needed: If the receiving board members find that the Poll Book or Statement of Votes has been sealed in the ballot container, they direct the election inspectors to open the ballot container to remove the document(s). After removing the documents, they note the actions taken to correct the matter in the remarks section of the Poll Book. The notation must be signed by the election inspectors and the members of the receiving board. After removing the document(s) from the ballot container, they further direct the election inspectors to reseal the ballot container and record the new seal number on the Ballot Container Certificate, in the Poll Book and on the Statement of Votes.

2) **The receiving board checks to confirm that the ballot container is properly sealed and that the seal number is accurately recorded on the Ballot Container Certificate, in the Poll Book and on the Statement of Votes.**

Corrective actions if needed: If the ballot container is not properly sealed or the seal number is not properly recorded on the Ballot Container Certificate, in the Poll Book or on the Statement of Votes, the receiving board members direct the election inspectors to take the necessary actions to correct the matter. After correcting the matter, the receiving board notes the actions taken in the remarks section of the Poll Book. The notation must be signed by the election inspectors and the members of the receiving board.

3) **The receiving board checks to confirm that the number of names entered in the Poll Book balances with the number of ballots counted in the precinct as shown on the precinct's tabulator tape and recorded on the Statement of Votes.**

Corrective actions if needed: If a ballot balance discrepancy is found that is not explained in the Poll Book (e.g., provisional "envelope" ballots, empty absent voter ballot return envelopes, etc.), the receiving board members question the election inspectors on the discrepancy. After questioning the election inspectors, the receiving board notes the explanation – or the election inspectors' inability to provide an explanation – in the remarks section of the Poll Book. The notation must be signed by the election inspectors and the members of the receiving board. NOTE: When performing this check, the receiving board does not have the authority to count, retabulate or handle the ballots secured in the ballot container.

4) **After completing the above checks, the receiving board replaces the Poll Book and Statement of Votes in the delivery envelope, seals the envelope with a red paper seal and initials the seal.**

Option: If permitted by the clerk of the board of canvassers responsible for canvassing the election, the receiving board may include the Poll Books and Statement of Votes for multiple precincts in a single delivery envelope.

Checklist Available

A "checklist" is available to assist with the administration of receiving boards. The use of the checklist is strongly encouraged to ensure that the various checks that must be performed are properly and efficiently handled.

May 2011

Receiving Board Checklist

√ **Jurisdiction** _____ **Precinct #** _____

Documents

☐ **Check to confirm that the election inspectors did not seal the Poll Book or the Statement of Votes in the ballot container.**

Corrective actions if needed: If the receiving board finds that the Poll Book or Statement of Votes has been sealed in the ballot container, direct the election inspectors to open the ballot container to remove the document(s). Note the actions taken to correct the matter in the remarks section of the Poll Book. The notation must be signed by the election inspectors and the members of the receiving board. After removing the document(s) from the ballot container, direct the election inspectors to reseal the ballot container and record the new seal number on the Ballot Container Certificate, in the Poll Book and on the Statement of Votes.

Seals

☐ **Check to confirm that the ballot container is properly sealed and that the seal number is accurately recorded on the Ballot Container Certificate, in the Poll Book and on the Statement of Votes.**

Corrective actions if needed: If the ballot container is not properly sealed or the seal number is not properly recorded on the Ballot Container Certificate, in the Poll Book or on the Statement of Votes, take the necessary actions to correct the discrepancy. Note the discrepancy and the actions taken to correct the matter in the remarks section of the Poll Book. The notation must be signed by the election inspectors and the members of the receiving board.

Poll Book/Statement of Votes balance

☐ **Check to confirm that the number of names entered in the Poll Book balances with the number of ballots counted in the precinct as shown on the precinct's tabulator tape and recorded on the Statement of Votes.**

Corrective actions if needed: If a ballot balance discrepancy is found that is not explained in the Poll Book (e.g., provisional "envelope" ballots, empty absent voter ballot return envelopes, etc.), question the election inspectors on the discrepancy. After questioning the election inspectors, note the explanation – or the election inspectors' inability to provide an explanation – in the remarks section of the Poll Book. The notation must be signed by the election inspectors and the members of the receiving board. NOTE: When performing this check, the receiving board does not have the authority to count, retabulate or handle the ballots secured in the ballot container.

Resealing Poll Book/Statement of Votes

☐ **After completing the above checks, replace the Poll Book and Statement of Votes in the delivery envelope, seal the envelope with a red paper seal and initial the seal.**

Option: If permitted by the clerk of the board of canvassers responsible for canvassing the election, the Poll Books and Statement of Votes for multiple precincts may be included in a single delivery envelope.

Document Retention

The following lists the length of time election records and materials must be retained. It merits note that the retention schedules are separated into two categories: Election Administration, County Records, and City/Township/Village Records.

Election Administration

Item #	***Item***	***Retention Period***
100	Bureau of Elections Correspondence	Creation date + 2 years
101	Transitory Correspondence	30 days after receipt
102	Post Election Reports	Day after November General Election + 2 years
103	Certification	While serving as an election official

County Records

Item #	***Item***	***Retention Period***
200	Affidavits of Candidacy	Until the election is held + 2 years
201	Affidavits of Constitutional Qualification	Until the election is held + 2 years
202	Affidavits of Identity	Until the election is held + 2 years
203A	Applications to Vote	Until the election is held + 2 years
203B	Applications to Vote – Gubernatorial Elections	Until the next gubernatorial election is held (Election + 4 years)
204	Apportionment	From the first election that the plan was in effect + 11 years
205	Ballots (Select School District Elections)	Until 30 days after the canvass of the election is completed, or • until a recount is completed, • until a court order or a Secretary of State order to suspend destruction is lifted, or

		• until an investigation into defective ballots or voting equipment is completed
206	Board of County Canvassers Meeting Materials	Permanent
207A	Campaign Finance Statements of Organization – Committees Receiving Less Than $50,000	Until the official date of dissolution + 5 years
207B	Campaign Finance Statements of Organization – Committees Receiving More Than $50,000	Until the official date of dissolution + 15 years
208A	Campaign Finance Reporting – Committees Receiving Less Than $50,000	Creation Date + 5 years
208B	Campaign Finance Reporting – Committees Receiving More Than $50,000	Creation Date + 15 years
209	Candidate Filing Fee Refunds	Until Audit
210	Candidate Listing	Until the election is held + 2 years
211	Certificates of Acceptance	Until the term of office expires
212	County Election Commission Meeting Materials	Permanent
213	County Election Results	Permanent
214	Declaration of Intent	Until the election is held + 2 years
215	Election Challengers	Until the election is held + 2 years
216	Election Inspector Certificates	Creation date + 2 years
217	Election Inspector Training	Retain the most current training materials (older materials may be kept for reference purposes)
218	Election Notices	Until canvass of the election is

		completed + 2 years
219	Electronic Voting Systems	30 days following the canvass and certification of the election
220	Nominating and Qualifying Petitions	Until January 1 following the election
221	Nominating Petition Record	Until petitions are disposed of + 2 years
222	Oaths of Office – Election Officials	Until canvass of the election is completed + 2 years
223	Poll Books	Until canvass of the election is completed + 2 years
224	Precinct Delegates	Until the election is held + 2 years
225	Precinct Tabulation Data	Until the election is held + 2 years
226A	Preliminary Accuracy Testing – Federal Offices	Until the election is held + 2 years
226B	Preliminary Accuracy Testing – State and Local Offices	Until the election is held + 30 days
227A	Proof Ballots – State and Local Offices	Until the election is held + 30 days
227B	Proof Ballots – Federal Offices	Until the election is held + 22 months
228	Proposal Petitions	Until canvass of the election is completed + 2 years
229	Recalls	Creation date + 2 years
230	Recounts	Until the recount is completed + 2 years
231A	Sample Ballots – State and Local Offices	Until the election is held + 30 days
231B	Sample Ballots – Federal Offices	Until the election is held + 22 months
232	School Election Coordinating Committee	Expiration + 6 years
233	Statement of Vote	Until the election is held + 2 years
234	Tally Sheets/Books	Until the election is held + 2 years

235	Tie votes	Until the tie vote is broken + 2 years
236	Voting Equipment Acquisition	Life of equipment + 6 years

City, Township and Village Records

Item #	***Item***	***Retention Period***
300	Absentee Ballot Envelopes	Until the election is held + 2 years
301	Absentee Voter List	Until the election is held + 2 years
302	Application for Absentee Ballot	Until the election is held + 2 years
303A	Applications to Vote	Until the election is held + 2 years
303B	Applications to Vote – Gubernatorial Elections	Until the next gubernatorial election is held (Election + 4 years)
304	Affidavits of Identity	Until the election is held + 2 years
305	Affidavit of Voter Unable to Meet Photo ID Requirement	Until the election is held + 2 years
306	Ballots – Federal Offices	Until canvass of the election is completed + 22 months
307	Ballots – State and Local Offices (Note: This series also applies to unused ballots for federal, state and local offices)	Until 30 days after the canvass of the election is completed, or • until a recount is completed, • until a court order or a Secretary of State order to suspend destruction is lifted, or • until an investigation into defective ballots or voting equipment is completed
308	Candidate Listing	Until the election is held + 2 years
309	Declaration of Intent	Until January 1 following the election
310	Election Notices	Until canvass of the election is

		completed + 2 years
311	Election Inspector Applications	While the person is eligible for appointment as an inspector
312	Election Inspector Certificates	Creation date + 2 years
313	Election Inspector Training	Retain the most current training materials (older materials may be kept for reference purposes)
314	Electronic Voting Systems	Until 30 days after the canvass of the election is completed, or • until a recount is completed, • until a court order or a Secretary of State order to suspend destruction is lifted, or • until an investigation into defective ballots or voting equipment is completed
315	Federal Post Card Application	Creation date + 4 years
316	Local Election Commission Meeting Materials	Permanent
317	Local Election Results	Permanent
318	Nominating and Qualifying Petitions	Until January 1 following the election
319	Nominating Petition Record	Until petitions are disposed of + 2 years
320	Oaths of Office – Election Officials	Until the election is held + 2 years
321	Precinct Maps	Only retain current precinct maps (Any outdated maps should be sent to Archives of Michigan for permanent preservation)
322A	Preliminary Accuracy Testing – Federal Offices	Until the election is held + 2 years

322B	Preliminary Accuracy Testing – State and Local Offices	Until the election is held + 30 days
323	Proposal Petitions	Until canvass of the election is completed + 2 years
324	QVF Precinct Lists	Until the election is held + 2 years
325	School Election Coordinating Committee	Expiration + 6 years
326	Statement of Vote	Until the election is held + 2 years
327	Tally Sheets/Books	Until the election is held + 2 years
328	Tie votes	Until the tie vote is broken + 2 years
329	Voter Identification Cards – Returned	Until the voter's registration is cancelled
330	Voter Registration Applications	Until the master card is generated
331	Voter Registration Master Cards – Originals	Until cancelled + 10 years
332	Voter Registration Master Cards – Duplicates	Until cancelled + 2 years
333	Voter Registration Cards – Voided	Creation date + 2 years
334	Voter Registration Cards – Change of Address	Until the official voter registration record is updated
335	Voting Equipment Acquisition	Life of the equipment + 6 years

Item # **Title and Description**

Administration

100 **Bureau of Elections Correspondence**
This correspondence is received from the Bureau of Elections and pertains to policy or housekeeping issues. This correspondence may exist in a variety of formats, including memos, letters, notes, and electronic mail messages. This does not include the Election News and the News You Can Use newsletters that are published and retained by the Bureau.

101 **Transitory Correspondence**
Transitory correspondence is any form of written communication with a short-

term interest that has no documentary value. This type of correspondence has limited administrative and evidential value that is lost soon after the communication is received. **Transitory messages do not set policy, establish guidelines or procedures, certify a transaction or become a receipt.** Examples of transitory correspondence include letters of transmittal that do not add information to the transmitted materials, routine requests for information that require no administrative action, policy decision, special compilation or research. This type of record also includes invitations to work-related events, notifications of an upcoming meeting, and similar records.

102 **Post Election Reports**
The Secretary of State is required to submit a post election report to the Elections Assistance Commission detailing the State of Michigan's compliance with the National Voting Rights Act and the Help America Vote Act. Clerks are required to create and maintain data on an ongoing basis that is compiled for this report.

103 **Certification**
The Bureau of Elections provides training to election officials. Officials take a self-administered accreditation exam, and receive a certificate upon successful completion of the exam.

County Records

200 **Affidavits of Candidacy**
These are filed by incumbent judges seeking ballot access for re-election.

201 **Affidavits of Constitutional Qualification**
These forms are filed by candidates for judicial positions.

202 **Affidavits of Identity**
These forms are filed by all candidates for elected office, including precinct delegates.

203A **Applications to Vote**
These forms are completed and signed by voters at the polls. They are used to confirm that the voter has a valid registration in the jurisdiction, and they are used to verify the identity of the voter. County clerks only maintain these records for select elections. MCL 168.811

203B **Applications to Vote - Gubernatorial Elections**
These forms are completed and signed by voters at the polls during elections that include a gubernatorial race. They are used to confirm that the voter has a valid registration in the jurisdiction, and they are used to verify the identity of the voter. They may be needed if the jurisdiction needs to identify the number of signatures that are needed to support a recall petition.

204 **Apportionment**
These records document the re-apportionment of the Board of Commissioner district boundaries after a census is completed. These files may include

correspondence, litigation materials, minutes of apportionment commission meetings, maps, district descriptions, demographic information, etc.

205 **Ballots (Select School District Elections)**
These records document votes in select school district elections and special elections that are administered by the county clerk per an agreement. They include ballots, counted absentee ballots, provisional ballots, challenged ballots, unused ballots, spoiled ballots, and ballots rejected for exposure, ballot containers containing optical scan ballots, etc.

206 **Board of County Canvassers Meeting Materials**
These files include agendas, minutes, and supporting documentation (such as transcripts, correspondence, certificates of election, challenges) that were reviewed by the board during its meetings.

207A **Campaign Finance Statements of Organization—Committees Receiving Less Than $50,000**
These records document the creation of committees supporting the election/re-election of candidates for local offices (or groups supporting/opposing local ballot questions) whose campaign committee received less than $50,000 in the election cycle.

207B **Campaign Finance Statements of Organization—Committees Receiving More Than $50,000**
These records document the creation of committees supporting the election/re-election of candidates for local offices (or groups supporting/opposing local ballot questions) whose campaign committee received more than $50,000 in the election cycle.

208A **Campaign Finance Reporting--Committees Receiving Less Than $50,000**
These records document the campaign finance activities of candidates for local offices (or groups supporting/opposing local ballot questions) whose campaign committee received less than $50,000 in the election cycle. They may include campaign finance reports (regular reports during the election cycle and annual reports, as required), amendments, receipts for late filing fee charges, correspondence, other statements and reports.

208B **Campaign Finance Reporting--Committees Receiving More Than $50,000**
These records document the campaign finance activities of candidates for local offices (or groups supporting/opposing local ballot questions) whose campaign committee received more than $50,000 in the election cycle. They may include campaign finance reports (regular reports during the election cycle and annual reports, as required), amendments, receipts for late filing fee charges, correspondence, other statements and reports.

209 **Candidate Filing Fee Refunds**
After the primary is held some candidates are eligible for a refund of their filing fee.

210 **Candidate Listing**
This register is used to log when a candidate files an Affidavit of Identity.

211 **Certificates of Acceptance**
After a person is elected to a school board they have to file a certificate of acceptance with the school district. A copy is sent to the county clerk (MCL 168.309).

212 **County Election Commission Meeting Materials**
These files include agendas, minutes, resolutions and supporting documentation that was reviewed by the commission during its meetings.

213 **County Election Results**
These records (also known as the "canvass of votes") document the final outcome of elections, as determined by the Board of County Canvassers.

214 **Declaration of Intent**
These forms are submitted by individuals who seek nomination or election to an office with write-in votes. Votes for write-in candidates who do not file a Declaration of Intent will not be counted.

215 **Election Challengers**
An organization or group that intends to appoint election challengers must submit a notarized statement to the clerk of the jurisdiction that states the reason why the right to make the appointments is claimed. These records will include the statement, a copy of the identification card to be used by the challengers, and the approval or denial (and possibly appeal documents).

216 **Election Inspector Certificates**
Election inspectors must attend training every two years. These certificates document who attended training.

217 **Election Inspector Training**
These records include materials developed by the Bureau of Elections and the county clerk to train election inspectors.

218 **Election Notices**
Clerks must publish a notice in local newspapers notifying the public of the close of registration to vote, of upcoming elections and of public accuracy tests of voting equipment. These records will include a copy of the notice, the affidavit of publication and the bill from the newspaper.

219 **Electronic Voting Systems**
These systems are used to conduct select school district elections and special elections that are administered by the county clerk per an agreement. They include voting devices, ballot containers, optical scan ballots, etc.

220 **Nominating and Qualifying Petitions**

All candidates (both partisan and non-partisan) for countywide offices must file nominating or qualifying petitions with the clerk. These petitions contain signatures of registered voters living within the office's jurisdiction stating that they want to have the candidate's name placed on the ballot. These records may be returned to the candidate or destroyed as requested by candidate at the end of their retention period.

221 **Nominating Petition Record**

This record lists which candidates submitted nominating petitions for each election cycle. It contains the office, candidate, filing date, determination date, number of signatures required and filed, date the petitions were returned or destroyed, and the date of the election.

222 **Oaths of Office—Election Officials**

This affidavit is signed by election officials who serve on Absent Voter Counting Boards, as Election Inspectors, etc. who affirm that they will lawfully fulfill the duties to which they have been appointed. Poll watchers who observe the action of the absent voter counting board must also take and sign an oath of secrecy.

223 **Poll Books**

These books identify which registered voters participated in an election. They identify which voters were issued provisional ballots and which voters were challenged. This record includes Absent Voter Poll Books that identify which absent voters were mailed ballots. These books are received from cities and townships for maintenance by the county clerk. MCL 168.811

224 **Precinct Delegates**

These records document the certification of election results for precinct delegates and notification to political parties. They may include tally sheets, certificates of election, lists, etc.

225 **Precinct Tabulation Data**

This data documents the programming (burning) of removable data storage devices for precinct tabulators. It will include definitions, vote totals, an audit of voting activity. The data may be transferred to other storage media for retention.

226A **Preliminary Accuracy Testing**

These records document tests of voting equipment prior to the election. They include data containing voting formulas for the election that is used to test the equipment's accuracy, AutoMARK testing, test ballots, test decks, documents and certification, edit listings, etc.

226B **Preliminary Accuracy Testing (State and Local Offices)**

These records document tests of voting equipment prior to the election. They include data containing voting formulas for the election that is used to test the equipment's accuracy, AutoMARK testing, test ballots, test decks, documents and certification, edit listings, etc.

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227A **Proof Ballots (State and Local Offices)**
Proof ballots are produced to proofread the wording and formatting of each style of ballot that will be used in the election. They are reviewed by the candidates, Bureau of Elections and the County Election Commission prior to printing. These records may include hard copy or electronic proof ballots (one of each style) and related correspondence.

227B **Proof Ballots (Federal Offices)**
Proof ballots are produced to proofread the wording and formatting of each style of ballot that will be used in the election. They are reviewed by the candidates, Bureau of Elections and the County Election Commission prior to printing. These records may include hard copy or electronic proof ballots (one of each style) and related correspondence.

228 **Proposal Petitions**
Groups or individuals wishing to place a question on the countywide ballot for an upcoming election must also submit petitions. These petitions contain signatures of registered voters living within the jurisdiction stating that they want to have the proposal placed on the ballot.

229 **Recalls**
Voters may initiate a recall of elective officers in the state. These records will contain petition language submissions, clarity review documents, public meeting notices, signed petitions, signature challenges, petition review notices, correspondence, etc.

230 **Recounts**
These records document the administration of election recounts. They may include tally sheets, application forms, financial documents, petitions, counter petitions, objections, sign-in sheets, correspondence, and personnel records for the workers, etc.

231A **Sample Ballots (State and Local Offices)**
These ballots are produced and marked “sample” for posting for public information.

231B **Sample Ballots (Federal Offices)**
These ballots are produced and marked “sample” for posting for public information.

232 **School Election Coordinating Committee**
The school election coordinating committee identifies the duties and responsibilities of parties that administer school elections. Their agreements are renewed every two years. These records may include meeting records, agreements, maps, resolutions, correspondence, etc.

233 **Statement of Vote**
These documents are certified on Election Day by election inspectors. They summarize the votes for write-in candidates and the number of ballots issued (used and unused). The statement may be part of the poll book. MCL 168.811

234 **Tally Sheets/Books**
These documents are used to calculate the number of write-in votes. These sheets may be part of the poll book. MCL 168.811

235 **Tie Votes**
These records document that proper procedures were followed when breaking a tie vote. These records include notices, sign-in sheets, and the name slips, etc.

236 **Voting Equipment Acquisition**
These records document the acquisition and maintenance of voting equipment. They include contracts, HAVA grants, maintenance agreements, serial numbers, resolutions, correspondence, etc.

City, Township and Village Records

300 Absentee Ballot Envelopes
These envelopes were used to transmit absentee ballots. Envelopes containing valid ballots will be opened and emptied so the ballot can be counted (see items #304-305). Invalid/rejected ballots remain inside the envelope, and the envelope may remain sealed. In this case, the ballot is not counted. MCL 168.811

301 **Absentee Voter List**
This list identifies which voters in each precinct were mailed absentee ballots. It contains the name of the voter, address where the ballot was mailed, date the application was received, date the ballot was mailed, date the ballot was received, etc. This record includes the absentee ballots information posting. The list may be part of the poll book. MCL 168.811

302 **Application for Absentee Ballot**
These applications are submitted by voters wishing to receive an absentee ballot for upcoming primary and/or general elections. These records also include "emergency" absentee ballot requests. MCL 168.811

303A **Applications to Vote**
These forms are completed and signed by voters at the polls. They are used to confirm that the voter has a valid registration in the jurisdiction, and they are used to verify the identity of the voter. MCL 168.811

303B **Applications to Vote—Gubernatorial Elections ACT**
These forms are completed and signed by voters at the polls during elections that include a gubernatorial race. They are used to confirm that the voter has a valid registration in the jurisdiction, and they are used to verify the identity of the voter. They will be used if the jurisdiction needs to identify the number of signatures that are needed to support a recall petition.

304 **Affidavits of Identity**
These forms are filed by all candidates for elected office, including precinct delegates. ACT = until the election is held.

305 **Affidavit of Voter Unable to Meet Photo ID Requirements**
This form is signed by voters who do not possess photo identification when attending the polls.

306 **Ballots (Federal Offices)**
These records document votes in elections where the office of U.S. President, U.S. Senate, or Representative in Congress appears on the ballot (including proof ballots, sample ballots, uncounted ballots, counted absentee ballots, provisional ballots, challenged ballots, spoiled ballots, and ballots rejected for exposure). They include optical scan ballots and the programs used to tabulate them, and Federal Write-In Absentee Ballots. Optical scan ballots shall be stored in sealed ballot bags in a secure place during this retention period, after the retention requirements specified under Michigan law have been met (see item #305 and 311).

307 **Ballots (State and Local Offices)**
These records document votes in elections for state and local offices, some school district elections, and special elections in which candidates for federal offices did not appear on the ballot (including proof ballots, sample ballots, uncounted ballots, unused ballots, counted absentee ballots, provisional ballots, challenged ballots, spoiled ballots, and ballots rejected for exposure). They include voting devices/tabulators, ballot containers containing optical scan ballots, programs, edit listings, etc. **Note: this series also applies to unused ballots for federal, state and local offices.**

308 **Candidate Listing**
This register is used to log when a candidate files an Affidavit of Identity.

309 **Declaration of Intent**
These forms are submitted by individuals who seek nomination or election to an office with write-in votes. Votes for write-in candidates who do not file a Declaration of Intent will not be counted.

310 **Election Notices**
Clerks must publish a notice in local newspapers notifying the public of the close of registration to vote, of upcoming elections and of public accuracy tests of voting equipment. These records will include a copy of the notice, the affidavit of publication and the bill from the newspaper.

311 **Election Inspector Applications**
These applications are submitted by people who are interested in serving as election inspectors. Inspectors are appointed by the local election commission.

312 **Election Inspector Certificates**
Election inspectors must attend training every two years. These certificates document who attended training.

313 **Election Inspector Training**
These records may include materials developed by the Bureau of Elections, the county clerk and the local clerk to train election inspectors.

314 **Electronic Voting Systems**
These records document elections for state and local offices, some school district elections, and special elections. They include voting devices, ballot containers, optical scan ballots, programs, edit lists, etc.

315 **Federal Post Card Application**
These voter registration/absent voter ballot applications are produced and distributed by the federal government to permit eligible individuals to vote while outside of the country.

316 **Local Election Commission Meeting Materials**
These files include agendas, minutes, resolutions and supporting documentation that was reviewed by the commission during its meetings.

317 **Local Election Results**
These records (also known as the "canvass of votes") document the final outcome of elections, as determined by the Board of County Canvassers.

318 **Nominating and Qualifying Petitions**
All candidates (both partisan and non-partisan) for local offices must file nominating or qualifying petitions with the clerk. These petitions contain signatures of registered voters living within the office's jurisdiction stating that they want to have the candidate's name placed on the ballot. These records may be returned to the candidate or destroyed as requested by candidate at the end of their retention period.

319 **Nominating Petition Record**
This record lists which candidates submitted nominating petitions for each election cycle. It contains the office, candidate, filing date, determination date, number of signatures required and filed, date the petitions were returned or destroyed, and the date of the election.

320 **Oaths of Office—Election Officials**
This affidavit is signed by election officials who serve on Absent Voter Counting Boards, as election inspectors, etc. who affirm that they will lawfully fulfill the duties to which they have been appointed. Poll watchers who observe the action of the absent voter counting board must also take and sign an oath of secrecy. These oaths may be part of the poll book.

321 **Precinct Maps**
These maps define the boundaries of precincts within a jurisdiction. Superseded maps should be sent to the Archives of Michigan for permanent preservation.

322A **Preliminary Accuracy Testing (Federal Offices)**
These records document tests of voting equipment prior to the election. They include data containing voting formulas for the election that is used to test the equipment's accuracy, AutoMARK testing, test ballots, test decks, documents and certification, edit listings, etc.

322B **Preliminary Accuracy Testing (State and Local Offices)**
These records document tests of voting equipment prior to the election. They include data containing voting formulas for the election that is used to test the equipment's accuracy, AutoMARK testing, test ballots, test decks, documents and certification, edit listings, etc.

323 **Proposal Petitions**
Groups or individuals wishing to place a question on the local ballot for an upcoming election must also submit petitions. These petitions contain signatures of registered voters living within the jurisdiction stating that they want to have the proposal placed on the ballot.

324 **QVF Precinct Lists**
These lists are generated from the Qualified Voter File to identify who is registered to vote at each precinct within the jurisdiction. MCL 168.811

325 **School Election Coordinating Committee**
The school election coordinating committee identifies the duties and responsibilities of parties that administer school elections. Their agreements are renewed every two years. These records may include meeting records, agreements, maps, resolutions, correspondence, etc.

326 **Statement of Vote**
These documents are certified on Election Day by election inspectors. They summarize the votes for write-in candidates and the number of ballots issued (used and unused). The statement may be part of the poll book. MCL 168.811

327 **Tally Sheets/Books**
These documents are used to calculate the number of write-in votes. These sheets may be part of the poll book. MCL 168.811

328 **Tie Votes**
These records document that proper procedures were followed when breaking a tie vote.

329 **Voter Identification Cards—Returned**
These voter identification cards were returned by the post office as undeliverable.

330 **Voter Registration Applications**
Applications to become a registered voter are received in a variety of ways. The information from the application is entered into QVF and a master card is generated.

331 **Voter Registration Master Cards—Originals**
These cards identify who is registered to vote in elections. The signatures on the cards are used to verify the identity of the voter. Per MCL 168.514, the registration records, if combustible, shall be destroyed by burning.

332 **Voter Registration Master Cards—Duplicates**
These cards identify who is registered to vote in elections. Per MCL 168.514, if the original card is reproduced in accordance with the Records Reproduction Act (MCL 24.401-24.406), the original becomes the duplicate record, and the reproduction becomes the original.

333 **Voter Registration Cards—Voided**
Clerks will void a voter registration application if the application's deficiency cannot be resolved. A notice of rejection is sent to the applicant. Per MCL 168.514, the registration records, if combustible, shall be destroyed by burning.

334 **Voter Registration Cards--Change of Address**
Clerks may receive written notice signed by the voter that he/she has changed addresses. The address change may need to be communicated to a village clerk. These records also include Election Day Change of Address Notices, and Address Confirmation Notices.

335 **Voting Equipment Acquisition**
These records document the acquisition and maintenance of voting equipment. They include contracts, HAVA grants, maintenance agreements, serial numbers, resolutions, correspondence, etc.

STATE OF MICHIGAN
DEPARTMENT OF STATE
LANSING

July 18, 2006

DETERMINING THE VALIDITY OF OPTICAL SCAN BALLOT MARKINGS

(Issued May 27, 2004)

Michigan election law, MCL 168.799a(3) as amended under PA 92 of 2004, provides the following direction on recounting optical scan ballots:

> If the electronic voting system requires that the elector place a mark in a predefined area on the ballot in order to cast a vote, the vote shall not be considered valid unless there is a mark within the predefined area. A stray mark made within a predefined area is not a valid vote. In determining whether a mark within a predefined area is a stray mark, the board of canvassers or election official shall compare the mark subject to recount with other marks appearing on the ballot. The secretary of state shall issue instructions, subject to the approval of the board of state canvassers, relevant to stray marks to ensure the fairness and uniformity of determinations made under this subsection. A secretary of state's instruction relevant to stray marks shall not be applied to a ballot unless the secretary of state issued the instruction not less than 63 days before the date of the election.

Similar direction is provided under Michigan election law, MCL 168.803(2) as amended under PA 92 of 2004:

> If an electronic voting system requires that the elector place a mark in a predefined area on the ballot in order to cast a vote, the vote shall not be considered valid unless there is a mark within the predefined area. A stray mark made within a predefined area is not a valid vote. In determining whether a mark within a predefined area is a stray mark, the board of canvassers or election official shall compare the mark with other marks appearing on the ballot. The secretary of state shall issue instructions, subject to the approval of the board of state canvassers, relevant to stray marks to ensure the fairness and uniformity of determinations made under this subsection. A secretary of state's instruction relevant to stray marks shall not be applied to a ballot unless the secretary of state issued the instruction not less than 63 days before the date of the election.

The above provisions of law were enacted to accommodate those situations where the tabulating equipment employed to count optical scan ballots cast at an election is unable to recognize a properly cast vote. Such situations generally stem from the voter using an inappropriate marking tool to vote his or her ballot. They can also occur if the ballot marking is not dense enough for the tabulator to recognize the presence of a vote.

It merits emphasis that the proper way to indicate a vote on an optical scan ballot is to make a mark <u>within the "predefined area" designated for casting a vote</u>. Thus, any markings that are inconsistent with this standard cannot be counted as votes.

BUREAU OF ELECTIONS
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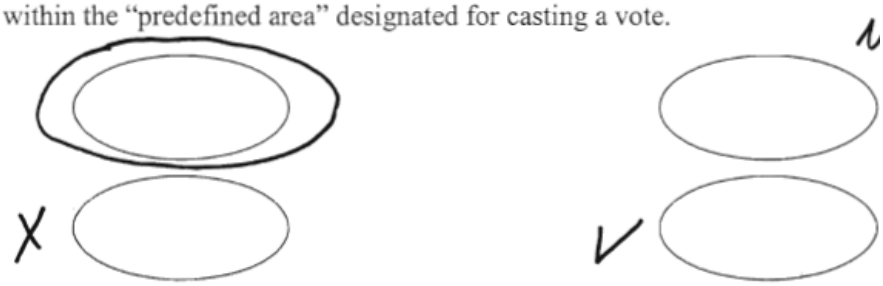
Optical Scan Systems Employing "Oval" Target Areas

Valid markings: Each of the examples provided below is a valid vote as there is a the "predefined area" for casting a vote.

Invalid markings: Each of the examples provided below is an invalid vote as a ma appear within the "predefined area" designated for casting a vote.

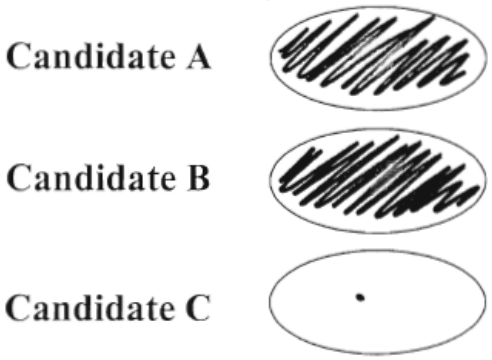


Corrections: A correction that causes a "false" tabulator read does not count as a v

Count for top position only

Counts for top positior

Stray marks: "A stray mark made within a predefined area is not a valid vote. In whether a mark within a predefined area is a stray mark, the board of canvassers or official shall compare the mark with other marks appearing on the ballot."



Counts for top two positions only

Optical Scan Systems Employing "Arrow" Target Areas

Valid markings: Each of the examples provided below is a valid vote as there is a mark within the "predefined area" for casting a vote.

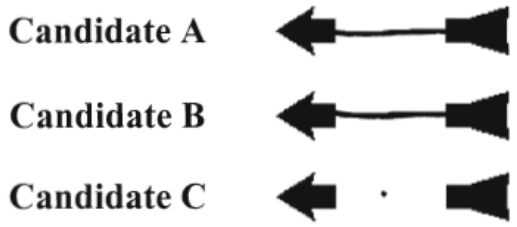
Invalid markings: Each of the examples provided below is an invalid vote as a mark does not appear within the "predefined area" designated for casting a vote.

Corrections: A correction that causes a "false" tabulator read does not count as a valid vote.

Counts for top position only

Counts for top position only

Stray marks: "A stray mark made within a predefined area is not a valid vote. In determining whether a mark within a predefined area is a stray mark, the board of canvassers or election official shall compare the mark with other marks appearing on the ballot."



Counts for top two positions only

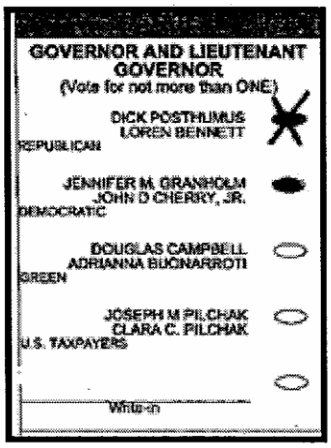
Procedures for Handling Ballot Error Messages When Processing Absentee Ballots

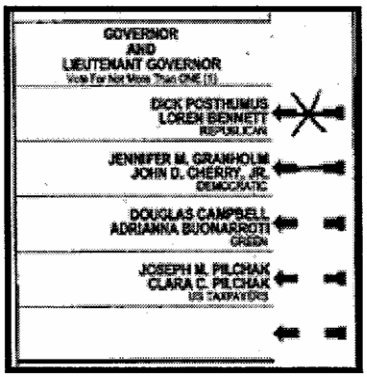
If an absentee ballot is rejected by the tabulator it will be necessary to visually inspect the ballot to determine the appropriate course of action. If the rejection is due to a "false read," deposit the ballot into the auxiliary bin for **duplication after the close of the polls**. The following "false reads" require duplication:

False "overvote" created by ballot correction

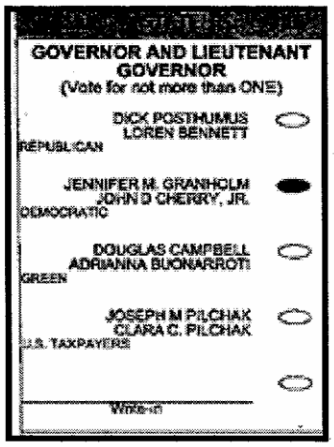
Ballot instructs voter to "Vote for not more than 1." Voter 1) casts vote by completing the arrow or filling in the oval, 2) changes his or her mind and strikes vote and, 3) votes for preferred candidate by completing a second arrow or filling in a second oval. The tabulation equipment is programmed to identify and reject "overvoted" ballots. As a result, the ballot will be rejected due to the appearance of two marks in the race. This affords the election inspector an opportunity to visually inspect the ballot to verify the reason for the rejection. If it is determined that the rejection occurred due to a false read, the ballot must be duplicated. If it is determined that the office or proposal is overvoted, the rejection must be overridden.

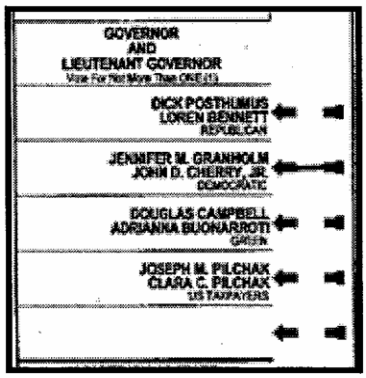
False Overvote - Ballot Correction





Properly Duplicated

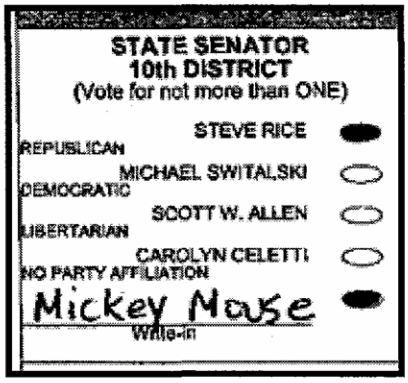


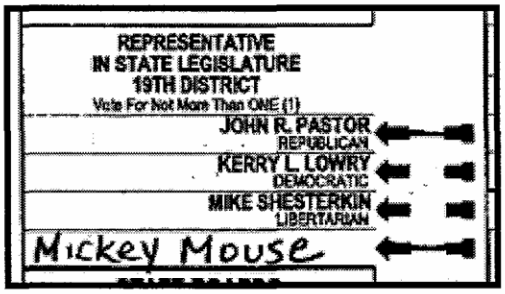


False "overvote" created by invalid write-in

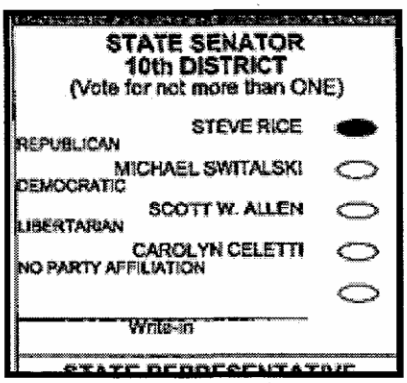
Ballot instructs voter to "Vote for not more than 1." Voter 1) casts vote by completing the arrow or filling in the oval, 2) records an "invalid" write-in under the same office and, 3) completes the corresponding arrow or oval. The write-in vote is "invalid" if it contains 1) a fictitious name 2) the name of a candidate who already appears on the ballot for the same office or 3) the name of a person who did *not* submit a "Declaration of Intent" declaring his or her interest in seeking nomination or election to the office as a write-in candidate. The tabulation equipment is programmed to identify and reject "overvoted" ballots. As a result, the ballot will be rejected due to the appearance of two marks in the race. This affords the election inspector an opportunity to visually inspect the ballot to verify the reason for rejection. If it is determined that the rejection occurred due to a false read, the ballot must be duplicated. If it is determined that the office or proposal is overvoted, the rejection must be overridden.

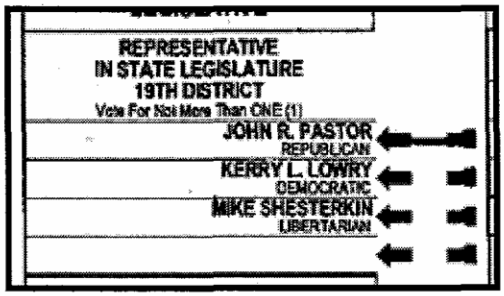
False Overvote - Invalid Write-In





Properly Duplicated





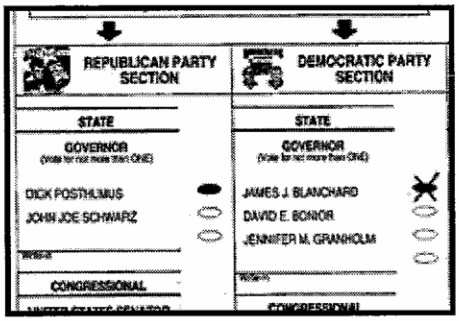
"Blank" ballot which contains valid votes

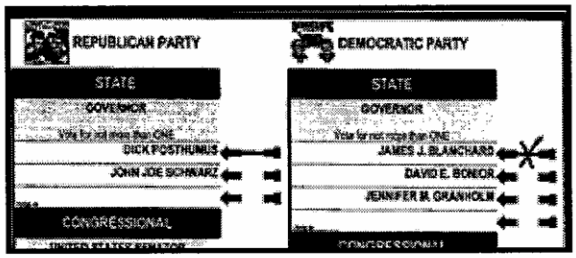
Ballot instructs voter: "To mark your ballot, use only a black or blue ink pen. DO NOT USE ANY OTHER INK COLOR!" The tabulation equipment is programmed to identify and reject "blank" ballots. As a result, the ballot will be rejected due to the tabulator's inability to read any of the votes cast on the ballot. This affords the election inspector an opportunity to visually inspect the ballot to verify the reason for rejection. If it is determined that the rejection occurred due to a false read, the ballot must be duplicated. If it is determined that the office or proposal is a blank ballot, the rejection must be overridden.

False "crossover" vote created by ballot correction

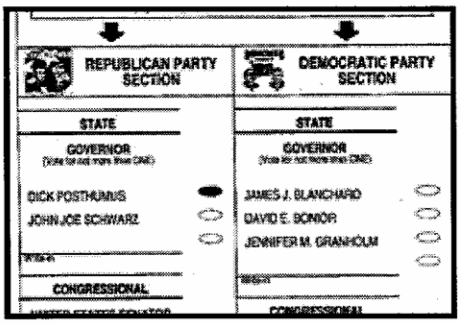
Partisan primary ballot advises voters: "...IF YOU VOTE IN MORE THAN ONE PARTISAN SECTION, YOUR PARTISAN BALLOT WILL BE REJECTED." Voter 1) casts a vote in one of the party columns appearing on the ballot, 2) changes his or her mind and strikes vote and, 3) votes one or more offices in another party column. The tabulation equipment is programmed to identify and reject partisan primary ballots that contain a "crossover" vote. As a result, the ballot will be rejected due to the appearance of marks in more than a single party column. This affords the election inspector an opportunity to visually inspect the ballot to verify the reason for rejection. If it is determined that the rejection occurred due to a false read, the ballot must be duplicated. If it is determined that the office or proposal is crossover voted, the rejection must be overridden.

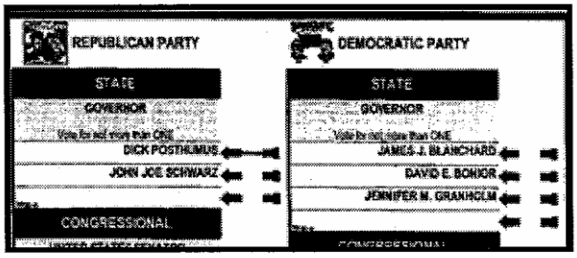
False Crossover Vote - Ballot Correction





Properly Duplicated

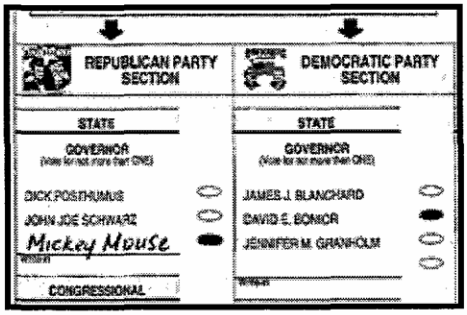


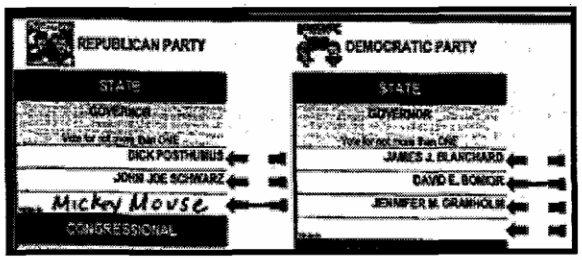


False "crossover" vote created by invalid write-in

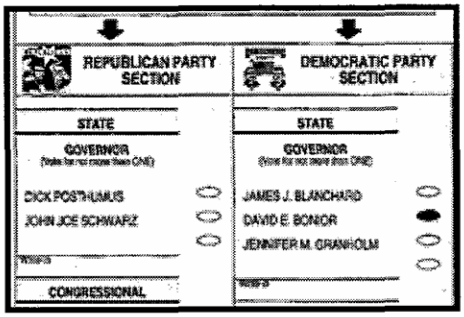
Partisan primary ballot advises voters: "...IF YOU VOTE IN MORE THAN ONE PARTISAN SECTION, YOUR PARTISAN BALLOT WILL BE REJECTED." Voter 1) enters an "invalid" write-in in one of the party columns on the ballot, 2) completes the arrow or oval and, 3) votes one or more offices in another party column. The write-in vote is "invalid" if it contains 1) a fictitious name 2) the name of a candidate who already appears on the ballot for the same office or 3) the name of a person who did *not* submit a "Declaration of Intent" declaring his or her interest in seeking nomination or election to the office as a write-in candidate. The tabulation equipment is programmed to identify and reject partisan primary ballots that contain a "crossover" vote. As a result, the ballot will be rejected due to the appearance of marks in more than a single party column. This affords the election inspector an opportunity to visually inspect the ballot to verify the reason for rejection. If it is determined that the rejection occurred due to a false read, the ballot must be duplicated. If it is determined that the office or proposal is crossover voted, the rejection must be overridden.

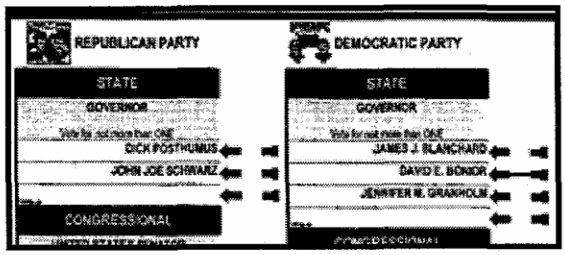
False Crossover Vote - Invalid Write-In





Properly Duplicated





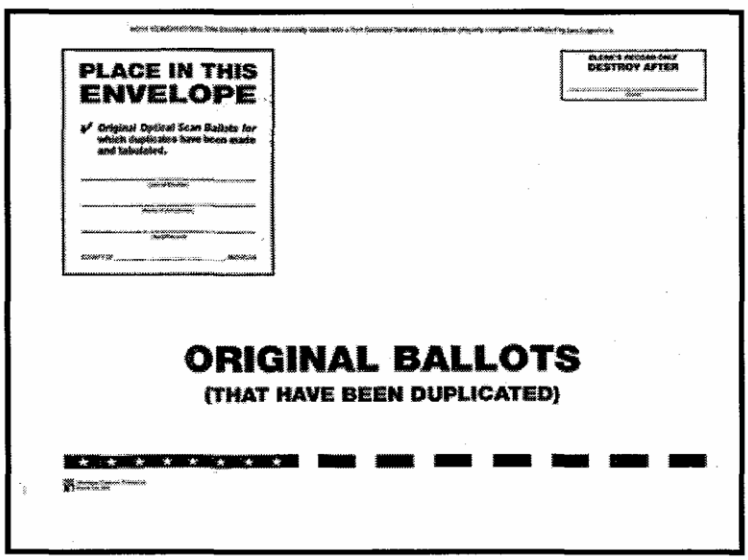
Duplication Procedure

Ballots may not be duplicated until **after the close of the polls**! The procedures for duplicating ballots that contain false "overvotes," ballots which cannot be scanned by the tabulator due to the voter's use of an improper marking implement, attempted corrections, and ballots which contain false "crossover" votes (if a partisan primary) are detailed below:

A. After identifying the ballots that must be duplicated, count out an equal number of unused ballots. At the top of the first ballot to be duplicated write "1." At the top of the replacement ballot write "Dup 1." Follow the same numbering system for the remaining ballots which must be duplicated, i.e.: "2" – "Dup 2"; "3" – "Dup 3"; etc.

B. Duplicate the ballots using a reader-checker process with two election inspectors who have expressed different political party preferences. One election inspector calls the valid votes from the original ballot as the second election inspector records the votes on the duplicate ballot. After the completion of the duplication process, the election inspectors who handled the procedure double-check the duplicated ballot against the original ballot.

C. After the completion of the double-check, the duplicated ballot is tabulated. The original ballot is secured inside the "Original Ballots Envelope."



NOTE: If a mistake occurs when duplicating a ballot, place the ballot used for duplication in the Original Ballots envelope and obtain a new blank ballot for duplication. Make a notation on the top of the ballot in which the mistake occurred and be sure to include it in the number of ballots used for duplication for the ballot summary.

Procedure for Handling Optical Scan Ballots Rejected in the Polls

Michigan Department of State
Bureau of Elections
January 2002

Election workers appointed to serve in optical scan precincts must be carefully instructed on the appropriate procedures for interacting with voters who have their ballot rejected by the tabulator. As a part of the instruction, it is extremely important to emphasize that the election inspectors *cannot* view the voter's ballot in an attempt to identify the voting error involved.

To ensure the proper handling of voters who have their ballot rejected, the following "script" is offered. The distribution of the script to election inspectors appointed to serve in optical scan precincts is recommended. The election inspector responsible for monitoring the tabulator should read the script to any voter who experiences the rejection of his or her ballot due to a voting error.

STEP I: ***Election worker reads following statement to any voter who experiences the rejection of his or her ballot due to a voting error:***

A. If voter has "overvoted" an office or has voted in more than a single party primary: THE TABULATOR HAS REJECTED YOUR BALLOT BECAUSE IT IS IMPROPERLY MARKED. ACCORDING TO THE TABULATOR, YOU HAVE (CAST MORE VOTES FOR AN OFFICE THAN ALLOWED) (VOTED IN MORE THAN A SINGLE PARTY PRIMARY).

IF YOU WISH TO CORRECT THE VOTING ERROR, WE WILL BE HAPPY TO SUPPLY YOU WITH A REPLACEMENT BALLOT.

IF YOU DO NOT WISH TO CORRECT THE VOTING ERROR, WE WILL BE HAPPY TO ACCEPT YOUR BALLOT AS PRESENTED. PLEASE BE AWARE, HOWEVER, THAT ANY INVALID VOTES MARKED ON YOUR BALLOT WILL NOT BE COUNTED.

B. If voter has not cast any votes (blank ballot): THE TABULATOR HAS REJECTED YOUR BALLOT BECAUSE IT DOES NOT READ ANY VOTES ON THE BALLOT.

IF YOU WISH TO CAST VOTES ON THE BALLOT, YOU MAY RETURN TO THE VOTING STATION. INSTRUCTIONS ON THE VOTING PROCESS ARE AVAILABLE AT YOUR REQUEST.

IF YOU DO NOT WISH TO RETURN TO THE VOTING STATION, WE WILL BE HAPPY TO ACCEPT YOUR BALLOT AS PRESENTED. PLEASE BE AWARE, HOWEVER, THAT NO VOTES WILL COUNT.

STEP II: ***If the voter wishes to have his or her ballot cast as presented, the election worker should reemphasize how the ballot will be counted and afford the voter a second opportunity to obtain a replacement ballot or return to the voting station:***

A. If voter has "overvoted" an office: IF YOUR BALLOT IS CAST AS MARKED, NO VOTES WHICH APPEAR UNDER ANY OFFICE THAT YOU HAVE "OVERVOTED" WILL COUNT. ARE YOU CERTAIN THAT YOU DO NOT WISH TO RECEIVE A REPLACEMENT BALLOT?

B. If voter has voted in more than a single party primary: IF YOUR BALLOT IS CAST AS MARKED, NO VOTES WHICH APPEAR IN THE PARTISAN SECTION OF YOUR BALLOT WILL COUNT. ARE YOU CERTAIN THAT YOU DO NOT WISH TO RECEIVE A REPLACEMENT BALLOT?

C. If voter has not cast any votes (blank ballot): IF YOUR BALLOT IS CAST AS PRESENTED, NO VOTES WILL COUNT FOR ANY CANDIDATES OR PROPOSALS. ARE YOU CERTAIN THAT YOU DO NOT WISH TO RETURN TO THE VOTING STATION?

ELECTION INSPECTOR APPLICATION

_____
(NAME OF CITY, TOWNSHIP OR VILLAGE)

(Must be completed in your own handwriting in ink)

Full Name _____

Date of Birth _____/_____/_____ Email Address _____

Home Address _____

Home Phone # _____ Work Phone # _____

Registered in ☐ City ☐ Township of _____ ☐ Village Precinct # _____ Ward # _____

County of _____ Length of Residence in County _____

Political Party Affiliation (to be eligible for appointment you **MUST** check one):

☐ Republican Party ☐ Democratic Party ☐ Other Party _____

Have you ever been convicted of a felony or election crime? ☐ Yes ☐ No

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Education Background (include highest grade completed or degrees held) _____

_____

Employment Background (include current or last place of employment and type or work performed)

_____

_____

Languages other than English that you speak (if any) _____

_____

Past experience as an election inspector, if any (include name of jurisdiction) _____

_____

Do you have transportation? ☐ Yes ☐ No Will you work at any polling place? ☐ Yes ☐ No

I CERTIFY THAT I am not a member or a known active advocate* of a political party other than the party identified above. I FURTHER CERTIFY THAT the foregoing statements are true to the best of my knowledge and belief.

_____ Date _____/_____/_____
Signature of Applicant

* A "known active advocate" of another political party is defined to mean a person who 1) is a delegate to the convention or an officer of another party 2) is affiliated with another party through an elected or appointed government position or 3) has made documented public statements specifically supporting by name another political party or its candidates in the same calendar year as the election at which the person will serve as an inspector. "Documented public statements" means statements reported by the news media or written statements with a clear and unambiguous attribution to the applicant.

ANY FALSE STATEMENTS MADE ON THIS APPLICATION WILL DISQUALIFY THE APPLICANT.

Approved by State Director of Elections (Nov. 2009)