



SENATE BILL No. 151

January 31, 1995, Introduced by Senator STALLINGS
and referred to the Committee on Government
Operations.

A bill to amend sections 55, 96, 136, 166, 196, 227, 257,
354, 357, 572, 605, 626, 706, and 737 of Act No. 116 of the
Public Acts of 1954, entitled as amended
"Michigan election law,"

section 626 as amended by Act No. 116 of the Public Acts of 1988
and sections 706 and 737 as amended by Act No. 160 of the Public
Acts of 1985, being sections 168.55, 168.96, 168.136, 168.166,
168.196, 168.227, 168.257, 168.354, 168.357, 168.572, 168.605,
168.626, 168.706, and 168.737 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 55, 96, 136, 166, 196, 227, 257, 354,
2 357, 572, 605, 626, 706, and 737 of Act No. 116 of the Public
3 Acts of 1954, section 626 as amended by Act No. 116 of the Public
4 Acts of 1988 and sections 706 and 737 as amended by Act No. 160
5 of the Public Acts of 1985, being sections 168.55, 168.96,

1 168.136, 168.166, 168.196, 168.227, 168.257, 168.354, 168.357,
2 168.572, 168.605, 168.626, 168.706, and 168.737 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 55. If ~~—~~ for any reason ~~—~~ there is no candidate of
5 a political party for the office of governor or lieutenant gover-
6 nor, a blank space shall be provided on each of the official pri-
7 mary ballots ~~which~~ THAT will afford every elector of ~~said~~ THE
8 POLITICAL party an opportunity to vote for a candidate for ~~such~~-
9 THE offices by ~~writing~~ HANDWRITING in the name of his or her
10 selection. ~~or~~ BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT
11 MAKE A SELECTION ON A BALLOT UNDER THIS SECTION by the use of a
12 slip or paster.

13 Sec. 96. If for any reason there is no candidate of a
14 political party for the office of United States senator, a blank
15 space shall be provided on each of the official primary ballots
16 ~~which~~ THAT will afford every elector of ~~said~~ THE POLITICAL
17 party an opportunity to vote for a candidate for ~~such~~ THE
18 office by ~~writing~~ HANDWRITING in the name of his or her
19 selection. ~~or~~ BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT
20 MAKE A SELECTION ON A BALLOT UNDER THIS SECTION by the use of a
21 slip or paster.

22 Sec. 136. If for any reason there is no candidate of a
23 political party for the office of representative in congress, a
24 blank space shall be provided on each of the official primary
25 ballots ~~which~~ THAT will afford every elector of ~~said~~ THE
26 POLITICAL party an opportunity to vote for a candidate for ~~such~~-
27 THE office by ~~writing~~ HANDWRITING in the name of his or her

1 selection. ~~or~~ BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT
2 MAKE A SELECTION ON A BALLOT UNDER THIS SECTION by the use of a
3 slip or paster.

4 Sec. 166. If for any reason the number of candidates of a
5 political party for the office of state senator or representative
6 ~~shall be equal to~~ IS less than the total number to be nominated
7 and elected, a sufficient number of blank spaces shall be pro-
8 vided on the primary ballots ~~which~~ THAT will afford every elec-
9 tor of ~~said~~ THE POLITICAL party an opportunity to vote for as
10 many candidates as are to be nominated and elected by ~~writing~~
11 HANDWRITING in the name or names of his or her selection. ~~or~~
12 BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT MAKE A SELECTION
13 ON A BALLOT UNDER THIS SECTION by the use of slips or pasters.

14 Sec. 196. If for any reason the number of candidates of a
15 political party for any 1 or more of the offices named in section
16 191 ~~of this act shall be equal to~~ IS less than the total number
17 to be nominated by ~~said~~ THE political party, a blank space or
18 spaces shall be provided on each of the official primary ballots
19 ~~which~~ THAT will afford every elector of ~~said~~ THE POLITICAL
20 party an opportunity to vote for as many candidates for ~~such~~
21 THE office as are to be nominated by ~~said~~ THE POLITICAL party,
22 by ~~writing~~ HANDWRITING in the name or names of his or her
23 selection. ~~or~~ BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT
24 MAKE A SELECTION ON A BALLOT UNDER THIS SECTION by the use of
25 slips or pasters.

26 Sec. 227. If for any reason there is no candidate of a
27 political party for county auditor, a blank space shall be

1 provided on each of the official primary ballots ~~which~~ THAT
 2 will afford every elector of ~~said~~ THE POLITICAL party an oppor-
 3 tunity to vote for a candidate for ~~such~~ THE office by ~~writing~~
 4 HANDWRITING in the name of his or her selection. ~~or~~ BEGINNING
 5 JANUARY 1, 1996, AN ELECTOR SHALL NOT MAKE A SELECTION ON A
 6 BALLOT UNDER THIS SECTION by the use of a slip or paster.

7 Sec. 257. If for any reason there is no candidate of a
 8 political party for county road commissioner, a blank space shall
 9 be provided on each of the official primary ballots ~~which~~ THAT
 10 will afford every elector of ~~said~~ THE POLITICAL party an oppor-
 11 tunity to vote for a candidate for ~~such~~ THE office by ~~writing~~
 12 HANDWRITING in the name of his or her selection. ~~or~~ BEGINNING
 13 JANUARY 1, 1996, AN ELECTOR SHALL NOT MAKE A SELECTION ON A
 14 BALLOT UNDER THIS SECTION by the use of a slip or paster.

15 Sec. 354. If ~~—~~ for any reason ~~—~~ the number of candi-
 16 dates of a political party to a township office ~~shall be equal~~
 17 ~~to~~ IS less than the total number to be nominated and elected, a
 18 sufficient number of blank spaces shall be provided on the offi-
 19 cial primary ballots ~~which~~ THAT will afford every elector ~~to~~
 20 ~~said~~ OF THE POLITICAL party an opportunity to vote for as many
 21 candidates as are to be nominated and elected by ~~writing~~
 22 HANDWRITING in the name or names of his or her selection. ~~or~~
 23 BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT MAKE A SELECTION
 24 ON A BALLOT UNDER THIS SECTION by the use of ~~slips or pasters~~ A
 25 SLIP OR PASTER.

26 Sec. 357. ~~When any~~ IF A candidate of a political party,
 27 after having been nominated for a township office, ~~shall die,~~

1 ~~remove~~ DIES, REMOVES from the township, or ~~become~~ BECOMES
2 disqualified for any reason, the township board of election com-
3 missioners shall provide a blank space or spaces on the official
4 ballots ~~which~~ THAT will afford every elector of ~~said~~ THE
5 POLITICAL party an opportunity to vote for a candidate ~~to fill~~
6 ~~the vacancy thereby caused,~~ FOR THE OFFICE by ~~writing~~
7 HANDWRITING in the name of his or her selection. ~~or~~ BEGINNING
8 JANUARY 1, 1996, AN ELECTOR SHALL NOT MAKE A SELECTION ON A
9 BALLOT UNDER THIS SECTION by the use of a slip or paster.

10 Sec. 572. The ballots shall be prepared in such manner that
11 the electors of each political party may ~~write, print or paste~~
12 HANDWRITE THE name of a candidate ~~thereon~~ ON THE BALLOT.
13 BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT MAKE A SELECTION
14 ON A BALLOT UNDER THIS SECTION BY THE USE OF A SLIP OR PASTER.

15 Sec. 605. The name of the candidate for delegate to the
16 county convention shall not be printed upon the official primary
17 election ballot, but 1 or more ~~such~~ names may be ~~placed~~
18 HANDWRITTEN on ~~such~~ THE ballot ~~by printed or written slips~~
19 ~~pasted thereon~~ by the elector. ~~, or the names may be written in~~
20 ~~by the elector.~~ BEGINNING JANUARY 1, 1996, AN ELECTOR SHALL NOT
21 MAKE A SELECTION ON A BALLOT UNDER THIS SECTION BY THE USE OF A
22 SLIP OR PASTER.

23 Sec. 626. (1) The board of county election commissioners
24 shall prepare separate ballots for each of the several political
25 parties for each election precinct in the county. The ballots
26 shall be numbered consecutively and shall set forth the names of
27 the candidates for delegates who have filed petitions with the

1 county clerk under section 624. The ballot shall be prepared in
2 such a manner that the electors of each political party may
3 ~~write, print, or paste~~ HANDWRITE the name of a candidate for
4 delegate on the ballot. BEGINNING JANUARY 1, 1996, AN ELECTOR
5 SHALL NOT MAKE A SELECTION ON A BALLOT UNDER THIS SECTION BY THE
6 USE OF A SLIP OR PASTER.

7 (2) The delegate ballot at a partisan primary shall consist
8 of 1 sheet of 70-pound white book paper, machine finished or
9 equivalent, with 1 of the political party tickets printed on each
10 side of the ballot. The names on the delegate ballot shall not
11 be rotated.

12 (3) The ballots shall be delivered to the county clerk for
13 distribution to the election precincts at least 10 days before
14 the primary election. However, if there is located within a
15 county, subject to the provisions of this chapter, 1 or more
16 cities or townships, or parts of cities or townships, in which
17 voting machines are used, the board of county election commis-
18 sioners may, in its discretion, dispense with the preparation of
19 ballots for the election of delegates to the county convention of
20 the several political parties and provide for their election upon
21 the voting machines.

22 Sec. 706. The arrangement of the ballot containing the
23 names of candidates for office shall conform as nearly as possi-
24 ble to the following plan, and shall contain the specific
25 instructions ~~there set forth~~ AS FOLLOWS and no others:

1

OFFICIAL BALLOT

2 County of Date

3 INSTRUCTIONS - To vote a straight party ticket make a cross
4 (X) or check mark (Q/) in the circle under the name of your
5 party. Nothing further need be done. To vote for a candidate
6 not on your party ticket, make a cross (X) or a check mark (Q/)
7 in the square [] before the candidate's name. Candidates for
8 president and vice-president must be voted for as a unit, and the
9 vote cannot be split. Candidates for governor and lieutenant
10 governor must be voted for as a unit, and the vote cannot be
11 split.

12 If 2 or more candidates are to be elected to the same office
13 and you desire to vote for candidates not on your party ticket,
14 make a cross (X) or a check mark (Q/) in the square [] before the
15 names of the candidates for whom you desire to vote on the other
16 ticket, and strike out an equal number of names on your party
17 ticket, for that office.

18 If you do not desire to vote any party ticket, do not make a
19 cross (X) or check mark (Q/) in the circle at the head of any
20 ticket, but make a cross (X) or a check mark (Q/) in the square
21 [] before the name of each candidate for whom you desire to
22 vote.

23 If you wish to vote for a candidate not on any ticket,
24 ~~write or place~~ HANDWRITE the name of that candidate on your
25 ballot opposite the name of the office. YOU SHALL NOT USE A SLIP
26 OR PASTER TO VOTE FOR A CANDIDATE THAT IS NOT ON THIS BALLOT.

1 Before leaving the booth, fold the ballot so that the face
 2 of the ballot is not exposed and so that the numbered corner is
 3 visible.

4 =====				
5 Name of	Vignette	Vignette	Vignette	
6 Offices	with	with	with	
7 Voted For:	Name of Party	Name of Party	Name of Party	
8	[]	[]	[]	
9 =====				
10	Name of	Name of	Name of	
11 PRESIDENTIAL	Candidate for	Candidate for	Candidate for	
12 Electors of	President.	President.	President.	
13 President				
14 and Vice-	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	
15 President of	Candidate for	Candidate for	Candidate for	
16 the United	Vice-President.	Vice-President.	Vice-President.	
17 States				
18				
19	Governor	Governor	Governor	
20 STATE	Name of	Name of	Name of	
21 Governor and	Candidate	Candidate	Candidate	
22 Lieutenant	<input type="checkbox"/> Lieut. Governor	<input type="checkbox"/> Lieut. Governor	<input type="checkbox"/> Lieut. Governor	
23 Governor	Name of	Name of	Name of	
24	Candidate	Candidate	Candidate	
25				
26	Secretary of	Secretary of	Secretary of	
27	State	State	State	
28 Secretary of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	
29 State	Candidate	Candidate	Candidate	
30 =====				
31 CONGRESSIONAL	U.S. Senator	U.S. Senator	U.S. Senator	
32 United States	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	
33 Senator	Candidate	Candidate	Candidate	
34				
35 Represent-	U.S. Repre-	U.S. Repre-	U.S. Repre-	
36 ative in	sentative	sentative	sentative	
37 Congress	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	
38District	Candidate	Candidate	Candidate	
39 =====				
40 LEGISLATIVE	State Senator	State Senator	State Senator	
41 Senator	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	
42District	Candidate	Candidate	Candidate	
43				
44	State Repre-	State Repre-	State Repre-	
45 Represent-	sentative	sentative	sentative	
46 ative	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	
47District	Candidate	Candidate	Candidate	

1	=====						
2	COUNTY	Pros. Attorney	Pros. Attorney	Pros. Attorney	Pros. Attorney		
3	Prosecuting	[] Name of	[] Name of	[] Name of	[] Name of		
4	Attorney	Candidate	Candidate	Candidate	Candidate		
5							
6		Sheriff	Sheriff	Sheriff	Sheriff		
7	Sheriff	[] Name of	[] Name of	[] Name of	[] Name of		
8		Candidate	Candidate	Candidate	Candidate		
9	=====						

10 Sec. 737. The elector shall then go directly into a booth
 11 ~~which~~ THAT is unoccupied and indicate in the following manner,
 12 with pencil or pen on the proper ballot, the candidate or candi-
 13 dates for whom the elector desires to vote:

14 (a) If the elector desires to vote a straight ticket, the
 15 elector may make a cross (X) or a check mark (Q/) in the circle
 16 under the name of that party at the head of the ballot. Nothing
 17 further need be done.

18 (b) If only 1 candidate is to be elected to an office and
 19 the elector desires to vote for a candidate not on the elector's
 20 party ticket, the elector should make a cross (X) or a check mark
 21 (Q/) in the circle under the name of the elector's party, and
 22 also make a cross (X) or a check mark (Q/) in the square before
 23 the name of the candidate for whom the elector desires to vote on
 24 the other ticket. In such case, it shall not be necessary to
 25 cross off the name of the candidate on the elector's party
 26 ticket. If the elector votes for more than 1 candidate for the
 27 same office where only 1 candidate is to be elected to the
 28 office, the ballot shall not be counted for either of the candi-
 29 dates and, ~~shall be~~ as to those candidates, IS considered ~~null~~
 30 and void.

31 (c) If 2 or more candidates are to be elected to the same or
 32 like office, such as coroners, and the elector desires to vote

1 for a candidate or candidates not on the elector's party ticket
2 for the office, the elector should mark a cross (X) or a check
3 mark (Q/) in the circle under the elector's party name, and mark
4 a cross (X) or a check mark (Q/) in the square before the name or
5 names of the candidate or candidates for whom the elector desires
6 to vote on the other ticket or tickets, and also cross off an
7 equal number of names of the candidates for the office on the
8 elector's party ticket. ~~but~~ HOWEVER, if the elector fails to
9 cross off the names of an equal number of candidates for the
10 office on the elector's party ticket, the elector shall be con-
11 sidered to have crossed off the name of each candidate for the
12 office ~~which~~ THAT is printed on the elector's party ticket
13 opposite the name of the candidate on some other party ticket in
14 front of which name the elector has made a cross (X) or a check
15 mark (Q/).

16 (d) If the elector wishes to vote for a candidate not on any
17 ticket, the elector may ~~write or place~~ HANDWRITE the name of
18 that candidate on the elector's ballot opposite the name of the
19 office and make a cross (X) or a check mark (Q/) in the circle
20 under the party name. BEGINNING JANUARY 1, 1996, AN ELECTOR
21 SHALL NOT MAKE A SELECTION ON A BALLOT UNDER THIS SECTION BY THE
22 USE OF A SLIP OR PASTER.

23 (e) A ballot marked with a cross (X) or a check mark (Q/) in
24 a circle under a party name shall be considered a vote for each
25 of the candidates named in the party column whose name is not
26 crossed off, except those candidates where a cross (X) or a check
27 mark (Q/) is placed in the square before the name of some

1 opposing candidate on another ticket, or where there is ~~written~~
2 ~~or pasted~~ HANDWRITTEN on the party ticket a name ~~which~~ THAT is
3 not printed on any party ticket.

4 (f) If the name of any person who is not a candidate on any
5 ticket is ~~written or placed~~ HANDWRITTEN on the party ticket
6 opposite the name of the office and there is a cross (X) or a
7 check mark (Q/) in the circle under the party name, the name so
8 written ~~or placed~~ shall be counted 1 vote for the person,
9 whether the original name on the party ticket is erased or not,
10 ~~excepting cases where~~ UNLESS there is a cross (X) or a check
11 mark (Q/) in the square before the name of some opposite candi-
12 date on some other party ticket.

13 (g) If a cross (X) or a check mark (Q/) is not placed in the
14 circle under the party name, a cross (X) or a check mark (Q/) in
15 the square before the name of any candidate ~~shall be~~ IS consid-
16 ered a vote for that candidate except in cases where the elector
17 votes for more candidates for the same office than are to be
18 elected.

19 (h) An elector shall indicate the elector's preference on
20 any constitutional amendment or other submitted question by
21 making a cross (X) or a check mark (Q/) in the square in front of
22 the word "Yes" or in the square in front of the word "No" oppo-
23 site or below the question on the proper ballots.