

PRECINCT DELEGATES TO COUNTY CONVENTION

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House Bill 4700 (H-3) as reported from committee

Sponsor: Rep. Jim Lilly

Committee: Elections and Ethics

Complete to 6-11-18

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 611 of 2018)

BRIEF SUMMARY: The bill would amend Chapter 25 of the Michigan Election Law, which concerns Delegates, Conventions and Party Committees. It would transfer responsibility for certifying individuals elected as precinct delegates to the fall county conventions from election inspectors to county clerks.

FISCAL IMPACT: House Bill 4700 would have no fiscal impact on the state or local units of government.

THE APPARENT PROBLEM:

In order for Michigan's elections to run smoothly for its approximately 7.5 million electors, about 30,000 people work at the polls and run an election. Every two years, county clerks train poll workers in processing voters, issuing ballots, verifying and depositing voted ballots, handling challenges to a voter's qualifications, issuing provisional ballots, and processing absentee ballots, among other duties.¹ Currently, about 15 minutes of the two-hour training is dedicated to training election inspectors in certifying precinct delegates to the county convention. County clerks certify candidates for all other races, and also notify precinct delegates of their election. Accordingly, it has been proposed that certification of precinct delegates be shifted to county clerks.

THE CONTENT OF THE BILL:

House Bill 4700 would amend the Michigan Election Law to shift the responsibility for certifying the election of precinct delegates from the boards of primary election inspectors to the county clerks.

Reportedly, this change is intended to streamline the election process, as the precinct delegate race is the only race certified by election inspectors. Accordingly, it requires training by the county clerks and may increase the possibility of mistakes by individuals unused to the process. The boards of county canvassers, on which county clerks serve, already certify elections for local, countywide, and district offices in their respective counties.

¹ Managing Your Precinct on Election Day: Election Inspectors' Procedure Manual: A Quick Reference Guide to the State and Federal Laws Which Govern the Operation of Polling Places, Michigan Department of State Bureau of Elections (January 2016)

https://www.michigan.gov/documents/sos/Managing_Your_Precinct_on_Election_Day_391790_7.pdf

The bill would also make other updates to sections of the Law concerning precinct delegates:

- It would retain the ability for voters to write in the names of candidates for precinct delegate on the ballot, but remove the possibility of pasting printed or written slips with candidates' names on the ballot.
- It would retain the process for settling a tie in a precinct delegate election, but strike the existing language in Section 607 of the Law and replace it with the same process as in Section 851.
- It would retain the requirement that county clerks maintain a record of elected delegates, but remove the requirement that the record be kept in a book in the clerk's office.
- It would require individuals to file a declaration of intent to be a write-in candidate for precinct delegate with their precinct's county clerk (rather than city or township clerk, as is currently required). County clerks would then deliver a list of those candidates to the respective city and township clerks, who would in turn deliver a list to the board of election inspectors in the appropriate precincts before the polls close on Election Day.

MCL 168.605 et al

BACKGROUND INFORMATION:

Michigan has 4,830 precincts, each of which can include no more than 2,999 active registered electors. Precinct delegates are partisan positions, and are elected by voters of each political party (Democratic delegates are elected by voters selecting a Democratic Party ballot and Republican delegates by voters selecting a Republican Party ballot). Each precinct is allocated a number of precinct delegates based on past party voting strengths.

A precinct delegate's responsibilities include all of the following:

- Voting at the party's state, county, and congressional district conventions.
- Helping people get registered to vote.
- Taking information on issues and candidates to the voters in the precinct.
- Identifying others interested in the party and recruiting new party members.
- Helping turn out the party's vote in the neighborhood on Election Day.
- Keeping the party leaders informed about issues that concern voters.

ARGUMENTS:

For:

Proponents argued that the current requirement that election inspections certify precinct delegates diverts workers' attention from the critical issues of executing fair and efficient elections and election security. They maintained that certification would be handled far more efficiently and with less possibility of mistake by county clerks, who are already paid by the voters for functions such as these. Further, they argued that there is no reason that precinct delegate votes should be tallied by hand and certified manually by election

workers at the end of a long day; rather, they should be handled in the same way as in all other federal, state, and local elections.

POSITIONS:

Representatives of the following organizations testified in support of the bill (3-22-18):

- Michigan Association of Municipal Clerks
- Oakland County Elections Division
- Ottawa County Clerk's Office

The Michigan Secretary of State indicated support for the bill. (3-22-18)

Legislative Analyst: Jenny McInerney
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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.