

CONSOLIDATE PRECINCTS IN UNCONTESTED ELECTIONS

House Bill 4162 as introduced
First Analysis (6-5-01)

Sponsor: Rep. Doug Spade
Committee: Redistricting and Elections

THE APPARENT PROBLEM:

The city clerk of Tecumseh provided written testimony to the House Committee on Redistricting and Elections detailing the waste of time, energy, and money involved in having to keep open four precincts for voting at the 1999 election, when the ballot featured only three incumbents running to fill three city council seats. Only eight percent of registered voters cast ballots in the election and only one-quarter of those cast their ballots on election day in person at the precincts. This meant only 116 votes cast in total at four fully staffed precincts, according to the clerk. Among other problems, this meant a very long day for the election workers who spent the 13 hours dealing with about 30 voters! Given how difficult it can be to recruit people to serve as election inspectors, this is not a helpful experience. Legislation has been introduced that would permit the consolidation of election precincts for uncontested elections.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Election Law to allow the consolidation of election precincts for a city, ward, township, or village election that was uncontested; that is, an election at which the number of candidates for elective office was equal to or less than the number of candidates to be elected.

In such a case, under the bill, the election commissioners of a city, ward, township, or village divided into two or more election precincts could by resolution consolidate the election precincts for that election only. The consolidation would have to be made at least 120 days prior to a primary, general, or special election. If an individual filed a declaration of intent to be a write-in candidate after a consolidation resolution had been passed, the election would still be considered to be an uncontested election for the purposes of the bill.

If precincts were consolidated, the election commissioners would be required to provide the

registered voters with notice of the consolidation and notice of the location of the polling places for the election and would have to post a written notice at each election precinct polling place stating the location of the consolidated election precinct polling place for that election. The notice to voters could be provided by mail or other method designed to provide actual notice to the affected registered electors.

MCL 169.659

SUGGESTED AMENDMENTS:

A number of amendments are anticipated to be proposed. One would exclude state elections from the bill. Another would make it clear that an election would not be considered uncontested if there was a question put before voters on the ballot (a ballot issue). A third would change the date when precincts could be consolidated from 120 days prior to the election to some period less than 84 days (the filing deadline).

FISCAL IMPLICATIONS:

The House Fiscal Agency reports that the bill would have no fiscal impact to state government. There could be nominal costs to local units from having to communicate the location of polling places, but the amount of the costs cannot be determined. (Fiscal Note dated 3-7-01)

ARGUMENTS:

For:

The bill would simply permit the consolidation of precincts in local elections when there were no contested races. This is a matter of convenience and cost for local units. The bill is permissive; the decision whether to consolidate precincts or not would be left to the discretion of local officials. This would particularly makes sense when, for example,

two precincts are in the same building. It makes little sense to keep multiple precincts open at low turnout elections when the voters could be served just as well with consolidated precincts. It would also reduce the need to recruit additional election workers.

Response:

Concern has been expressed that the consolidation of precincts could inconvenience some voters by making them travel farther or by confusing them as to where they are to vote. There are also concerns about the methods of notification to be used. The bill requires notification by mail “or other method designed to provide actual notice” to affected voters, but it does not specify what those other methods could be.

POSITIONS:

The Department of State supports the bill with amendments. (5-31-01)

The Michigan Association of Municipal Clerks supports the concept of the bill. (6-4-01)

The Michigan Association of County Clerks supports the consolidation of precincts. (6-4-01)

Analyst: C. Couch

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