Senate Bills 1283, 1284, and 1287 (as reported without amendment)
Sponsor: Senator Thaddeus G. McCotter (S.B. 1283)
　　　　　Senator Ken Sikkema (S.B. 1284)
　　　　　Senator Bev Hammerstrom (S.B. 1287)
Committee: Government Operations

Date Completed: 6-13-00

RATIONALE

Public Act 218 of 1999 added Section 544f to the Michigan Election Law in order to prescribe the number of signatures of qualified and registered electors necessary for nominating petitions for various State and local offices, based upon the population of the district involved. Prior to the passage of Public Act 218, nominating petitions had to contain signatures of a number of qualified and registered electors of a jurisdiction (the State, a district, a county, or a municipality) equal to a percentage of the number of votes cast in that jurisdiction for Secretary of State at the last general November election in which a Secretary of State was elected. If the candidate was nominated by a political party, the percentage applied to the number of votes cast by that party. If a nonpartisan petition requirement was not contained in law or charter, the minimum number of signatures was 0.5% of the vote for Secretary of State, but not fewer than 10. Although Public Act 218 deleted these requirements, there are other statutes that contain petition signature requirements based upon criteria other than the population of the district involved. It has been suggested that these statutory requirements should be consistent with the requirements prescribed in the Election Law.

CONTENT

The bills would amend three Acts to require candidates for various offices to comply with the petition signature requirements prescribed in Section 544f of the Michigan Election Law.

Senate Bill 1283 would amend Public Act 261 of 1966, which provides for the election of members of a county board of commissioners. Currently, Public Act 261 requires a candidate for a county board of commissioners, in order to appear on the primary ballot, to submit a filing fee of $100, or nominating petitions signed by the number of electors equal to at least 1% but not more than 4% of the number of votes cast in the district by the candidate's party for the office of Secretary of State at the last general election. Under the bill, the number of signatures required would be determined under Section 544f.

Senate Bill 1284 would amend the Revised School Code to provide that the number of signatures required to be filed by candidates for election to various school boards would be determined under Section 544f, based on the population of an intermediate school district (ISD) or a school district. Currently, a candidate for election to an intermediate school board must have petitions signed by at least 50 school electors of the ISD, if the intermediate school board members are elected by a vote of one member of the board of each constituent school district. In an ISD that elects its ISD board members by popular election, a candidate must have nominating petitions that contain signatures equal in number to at least 1.5% of the combined pupil membership of the constituent districts, but not more than 5,000. Further, candidates for a school board currently must have petitions signed by the number of school electors of the school district equal to at least 1% of the total votes received by the board member who received the greatest number of votes at the last election.

Senate Bill 1287 would amend Public Act 164 of 1877, which authorizes local units to maintain libraries, to provide that a candidate for a city, village, or township library director would have to comply with the petition signature requirements prescribed in Section 544f. Currently, a candidate for library director must file nominating petitions that contain signatures equal in number to at least 1% of the total votes cast for the chief elected officer of the local unit in the last election.

MCL 46.411 (S.B. 1283)
　　　380.614 et al. (S.B. 1284)
　　　397.211 (S.B. 1287)

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument
Public Act 218 of 1999 prescribes the number of signatures that a candidate must gather for his or her nominating petitions based upon the population of an election district, instead of a percentage of the votes cast in a previous election for Secretary of State, or the number of votes cast for a party's Secretary of State candidate. This legislation standardized petition signature requirements across the State, relieved local candidates and election officials of the burden of calculating the number of signatures required for a particular election, and, in some cases, equalized the signature requirements of the two major parties in those instances in which the requirements had been based upon a percentage of the number of votes cast for a party's Secretary of State candidate (which could result in differing totals). It has been found that there are other statutes under which candidates for elected office must comply with petition signature requirements that vary from the requirements in Section 544f of the Election Law. The bills would bring the signature requirements of those Acts into conformity with the requirements of Section 544f.

Legislative Analyst: G. Towne

FISCAL IMPACT

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

Fiscal Analyst: E. Limbs