

RESIDENCY OF ELECTION INSPECTORS

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House Bill 5119 as enrolled

Public Act 157 of 2012

Sponsor: Rep. Rick Outman

House Committee: Redistricting and Elections

Senate Committee: Local Government and Elections

Second Analysis (8-8-12)

BRIEF SUMMARY: The bill would require that precinct election inspectors be qualified and registered electors of the state, rather than of the counties where they reside.

FISCAL IMPACT: House Bill 5119 would have an indeterminate, but likely negligible, fiscal impact on state and local government. Any impact would be the result of minimal administrative changes necessary to conform to the requirements of the bill.

THE APPARENT PROBLEM:

The township and city clerks who coordinate Michigan's elections in February, May, August, and November of each year, hire local citizens to work at the polls on Election Day. The workers are called 'election inspectors'. Election inspectors make application to the local clerk, and when doing so must give their political party affiliation. The clerk must select an equal number of election inspectors from each political party. After the election inspectors are selected, county clerks train them in election law and their precinct duties so that they are ready to help voters at the polls.

The election inspectors work at the polls, and also in the clerk's office, on Election Day, in order to ensure that the election proceeds smoothly. Their job is to see that all citizens have an opportunity to vote at their precinct polling places, and to ensure that the election is conducted in a fair and unbiased manner. The 'election inspectors' are generally hired for just one 14-hour day—Election Day only—but they can be hired during election recounts, as well. According to committee testimony, their pay varies depending both upon the area of Michigan where they work, and the types of duties they are assigned, but generally the one-day stipend is between \$115 and \$165.

Now under the law, an 'election inspector' can only serve in the county where he or she resides. So, sometimes veteran election inspectors who live on the border between counties are required to travel a considerable distance to work in a distant precinct polling place, rather than be able to cross the county line and work in a precinct polling place much closer to home. The county residency requirement also interferes in those instances where cities span two or three county boundaries. Further, some counties, both rural and urban, are predominantly one-party counties where the vast majority of citizens identify as Republican or Democrat. In these instances, local election clerks have difficulty selecting an equal number of election inspectors from each political party, which is a requirement under Michigan Election Law.

Legislation has been introduced to give election clerks more flexibility in their hiring and deployment of election inspectors, by removing the county residency requirement from the law, and replacing it with a state residency requirement.

THE CONTENT OF THE BILL:

House Bill 5119 would amend the Michigan Election Law (MCL 168.677) to require that precinct election inspectors be qualified and registered electors of the state, rather than of the counties where they reside. A more detailed description of the bill follows.

Currently under the law, a precinct election inspector must be a qualified and registered elector of the county in which he or she serves, or in the case of a local unit of government that lies in more than one county, then a qualified and registered elector of that local unit of government in which the election is being held. House Bill 5119 would eliminate these county and multi-county local unit residency requirements, and instead specify that a precinct election inspector must be a qualified and registered elector of this state. The bill would make corresponding changes to provisions dealing the application forms for election inspectors and with the requirements for high school students.

ARGUMENTS:

For:

This bill offers local election clerks more flexibility when they hire and deploy election inspectors across multi-county jurisdictions on Election Day. Currently election inspectors can be assigned to work only in the polling places located in their county of residence. By eliminating the county residency requirement and replacing it with a state residency requirement, election inspectors could be assigned to the polling places where they are needed most, and sometimes to polling places more convenient to their homes. The change in the residency requirement will also help ensure the balanced appointment of election inspectors from both political parties, a goal sometimes difficult to achieve in urban and rural one-party regions of the state.

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■ 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.