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PRINT PETITIONERS' NAMES

House Bill 4374 with committee
amendment
First Analysis (2-23-95)

Sponsor: Rep. Robert Brackenridge
Committee: Local Government

THE APPARENT PROBLEM:

Public Act 137 of 1993 (Senate Bill 103) amended the Michigan Election Law to require that various petitions (to nominate or recall candidates, to amend the state constitution, for initiatives and referendums) provide a space for those who signed and for circulators to print their names. The rationale was that signatures are often illegible and printed names will help those who must verify the signature using voter registration files. This should speed up the process of examining petitions. Similar petition provisions need to be placed in the School Code, which governs the conduct of school district elections.

THE CONTENT OF THE BILL:

The bill would amend the School Code to require that nominating petitions for school board candidates provide a space for the circulators and those signing the petitions to print their names (in addition to a space for signatures) in the manner prescribed in the Michigan Election Law. The bill specifies that the failure of a circulator or school voter who signed the petition to print his or her name in the space provided would not affect the validity of the signatures. A printed name located in the appropriate place would not constitute a signature. The circulator of a petition would be required to sign and date the certificate of circulator before the petition was filed. A circulator could not obtain signatures after signing and dating the certificate. Signatures obtained after the date the circulator signed the certificate or on a petition not signed and dated by a circulator could not be counted. The bill also would require the nominating petition to be 8-1/2 inches by 14 inches rather than 8-1/2 by 13 inches. The bill's provisions would take effect January 1, 1996.

The School Code's nominating petition provisions apply to second class, third class, fourth class, and intermediate school districts, according to the

Department of State. Petition requirements for a first class school district (i.e., Detroit) are found in Part 6 of the School Code (MCL 380.401 et seq.) and require such a district to comply with the Michigan Election law requirements for nominating petitions. (That means, the provisions in the bill already apply to a first class district.)

MCL 380.1066

FISCAL IMPLICATIONS:

The bill has no fiscal implications, according to the House Fiscal Agency. (2-17-95)

ARGUMENTS:

For:

The bill would place in the School Code the same provisions put in the Michigan Election Law in 1993 (and effective last year) regarding the printing of names (along with signatures) on candidate nominating petitions. It would also change the required size of nominating petitions for school board candidates as was done in the election law for other kinds of petitions last year. The effective date of the bill would be delayed until after the 1995 school elections.

POSITIONS:

The Department of State supports the bill. (2-22-95)

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