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Senate Bill 935 (as passed by the Senate)**Sponsor:** Senator Harmon Cropsey**Committee:** Local Government and Veterans**Date Completed:** 10-11-88**RATIONALE**

The Michigan Election Law requires that at every election there be appointed a board of at least three election inspectors in each precinct. Duties of election inspectors include conducting the election, canvassing the vote, and delivering election returns and records. Many times, these inspectors start work on election day at about 6 a.m. to prepare for the polls to open at 7 a.m. and remain on duty well past the time the polls close at 8 p.m.—sometimes as late as 1 a.m. the next morning. While many election inspectors are willing to remain at the polls for as long as needed to complete election procedures, there have been instances in which two inspectors have not been available, as required by law, to deliver the ballots. This reportedly has occurred when inspectors have had to devote 12-14 hours on election day just to conducting the election and tallying the vote. Some people believe that to alleviate the difficulty of assuring that two inspectors are available to deliver ballots, local clerks should be allowed to assist in the ballot delivery by taking the place of one of the inspectors.

CONTENT

The bill would amend the Michigan Election Law to permit a clerk to assist in the delivery of a ballot container to the counting center or other designated place if sufficient election inspectors were not present or if the clerk determined that assistance in delivery was necessary.

(Under the law's electronic voting system provisions, election inspectors are required to place unused ballots, voted ballots, and a report on the number of electors who voted, in a ballot container and deliver it to a counting center.)

MCL 168.797c

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS**Supporting Argument**

Faced with the shortage of election inspectors to deliver ballots, many clerks have accompanied an inspector in delivering the ballots to the appropriate counting center. The bill would permit this procedure under the Michigan Election Law.

Opposing Argument

It is not clear why the bill is needed. First of all, the law currently requires that three inspectors be appointed for every precinct. Thus, there should be an ample number of inspectors available to deliver the ballots. Secondly, according to officials in the Secretary of State's Bureau of Elections, rules promulgated under the election law permit two inspectors to deliver ballots to a regional counting center, where two other inspectors then may deliver the entire group of ballots to a counting center. For example, inspectors at precincts in a large city may deliver their ballots to the city clerk's office where two inspectors are appointed to take the ballots to the designated counting center. Therefore, not every team of precinct inspectors must take its ballots all the way to the main counting center, and the clerk's office should be able to have two inspectors available to take the ballots to the main counting center.

Response: Despite this streamlined procedure, some clerks still do not have enough inspectors to deliver the ballots to the main counting center so they end up accompanying an inspector to the counting center.

Opposing Argument

The bill would amend the section of the election law that deals specifically with electronic voting systems, which are computer punch card voting systems. It is not certain whether the bill would apply across-the-board to all voting methods, including paper ballots and voting machines, and not just the punch card system, or whether other provisions of the election law would have to be amended to achieve that result, according to the Elections Bureau.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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