

SENATE BILL No. 1460

September 26, 2002, Introduced by Senator BYRUM and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 31 (MCL 168.31), as amended by 1999 PA 220.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) The secretary of state shall do all of the
2 following:

3 (a) Subject to subsection (2), issue instructions and
4 promulgate rules pursuant to the administrative procedures act of
5 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elec-
6 tions and registrations in accordance with the laws of this
7 state.

8 (b) Advise and direct local election officials as to the
9 proper methods of conducting elections.

10 (c) Publish and furnish for the use in each election
11 precinct before each state primary and election a manual of

1 instructions that includes specific instructions on assisting
2 voters in casting their ballots, directions on the location of
3 voting stations in polling places, procedures and forms for pro-
4 cessing challenges, and procedures on prohibiting campaigning in
5 the polling places as prescribed in this act.

6 (d) Publish indexed pamphlet copies of the registration,
7 primary, and election laws and furnish to the various county,
8 city, township, and village clerks a sufficient number of copies
9 for their own use and to enable them to include 1 copy with the
10 election supplies furnished each precinct board of election
11 inspectors under their respective jurisdictions. The secretary
12 of state may furnish single copies of the publications to organi-
13 zations or individuals who request the same for purposes of
14 instruction or public reference.

15 (e) Prescribe and require uniform forms, notices, and sup-
16 plies the secretary of state considers advisable for use in the
17 conduct of elections and registrations.

18 (f) Prepare the form of ballot for any proposed amendment to
19 the constitution or proposal under the initiative or referendum
20 provision of the constitution to be submitted to the voters of
21 this state.

22 (g) Require reports from the local election officials the
23 secretary of state considers necessary.

24 (h) Investigate, or cause to be investigated by local
25 authorities, the administration of election laws, and report vio-
26 lations of the election laws and regulations to the attorney
27 general or prosecuting attorney, or both, for prosecution.

1 (i) Publish in the legislative manual the vote for governor
2 and secretary of state by townships and wards and the vote for
3 members of the state legislature cast at the preceding November
4 election, which shall be returned to the secretary of state by
5 the county clerks on or before the first day of December follow-
6 ing the election. All clerks shall furnish to the secretary of
7 state, promptly and without compensation, any further information
8 requested of them to be used in the compilation of the legisla-
9 tive manual.

10 (j) Establish a curriculum for comprehensive training and
11 accreditation of all county, city, township, village, and school
12 elections officials.

13 (k) Establish and require attendance by ~~all new~~ EACH NEWLY
14 appointed or elected election ~~officials~~ OFFICIAL at an initial
15 course of instruction within 6 months before the date of the
16 election.

17 (l) Establish a comprehensive training curriculum for all
18 precinct inspectors.

19 (m) Create an election day dispute resolution team that has
20 regional representatives of the department of state, which team
21 shall appear on site, if necessary.

22 (2) ~~Pursuant to~~ UNDER the administrative procedures act of
23 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state
24 may promulgate rules establishing uniform standards for state and
25 local nominating, recall, and ballot question petition
26 signatures. The standards for petition signatures may include,
27 but need not be limited to, standards for all of the following:

1 (a) Determining the validity of registration of a circulator
2 or individual signing a petition.

3 (b) Determining the genuineness of the signature of a circu-
4 lator or individual signing a petition.

5 (c) Proper designation of the place of registration of a
6 circulator or individual signing a petition.

7 (3) UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA
8 306, MCL 24.201 TO 24.328, THE SECRETARY OF STATE SHALL PROMUL-
9 GATE RULES ESTABLISHING UNIFORM STANDARDS FOR ALL TYPES OF VOTING
10 EQUIPMENT USED IN THIS STATE. THE STANDARDS FOR THE VOTING
11 EQUIPMENT SHALL INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE
12 FOLLOWING:

13 (A) NOTIFICATION REQUIREMENTS OF OVER-VOTING, UNDER-VOTING,
14 AND CROSSOVER-VOTING TO MONITOR AND MINIMIZE THE NUMBER OF
15 SPOILED BALLOTS.

16 (B) SECURITY MEASURES TO ENSURE AN ELECTOR'S RIGHT TO VOTE
17 AND PRIVACY.

18 (C) AUDIT TRAIL REQUIREMENTS TO PROVIDE AN ACCURATE RECORD
19 OF THE VOTES CAST BY EACH ELECTOR THAT CAN BE PRINTED, RECORDED,
20 OR VISUALLY REVIEWED AFTER THE POLLS ARE CLOSED. THE RECORD
21 SHALL NOT DISCLOSE AN ELECTOR'S IDENTIFICATION.