

SENATE BILL No. 1439

September 14, 2006, Introduced by Senator HAMMERSTROM and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 31 (MCL 168.31), as amended by 2005 PA 71, and
by adding section 864a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) The secretary of state shall do all of the
2 following:

3 (a) Subject to ~~subsection~~ **SUBSECTIONS (2) AND (3)**, issue
4 instructions and promulgate rules pursuant to the administrative
5 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the
6 conduct of elections and registrations in accordance with the laws
7 of this state.

8 (b) Advise and direct local election officials as to the

1 proper methods of conducting elections.

2 (c) Publish and furnish for the use in each election precinct
3 before each state primary and election a manual of instructions
4 that includes specific instructions on assisting voters in casting
5 their ballots, directions on the location of voting stations in
6 polling places, procedures and forms for processing challenges, and
7 procedures on prohibiting campaigning in the polling places as
8 prescribed in this act.

9 (d) Publish indexed pamphlet copies of the registration,
10 primary, and election laws and furnish to the various county, city,
11 township, and village clerks a sufficient number of copies for
12 their own use and to enable them to include 1 copy with the
13 election supplies furnished each precinct board of election
14 inspectors under their respective jurisdictions. The secretary of
15 state may furnish single copies of the publications to
16 organizations or individuals who request the same for purposes of
17 instruction or public reference.

18 (e) Prescribe and require uniform forms, notices, and supplies
19 the secretary of state considers advisable for use in the conduct
20 of elections and registrations.

21 (f) Prepare the form of ballot for any proposed amendment to
22 the constitution or proposal under the initiative or referendum
23 provision of the constitution to be submitted to the voters of this
24 state.

25 (g) Require reports from the local election officials the
26 secretary of state considers necessary.

27 (h) Investigate, or cause to be investigated by local

1 authorities, the administration of election laws, and report
2 violations of the election laws and regulations to the attorney
3 general or prosecuting attorney, or both, for prosecution.

4 (i) Publish in the legislative manual the vote for governor
5 and secretary of state by townships and wards and the vote for
6 members of the state legislature cast at the preceding November
7 election, which shall be returned to the secretary of state by the
8 county clerks on or before the first day of December following the
9 election. All clerks shall furnish to the secretary of state,
10 promptly and without compensation, any further information
11 requested of them to be used in the compilation of the legislative
12 manual.

13 (j) Establish a curriculum for comprehensive training and
14 accreditation of all county, city, township, village, and school
15 elections officials.

16 (k) Establish and require attendance by all new appointed or
17 elected election officials at an initial course of instruction
18 within 6 months before the date of the election.

19 (l) Establish a comprehensive training curriculum for all
20 precinct inspectors.

21 (m) Create an election day dispute resolution team that has
22 regional representatives of the department of state, which team
23 shall appear on site, if necessary.

24 (2) Pursuant to the administrative procedures act of 1969,
25 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall
26 promulgate rules establishing uniform standards for state and local
27 nominating, recall, and ballot question petition signatures. The

standards for petition signatures may include, but need not be limited to, standards for all of the following:

(a) Determining the validity of registration of a circulator or individual signing a petition.

(b) Determining the genuineness of the signature of a circulator or individual signing a petition, including digitized signatures.

(c) Proper designation of the place of registration of a circulator or individual signing a petition.

(3) PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, THE SECRETARY OF STATE SHALL PROMULGATE RULES ESTABLISHING UNIFORM STANDARDS FOR CONDUCTING RECOUNTS.

SEC. 864A. A BOARD OF CANVASSERS CONDUCTING A RECOUNT SHALL CONDUCT THE RECOUNT IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT AND THE RULES PROMULGATED BY THE SECRETARY OF STATE UNDER SECTION 31(3).

Enacting section 1. This amendatory act takes effect January 1, 2007.