



**House
Legislative
Analysis
Section**

Washington Square Building, Suite 1025
Lansing, Michigan 48909
Phone: 517/373-6466

A SUMMARY OF HOUSE BILL 4160 AS INTRODUCED 2-14-89

The bill would amend the voter registration sections of the Michigan Election Law. In brief, the bill would do the following:

- Require county, city, and township clerks to appoint all qualified applicants as deputy registrars for their jurisdictions and, when necessary, train them to take voter registrations.
- Create a statewide computerized voter registration network, to be established and maintained under the direction of the secretary of state, that would consist of a computerized state file of all registered voters, as well as county files, and locally maintained files.
- Permit clerks to begin cancellation proceedings against registrations after five years of inactivity rather than the current ten years and abolish the inactive voter file as of December 1, 1990. A challenged ballot could, however, be cast by anyone whose registration had been canceled within the past ten years if he or she could demonstrate that their residence in the community had been continuous.
- Allow county, township, and city clerks to accept voter registration applications for any jurisdiction and forward them to the appropriate clerks.
- Require the secretary of state to develop a uniform registration form.
- Permit late voter registrations for people who have moved from one community to another within a county.
- Make registration lists available to the public at cost from county clerks, as well as from some local clerks and from the secretary of state, in the form of computer tapes or disks (if available) or on paper. County clerks would have to provide lists of voters in any township, city, village, school district, ward, or precinct; local clerks in computerized jurisdictions would have to provide lists of voters in wards and precincts; and the secretary of state would have to provide county lists.
- Require that villages and school districts be provided with precinct lists either by the county clerk or the local clerk, and provide that a person who registers to vote in a township would automatically be registered in the village in which he or she resides and vice versa.
- Create an ongoing advisory committee to be convened early in each odd-numbered year by the secretary of state to review the state's voter registration system; the committee would be composed of representatives of the major political parties, local election officials, and organizations involved in registering voters.

Deputy Registrars

Under the bill, county, city, and township clerks would appoint all qualified applicants as deputy registrars. Anyone who requested a deputy registrar application form in writing or in person would be sent one. City and township

VOTER REGISTRATION/STATEWIDE NETWORK

House Bill 4160

Sponsor: Rep. Maxine Berman
Committee: Elections
Complete to 2-23-89

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clerks, however, could limit deputy registrar appointments to residents of their jurisdictions. Deputy registrars would function in the jurisdiction for which they were appointed, although a township or city clerk could enter an agreement with another clerk to permit each other's deputy registrars to take registrations in both jurisdictions. Clerks would have to keep a record of the deputy registrars they had appointed, and issue them identification cards. The term of an appointment would be determined by the clerk but an appointment could not expire earlier than January 1 of the first even-numbered year following appointment. (A person could, of course, resign an appointment.) An appointment could be terminated earlier for good cause based on any of several reasons specified in the bill, including inability to do the job, political activities (including becoming a candidate for office), intoxication or abusiveness, refusal to register a person qualified to be a voter, and accepting money or other compensation for registering a person. A person whose appointment was terminated for good cause could not be appointed a deputy registrar in any other jurisdiction for two years. The bill would put in place a process that clerks would have to follow to terminate an appointment for good cause. As part of the process, deputy registrars would be able to respond in writing to a written notification of the reasons for termination. County clerks could, if they chose, follow an alternative procedure that would involve sending a report to the Department of State's elections bureau. Upon review of the report, which would include the basis of the complaint, the deputy registrar's response, and the clerk's recommendation, the state director of elections would decide whether to terminate the appointment for good cause. Clerks would maintain termination records for two years.

Before a deputy registrar's appointment would take effect, he or she would have to take the oath of office found in the state constitution, certify that he or she was a registered elector and not a candidate for elective public office, and receive instruction, if needed, in how to take a voter registration application. Training should take place as soon as possible after an application is received. The secretary of state would be required to develop and supply necessary training materials. Local clerks within a county could agree to hold joint training sessions. County clerks would be required to conduct deputy registrar training in even-numbered years from February 1-15, May 10-25, and August 15-30, and could conduct training at any time, including in joint sessions with local clerks.

The state would directly reimburse each county clerk for the cost of training deputy registrars and for the cost of transmitting registration applications to the proper local clerks. Payment would be made upon presentation and approval of a verified account of actual costs to the Department of Treasury after agreement with the secretary of state as to what constitutes valid costs. Among other things, costs would include salaries of employees while they are training deputy registrars and postage for

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required mailings. The legislature would have to appropriate from the general fund an amount necessary to implement the reimbursement provisions. County clerks would have to submit their reimbursement claims four times per year, by January 10, April 10, July 10, and October 10.

Statewide Voter Registration Network

The bill would create a statewide voter registration network and specify the duties of the secretary of state and of county, township, and city clerks in establishing and maintaining the network, including the conversion of existing computerized files to a standard format prescribed by the secretary of state. State officials and county clerks would have different responsibilities as regards computerized and non-computerized local jurisdictions. The network would involve the creation of a state voter registration file and of county files, in addition to local files. The secretary of state would be required to create a file for each county (and a state file from those) by May 1, 1992 from information provided by city and township clerks. (Once created, the files would be maintained by county clerks, who would update them based on information local clerks would be required to provide and information from branch offices of the secretary of state. However, the secretary of state would perform many of the duties for a county with a population of 1.5 million or more.) Non-official test files would have to be developed for use at the August primary and November general elections in 1992, and the official files would be used at all elections after January 1, 1994. In creating the county files, the secretary of state would have to match voter registration records against driver's license and state personal identification card files, and assign the appropriate license or card number to the corresponding voter registration record. The file would also contain for each registered voter the date of the last registration transaction, a voting history for a five-year period, and any political party preference, in addition to the usual information. The secretary of state would have to check for people registered in more than one county; county clerks would have to check for people registered in more than one community within the county.

A county clerk would be required to provide computer-generated precinct lists for school districts, villages, and non-computerized municipalities. (By non-computerized, the bill would include communities whose computer systems are not compatible with the statewide network.) City and township clerks in computerized jurisdictions would provide precinct lists to school districts and for their own elections. For primary elections after May 1, 1992, precinct registration lists would be used along with existing precinct files. As of January 1, 1994, the lists would replace the files, except that noncomputerized jurisdictions could opt to use the files with the computerized lists.

The secretary of state would be responsible for determining which county and local computerized systems meet the needs of the registration network and for overseeing the conversion or adoption of computer systems by counties, cities, and townships. The responsibilities would include developing standard formats, training clerks, and reviewing proposals of cities and townships to purchase or develop software.

A special joint legislative committee, composed of three members from each house, would be created to receive periodic reports from the secretary of state on the implementation of the statewide voter registration network.