SFA BILL ANALYSIS

House Bill 4980 (as reported without amendment)
Sponsor: Representative Tom Alley
House Committee: Elections
Senate Committee: Government Operations

MAY 16 1990

Date Completed: 3-19-90

RATIONALE

The Michigan Election Law requires that ballots be rotated precinct-by-precinct when there are more candidates than there are offices, so that no one candidate's name will appear on the top of the ballot more than any other. This is considered necessary because some people apparently cast their votes based on a candidate's position on the ballot rather than the merits of each candidate. The School Code, however, contains different ballot rotation requirements, which provide for alternating candidates' names ballot-by-ballot rather than precinct-by-precinct. It has been pointed out that this requirement can only be followed when paper ballots are used. Because of the way in which punch card ballots and ballots for voting machines are manufactured through the use of computer programs, names of candidates cannot be rotated on a ballot-by-ballot basis but must instead be rotated precinct-by-precinct. This means the requirement in the School Code that names be rotated ballot-by-ballot can apply only to paper ballots. (Further, paper ballots used for all other elections, as governed by the Election Law, are rotated on a precinct-by-precinct basis.) It has been suggested that the ballot rotation requirements in the School Code be amended to conform to those in the Election Law.

CONTENT

The bill would amend the School Code to alter the way in which candidates' names are rotated on the ballot when there are more candidates than there are offices in a school district that encompasses more than one precinct. The bill would require that names first be arranged alphabetically by surname in one precinct, and then rotated in subsequent precincts so that the name at the top appeared on the bottom in the next precinct, and the second name in the first

precinct became the name on top in the next precinct. The bill provides that, "as reasonably as possible", a candidate's name could not appear at the top of the ballot more times than any other candidate's name. The bill also provides that if absent voter counting boards were used, each ballot form containing identical offices and names would be considered a separate precinct for the purpose of arranging the names of candidates.

MCL 380.1008

FISCAL IMPACT

The bill would have no fiscal impact on the State and minimal fiscal impact on local units of government. According to the Department of State, the bill would reduce printing costs to local units of government.

ARGUMENTS

Supporting Argument
The bill would make ballot rotation requirements for school board elections consistent with the requirements for other Federal, State, county, city, and township elections. Further, the bill would cause school board elections, in which paper ballots are used, to be run in the same way as school board elections in which voting machines or punch cards are used, and would save printing and handling costs.

Opposing Argument
It should be noted that requiring precinct-by-precinct rotation of names on ballots, rather than ballot-by-ballot rotation, could result in names being rotated less often than is currently required for school board elections.

Response: Because the names on the ballots cannot be rotated on a ballot-by-ballot basis where voting machines and punch cards are used, the bill would affect only those areas where paper ballots are used, and where the school election encompasses more than one precinct.

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