

POLITICAL PARTY NOMINEES

Senate Bill 845 as passed by the Senate First Analysis (12-17-03)

Sponsor: Sen. Jason E. Allen
**House Committee: Local Government
and Urban Policy**
**Senate Committee: Government
Operations**

THE APPARENT PROBLEM:

Currently under the law, the chair and secretary of a political party's state central committee must forward to all of the state's 83 county boards of election commissioners, a list of the names and the residences of all the candidates nominated at the state convention. The law requires that this action be taken within one business day after the state convention adjourns.

In each presidential election year, the state central committee must, at the same time, forward to the county boards of election commissioners and to the secretary of state the names of that party's candidates for president and vice president of the United States.

From time to time, a state convention sets its date before the party's national convention. Consequently, the presidential and vice presidential nominees are not known until some time after the state convention adjourns, and the requirement under the law cannot be met.

Legislation has been introduced in order better to align the national and state political nomination processes, and also to make more efficient the process that is used to notify the members of the 83 county election boards of the parties' nominees.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Election Law to require the state central committee of a political party to forward to the secretary of state the names of its candidates for U.S. president and vice president within one business day after the party's state or national convention; and require the secretary of state, rather than the state central committee of a political party, to forward to county boards of election commissioners the names of the candidates nominated at the party's state convention.

The bill would delete the requirements that the state central committee of each political party forward the names of its candidates to the county boards of election commissioners. However, the chairperson and secretary of a state central committee still would have to forward to the secretary of state a list of candidates nominated at the party's state convention.

Further, in each presidential election year, the state central committee of each political party would have to forward to the secretary of state the names of the party's candidates for president and vice-president. However, the bill would require that the secretary of state be notified within one business day after that party's state convention *or* national convention, whichever was later.

Then the bill would require that the secretary of state forward a copy of a list received under these provisions to the board of election commissioners in each county, in care of the county clerk at the county seat.

MCL 168.686

HOUSE COMMITTEE ACTION:

The members of the House Committee on Local Government and Urban Policy reported out the Senate-passed bill without amendments.

FISCAL IMPLICATIONS:

The Senate Fiscal Agency notes that the bill would have no fiscal impact on state or local government. (12-9-03)

Senate Bill 845 (12-17-03)

ARGUMENTS:***For:***

Currently the law requires the leaders of a political party's state central committee to file a list of the state convention's nominees with all 83 county election boards, and also with the secretary of state. The leaders must also indicate the presidential and vice-presidential nominees during presidential election years. However a party's national leaders are not nominated at the state party conventions, but rather at the party's national convention—an event that is sometimes scheduled later in the year than the state convention. The party's presidential and vice-presidential nominees cannot be known by the time the state convention adjourns, and consequently this notice provision of the law cannot be met.

In contrast, this legislation would require the secretary of state to notify the 83 county election commissions of the parties' nominees, after those lists have been forwarded to the Office of the Secretary of State in a timely manner.

POSITIONS:

The Michigan Republic Party testified in favor of the bill. (12-17-03)

The Office of the Secretary of State indicated support for the bill. (12-17-03)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.