

HOUSE BILL No. 6063

September 16, 1992, Introduced by Rep. DeBeaussiaert and referred to the Committee on Elections.

A bill to amend sections 474, 475, 476, and 477 of Act No. 116 of the Public Acts of 1954, entitled "Michigan election law," being sections 168.474, 168.475, 168.476, and 168.477 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 474, 475, 476, and 477 of Act No. 116
2 of the Public Acts of 1954, being sections 168.474, 168.475,
3 168.476, and 168.477 of the Michigan Compiled Laws, are amended
4 to read as follows:

5 Sec. 474. (1) ~~Wherever the phrases~~ EXCEPT AS OTHERWISE
6 PROVIDED IN THIS ACT, AS USED IN SECTION 9 OF ARTICLE II OR
7 SECTION 2 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963, "the
8 state officer authorized by law" or "the person authorized by
9 law" ~~, are used in section 9 of article 2 or section 2 of~~

~~1 article 12 of the constitution of this state, such phrases shall~~
~~2 mean and have reference to~~ MEAN the board of state canvassers.
~~3 and such~~ EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE board OF
 4 STATE CANVASSERS shall exercise the duties prescribed in ~~such~~
 5 THOSE constitutional provisions. ~~The preparing of~~

6 (2) THE DIRECTOR OF ELECTIONS, WITH THE APPROVAL OF THE
 7 BOARD OF STATE CANVASSERS, SHALL PREPARE a statement of the pur-
 8 pose of ~~any such~~ A proposed amendment or question to be desig-
 9 nated on the ballots for submission to the electors in not more
 10 than 100 words, exclusive of the caption. ~~, which said~~ THE
 11 statement shall consist of a true and impartial statement of the
 12 purpose of the amendment or question in ~~such~~ language ~~as~~
 13 ~~shall~~ THAT DOES NOT create ~~no~~ prejudice for or against ~~such~~
 14 THE proposal. ~~shall be the duty of the director of elections~~
 15 ~~with the approval of the board of state canvassers.~~

16 Sec. 475. (1) Upon the filing of a petition under this
 17 chapter, the secretary of state shall immediately notify the
 18 board of state canvassers of the filing of the petition. The
 19 notification shall be by first-class mail.

20 (2) THE DIRECTOR OF ELECTIONS SHALL MAKE A PRELIMINARY
 21 INVESTIGATION INTO THE SUFFICIENCY OR INSUFFICIENCY OF THE PETI-
 22 TION IN THE MANNER PRESCRIBED IN SECTION 476(1). THE DIRECTOR OF
 23 ELECTIONS SHALL ISSUE A REPORT TO THE BOARD OF STATE CANVASSERS
 24 BEFORE THE EXPIRATION OF 14 DAYS FOLLOWING THE DATE THE PETITION
 25 IS FILED. THE REPORT SHALL CONTAIN A DETERMINATION BY THE DIREC-
 26 TOR OF ELECTIONS OF THE SUFFICIENCY OR INSUFFICIENCY OF THE
 27 PETITION.

1 Sec. 476. (1) Upon receipt of ~~said petitions, said~~ THE
2 REPORT PREPARED BY THE DIRECTOR OF ELECTIONS UNDER SECTION 475,
3 THE board ~~shall~~ OF STATE CANVASSERS MAY canvass the ~~same to~~
4 ~~ascertain if such petitions have been~~ PETITION TO DETERMINE IF
5 THE PETITION IS signed by the requisite number of qualified and
6 registered electors ~~, and for the purpose of determining~~ TO
7 DETERMINE the validity ~~thereof,~~ OF THE PETITION. THE BOARD OF
8 STATE CANVASSERS OR THE DIRECTOR OF ELECTIONS may cause any
9 doubtful signatures to be checked against the registration
10 records by the clerk of ~~any~~ A political subdivision in which
11 ~~said petitions were~~ THE PETITION WAS circulated ~~for properly~~
12 ~~determining~~ TO DETERMINE the authenticity of ~~such~~ THE
13 signatures. ~~It shall be the duty of the~~ THE clerk of ~~any~~ THE
14 political subdivision ~~to~~ SHALL cooperate fully with ~~said~~ THE
15 board ~~in any~~ OF STATE CANVASSERS AND THE DIRECTOR OF ELECTIONS
16 IF A request IS made to ~~said clerks by said board in~~
17 ~~determining~~ THE CLERK TO DETERMINE the validity of doubtful sig-
18 natures by rechecking the ~~same~~ SIGNATURES against registration
19 records. ~~, and said~~ THE clerk shall make the requested
20 rechecks in an expeditious and proper manner. ~~Said~~

21 (2) THE board OF STATE CANVASSERS may hold hearings upon any
22 complaints filed or for any purpose ~~deemed~~ CONSIDERED necessary
23 by ~~said~~ THE board OF STATE CANVASSERS to conduct investigations
24 of ~~said petitions, and to conduct said hearings said board shall~~
25 ~~have the power to~~ THE PETITION. THE BOARD OF STATE CANVASSERS
26 MAY issue subpoenas and ~~to~~ administer oaths FOR A HEARING HELD
27 UNDER THIS SECTION. ~~Said~~ THE board OF STATE CANVASSERS may

1 ~~also~~ adjourn ~~from time to time awaiting~~ A HEARING TO AWAIT
2 receipt of returns from investigations that are being made or for
3 other necessary purposes. ~~, but~~ THE BOARD OF STATE CANVASSERS
4 shall complete ~~said~~ A canvass UNDER THIS SECTION, IF ANY, at
5 least 2 months ~~prior to~~ BEFORE the election at which ~~such pro-~~
6 ~~posals are~~ THE PROPOSAL IS to be submitted.

7 Sec. 477. ~~An~~ THE BOARD OF STATE CANVASSERS SHALL MAKE AN
8 official declaration of the sufficiency or insufficiency of ~~any~~
9 ~~such~~ A petition ~~shall be made by the said board~~ at least 2
10 months ~~prior to~~ BEFORE the election at which ~~such proposals~~
11 ~~are~~ THE PROPOSAL IS to be submitted. ~~In case it shall be~~
12 ~~declared that such~~ HOWEVER, IF THE BOARD OF STATE CANVASSERS
13 FAILS TO MAKE AN OFFICIAL DECLARATION OF THE SUFFICIENCY OR
14 INSUFFICIENCY OF THE PETITION UNDER THIS SECTION, THE DETERMINA-
15 TION MADE BY THE DIRECTOR OF ELECTIONS IN THE REPORT PREPARED
16 PURSUANT TO SECTION 475 IS CONSIDERED THE OFFICIAL DECLARATION OF
17 THE BOARD OF STATE CANVASSERS UNDER THIS SECTION. IF THE peti-
18 tion is CONSIDERED sufficient UNDER THIS SECTION, the secretary
19 of state shall send copies of the statement of purpose of ~~such~~
20 THE proposal as approved by the board ~~referred to in~~ OF STATE
21 CANVASSERS UNDER section 474 ~~of this chapter~~ to the several
22 daily and weekly newspapers published in ~~the~~ THIS state, ~~of~~
23 ~~Michigan,~~ with the request that ~~said~~ THE papers give as wide
24 publicity as possible to ~~said~~ THE proposed amendment or other
25 question. Publication of any matter by ~~any~~ A paper under ~~the~~
26 ~~provisions of~~ this section shall be without expense or cost to
27 ~~the~~ THIS state. ~~of Michigan.~~