

# SENATE BILL No. 350

March 27, 2003, Introduced by Senators BROWN, CHERRY, OLSHOVE, GOSCHKA, CLARKE, STAMAS, SANBORN, KUIPERS, SWITALSKI, CASSIS, BASHAM and GARCIA and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 560, 666, 706, and 777 (MCL 168.560,  
168.666, 168.706, and 168.777), section 706 as amended by 1985 PA  
160.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 560.   (1) ~~Such ballots~~ **The official primary election**  
2 **ballot** shall contain the instructions as to the method of  
3 voting.

4       (2) Ballots other than those furnished by the board of  
5 election commissioners ~~—~~ according to the provisions of this  
6 act ~~—~~ shall not be used, cast, or counted in any election  
7 precinct at ~~any such~~ **a** primary election.

8       (3) The size of all official ballots shall be ~~such~~ as  
9 **prescribed by** the board of election commissioners. ~~shall~~

1 ~~prescribe.~~

2 (4) In addition to the method of voting, the instructions  
3 shall state both of the following:

4 (a) If the elector does not understand the ballot or needs  
5 assistance, the elector may ask an election official for  
6 assistance. An election official is required to provide electors  
7 with assistance upon request.

8 (b) If the elector believes he or she has made a mistake in  
9 voting the ballot, the elector may return the spoiled ballot to  
10 an election official and the election official shall provide the  
11 elector with a new ballot.

12 Sec. 666. At ~~any~~ a federal, state, district, or county  
13 primary ~~or~~ election, special election, or general election, the  
14 secretary of state shall furnish to the county clerk of each  
15 county at the expense of the state the following:

16 (a) ~~The secretary of state shall have printed for~~  
17 ~~distribution and shall furnish a~~ A copy of the Michigan election  
18 law and a copy of the manual of instructions for each precinct  
19 board of election inspectors in the state. ~~→~~

20 (b) Prior to each primary, general, or special election at  
21 which state, district, or county officers are to be nominated or  
22 elected, ~~the secretary of state shall procure~~ a supply of  
23 self-sealing metal sealing devices adapted and suitable for  
24 sealing the ballot boxes used at ~~such~~ the election. ~~Said~~ The  
25 sealing devices shall have the words "State of Michigan" and  
26 serial numbers stamped ~~thereon, and at least 30 days before any~~  
27 ~~such election he shall cause to be transmitted to the several~~

1 ~~county clerks such number of said metal sealing devices as will~~  
 2 **on them. The secretary of state shall** provide a sufficient  
 3 number of ~~such seals~~ **self-sealing metal sealing devices** for  
 4 each voting precinct within the county ~~—; at least 30 days~~  
 5 **before an election.**

6 (c) ~~The secretary of state shall furnish a~~ **A** substantial  
 7 supply of red gummed paper seals for use of the precinct boards  
 8 of election inspectors in sealing ~~such~~ **the** package of ballots  
 9 and the envelopes containing the tally sheets or books and the  
 10 statement of returns. Each ~~such~~ seal shall have inscribed  
 11 ~~thereon~~ **on it** the words "Election Seal--State of Michigan" and  
 12 the date of the primary or election at which it is to be used. A  
 13 space shall also be provided ~~thereon~~ **on the seal** in which 2  
 14 members of the board of election inspectors shall write their  
 15 initials after the seal has been applied. ~~—;~~

16 (d) ~~The secretary of state shall furnish uniform~~ **Uniform**  
 17 printed instructions to electors printed in large type upon  
 18 ~~cards~~ **placards**, containing any information that will assist  
 19 electors in marking their ballots and correctly designating their  
 20 choices. Two ~~such~~ **of these** placards of instructions shall be  
 21 conspicuously displayed in each polling place. ~~—; and~~ **In**  
 22 **addition to other information, the printed instructions shall**  
 23 **state both of the following:**

24 (i) **If the elector does not understand the ballot or needs**  
 25 **assistance, the elector may ask an election official for**  
 26 **assistance. An election official is required to provide electors**  
 27 **with assistance upon request.**

(ii) If the elector believes he or she has made a mistake in voting the ballot, the elector may return the spoiled ballot to an election official and the election official shall provide the elector with a new ballot.

5           (e) ~~The secretary of state shall furnish to the various~~  
6 ~~county clerks suitable~~ **Suitable** blank forms for use by the  
7 ~~various~~ county boards of canvassers in making returns of the  
8 canvass required by ~~law, and the various~~ **this act. Each** county  
9 ~~boards~~ **board** of canvassers shall use the blanks furnished by  
10 the secretary of state in making returns of the canvass.

11           Sec. 706. The arrangement of the ballot containing the  
12 names of candidates for office shall conform as nearly as  
13 possible to the following ~~plan~~ **format**, and shall contain the  
14 specific instructions ~~there set forth and no others~~ **prescribed**  
15 **in this format:**

16 OFFICIAL BALLOT

17 County of ..... Date .....

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

1 split.

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

8 If you do not desire to vote any party ticket, do not make a  
9 cross (X) or check mark ( Q / ) in the circle at the head of any  
10 ticket, but make a cross (X) or a check mark ( Q / ) in the square  
11 [ ] before the name of each candidate for whom you desire to  
12 vote.

13 If you wish to vote for a candidate not on any ticket, write  
14 or place the name of that candidate on your ballot opposite the  
15 name of the office.

16 If you do not understand the ballot or need assistance, you  
17 may ask an election official for assistance. An election  
18 official is required to provide voters with assistance upon  
19 request. If you believe you have made a mistake in voting your  
20 ballot, you may return your spoiled ballot to an election  
21 official and the election official shall provide you with a new  
22 ballot.

23 Before leaving the booth, fold the ballot so that the face of  
24 the ballot is not exposed and so that the numbered corner is  
25 visible.

26 =====

Name of Offices Voted For:	Vignette with Name of Party [ ]	Vignette with Name of Party [ ]	Vignette with Name of Party [ ]
=====	=====	=====	=====
PRESIDENTIAL Electors of President and Vice- President of the United States	Name of Candidate for President. [ ] Name of Candidate for Vice-President.	Name of Candidate for President. [ ] Name of Candidate for Vice-President.	Name of Candidate for President. [ ] Name of Candidate for Vice-President.
STATE Governor and Lieutenant Governor	Governor Name of Candidate [ ] Lieut. Governor Name of Candidate	Governor Name of Candidate [ ] Lieut. Governor Name of Candidate	Governor Name of Candidate [ ] Lieut. Governor Name of Candidate
Secretary of State	Secretary of State [ ] Name of Candidate	Secretary of State [ ] Name of Candidate	Secretary of State [ ] Name of Candidate
=====	=====	=====	=====
CONGRESSIONAL United States Senator	U.S. Senator [ ] Name of Candidate	U.S. Senator [ ] Name of Candidate	U.S. Senator [ ] Name of Candidate
Represent- ative in Congress .....District	U.S. Repre- sentative [ ] Name of Candidate	U.S. Repre- sentative [ ] Name of Candidate	U.S. Repre- sentative [ ] Name of Candidate
=====	=====	=====	=====
LEGISLATIVE Senator .....District	State Senator [ ] Name of Candidate	State Senator [ ] Name of Candidate	State Senator [ ] Name of Candidate
Represent- ative .....District	State Repre- sentative [ ] Name of Candidate	State Repre- sentative [ ] Name of Candidate	State Repre- sentative [ ] Name of Candidate
=====	=====	=====	=====
COUNTY Prosecuting Attorney	Pros. Attorney [ ] Name of Candidate	Pros. Attorney [ ] Name of Candidate	Pros. Attorney [ ] Name of Candidate
Sheriff	Sheriff [ ] Name of Candidate	Sheriff [ ] Name of Candidate	Sheriff [ ] Name of Candidate
=====	=====	=====	=====

1        Sec. 777. A model representing a portion of the face of the  
2 machine and containing fictitious names ~~must~~ **shall** be delivered  
3 to each board of election inspectors for use on election day, and  
4 one of ~~said~~ **the board of election inspectors**, or ~~some one~~  
5 **someone** appointed by ~~said~~ **the board of election inspectors**,  
6 shall offer to exhibit and explain the operation of the voting  
7 ~~machine~~ **system**, by use of the model, to each voter before  
8 ~~such~~ **the** voter ~~shall be~~ **is** allowed to vote. Printed  
9 instructions on how to vote, circulated to voters, ~~must~~ **shall**  
10 conform to the instructions approved by the **election** official  
11 providing ballots, and adapted to the ~~machine~~ **voting system**  
12 used. **In addition to instructions on how to vote, the printed**  
13 **instructions shall state both of the following:**

14        (a) If the elector does not understand the ballot or needs  
15 assistance, the elector may ask an election official for  
16 assistance. An election official is required to provide electors  
17 with assistance upon request.

18        (b) If the elector believes he or she has made a mistake in  
19 voting the ballot, the elector may return the spoiled ballot to  
20 an election official and the election official shall provide the  
21 elector with a new ballot.