



# ELECTION NEWS

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

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

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## Post-Election Data Questionnaire Distributed to City and Township Clerks

*Response required no later than Friday, February 16, 2007*

On February 2, 2007, a post-election data questionnaire was mailed to all city and township clerks throughout the state. (A copy of the questionnaire was also mailed to all county clerks throughout the state for informational purposes.) The questionnaire is designed to collect the data needed by the Bureau of Elections to respond to the "2006 Election Administration and Voting Survey" distributed by the Election Assistance Commission (EAC) in Washington D.C.

The questionnaire only asks for information requested by the EAC which we cannot supply with the resources available in our office. Every effort has been made to make the survey as convenient to complete as possible. A close reading of the "proper completion tips" provided throughout the questionnaire is strongly recommended!

It is important that all city and township clerks respond to the questionnaire no later than Friday, February 16, 2007. Please feel free to contact Carol Pierce of this office if you have any questions regarding the completion of the questionnaire. Phone: (517) 373-2540. Email: [PierceC1@michigan.gov](mailto:PierceC1@michigan.gov).

## **County Clerks Required to Accept Filings and Prepare Ballots for Upcoming ISD Meetings Convened to Fill ISD Board Positions**

The statutes which govern the conduct of the biennial meetings convened by intermediate school districts to fill their board positions require county clerks to accept the filings submitted for the positions and prepare the ballots needed for the election of the positions. (MCL 380.612 and 614) The following article outlines the provisions of law which govern the conduct of the meetings and the various duties which must be performed by Michigan's county clerks.

It merits immediate note that as the duties a county clerk must perform in association with ISD meetings conducted to fill ISD board positions are limited in nature and clearly defined under the law, the duties do not have to be considered or documented by the members of the ISD's "coordinating committee."

***Date of meeting:*** The meeting must be conducted by the ISD on the first Monday in June in every odd-numbered year. This year, the meetings will be conducted on Monday, June 4, 2007.

***Candidate filing deadline; filing official:*** A candidate who wishes to seek an ISD board position that will be filled through the meeting process must file a petition and an Affidavit of Identity with the ISD's "election coordinator" no later than the 30<sup>th</sup> day before the date of the biennial meeting. The candidate may submit a \$100.00 nonrefundable filing fee in lieu of the petition. This year, the filing deadline will fall on Monday, May 7, 2007. The ISD's "election coordinator" is the clerk of the county in which the largest number of the district's registered electors reside.

***Petition signature requirements:*** The following petition signature requirements apply if the candidate chooses to file a petition as opposed to the \$100.00 nonrefundable filing fee:

***Population of ISD less than 10,000 according to most recent federal census:*** minimum of 6 signatures; maximum of 20 signatures.

***Population of ISD 10,000 or more according to most recent federal census:*** minimum of 40 signatures; maximum of 100 signatures.

- An "Intermediate School District Nominating Petition" form is available for use by ISD candidates. The form can be obtained through the commercial suppliers who handle election related forms. The petition must be circulated on a city/township basis.
- Any registered voter who resides within the intermediate school district can sign the candidate's petition. An ISD candidate is not required to limit the circulation of his or her petition to his or her constituent school district of residence.
- An elector of the ISD may sign as many petitions as there are positions to fill on the ISD board.

- The county clerk serving as the ISD’s filing official is responsible for determining the sufficiency of any petitions filed by ISD candidates and the eligibility of the candidates to seek a position on the ISD board.

**Office term:** ISD board members are elected to 6-year terms. The new terms commence on July 1 following the election.

**Preparation of ballots for meeting:** The county clerk serving as the ISD’s filing official is responsible for preparing the ballots needed for the conduct of the meeting convened by the ISD to fill its board positions.

- The creation of a simple paper ballot which lists the candidates’ names in alphabetical order is recommended.
- Several sets of the ballots should be prepared for the conduct of the meeting in the event that those participating in the meeting must vote more than once as referenced under “Voting and canvassing” below.
- The statutes which govern the election of ISD board members through the meeting process provide that the chairperson of the meeting may accept nominations for an available position “from the floor” if no candidates filed for the position. Consequently, in an instance where no candidates file for an available ISD position, the ballot must contain several lines for the hand entry of the candidates who receive nomination at the meeting.

**Conduct of meeting:** The president and secretary of the ISD are responsible for convening and conducting any meetings held by the ISD to fill its board positions; county clerks are not required to play any role in the conduct of the meetings.

- The meetings are subject to the Open Meetings Act and must be publicly posted as required under the Act. The ISD is responsible for handling the posting requirements.
- The electoral body responsible for electing the ISD board seats which must be filled at the meeting comprises one representative from each constituent school district in the ISD. The board of each constituent school district is required to designate its meeting representative by resolution during the three-week period which precedes the meeting. In addition to designating the school district’s meeting representative, the resolution must identify the candidate the board supports for each ISD board position which must be filled. The statute which governs the process stipulates that the board “shall consider the resolution at not less than 1 public meeting before adopting the resolution.”
- The secretary of the ISD is required to notify the secretary of each constituent school district of the location and time of the meeting at least 10 days before the meeting. The notice must be sent by certified mail.
- The statutes which govern the election of ISD board members through the meeting process stipulate that not more than two members of the ISD board “shall be from the same school district unless there are fewer districts than there are positions to be filled.” The statutes

further provide that 1) not more than three members of the ISD board may also be serving at the same time as a member of the board of a constituent district or board of directors of a public school academy and 2) if an ISD board has more than three members serving as of September 1, 2004 who are also serving at the same time as members of the board of a constituent district, the limitation does not apply until the expiration of the current terms of those ISD board members. Ensuring compliance with the above stipulations is the responsibility of the ISD board and the ISD officials handling the election of the ISD board members.

***Voting and canvassing:*** The president and secretary of the ISD are responsible for supervising the voting process. The votes are canvassed at the meeting. The statutes which govern the voting process stipulate that each constituent district representative entitled to vote at the meeting is required to vote for the candidate supported for each position by the constituent board he or she represents “at least on the first ballot taken by the electoral body.”

### **Reminder: Filing Deadline for May 8, 2007 Election Elapses on February 13**

Local school board candidates, community college trustee candidates and district library board candidates who wish to seek office at the May 8, 2007 election must file an Affidavit of Identity and a nominating petition no later than 4:00 p.m. on Tuesday, February 13, 2007. A \$100.00 nonrefundable filing fee may be filed by the candidate in lieu of a petition. The candidate withdrawal deadline elapses at 4:00 p.m. on Friday, February 16, 2007.

If the population of the district is less than 10,000, the candidate’s petition must contain a minimum of 6 signatures; no more than 20 signatures can be filed to cover the minimum signature requirement. If the population of the district is 10,000 or more, the candidate’s petition must contain minimum of 40 signatures; no more than 100 signatures can be filed to cover the minimum signature requirement.

A calendar of dates and deadlines associated with the May 8, 2007 election can be accessed through the Department’s website <[www.michigan.gov/sos](http://www.michigan.gov/sos)>.

### **Election Resources Available on Department’s Website**

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

- Michigan election law.
- February 27, 2007 election date calendar.
- Voter information poster for February 27, 2007 election.

- May 8, 2007 election date calendar.
- September 11, 2007 village election calendar.
- 2007 city election calendar.
- Provisional balloting materials. (“Four Step Procedure Form,” “Notice to Voters Unable to Satisfy Identification Requirement and/or Residence Verification Requirement,” “Procedure for Handling ‘Envelope’ Ballots Returned to Clerk’s Office,” and “Provisional Ballot Report Form.”)
- Federal ID requirement notice.
- AutoMARK Voter Assist Terminal materials. (“Accessible Voting Signage,” “AutoMARK Election Inspector Guide,” “AutoMARK Program Testing Procedures,” “Sample Public Accuracy Test Notice,” “Voting System Preparation Certificate,” 10-minute instructional video and “AutoMARK Troubleshooting Guide.”)

**Have a Question or Need Assistance?**

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

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