



NOVEMBER
2002
BALLOT PROPOSAL 02-1

An Overview

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On November 5, 2002, voters in Michigan will decide whether to approve a law that would amend the Michigan Election Law to prohibit straight party ticket voting and make other changes. This law, Public Act 269 of 2001, was approved by the Legislature and signed by the Governor, and originally took effect in March 2002. As the result of a petition drive, however, Public Act 269 is not presently in effect and it will not take effect unless a majority of the individuals voting on November 5 vote "yes" on Proposal 02-1.

Proposal 02-1 will appear on the ballot as follows:

PROPOSAL 02-1

***A REFERENDUM ON PUBLIC ACT 269 OF 2001 -
AN ACT TO AMEND CERTAIN SECTIONS OF MICHIGAN ELECTION LAW***

Public Act 269 of 2001 would:

- *Eliminate "straight party" vote option on partisan general election ballots.*
- *Require Secretary of State to obtain training reports from local election officials.*
- *Require registered voters who do not appear on registration list to show picture identification before voting a challenged ballot.*
- *Require expedited canvass if presidential vote differential is under 25,000.*
- *Require ballot counting equipment to screen ballots for voting errors to ensure the accurate tabulation of absentee ballots. Permit voters in polls to correct errors.*
- *Provide penalties for stealing campaign signs or accepting payment for campaign work while being paid as a public employee to perform election duties.*

Should this law be approved?

Yes ___
No ___

Public Act 269 of 2001

Public Act 269 of 2001 originated as Senate Bill 173. When the bill first was introduced in the Senate, the only change it proposed was to eliminate straight party tickets. As the bill moved through the legislative process, it was expanded to include the other amendments mentioned in Proposal 02-1. In regard to straight party tickets, Public Act 269 contains the following language:

In an election to choose the officeholders for more than 1 office, an elector is prohibited from voting a straight political party ticket, that is, from voting for all of the candidates for elective office who are on the ballot representing a single political party by a single selection on the ballot. A ballot that would violate this section shall not be produced, printed, or distributed.

If the voters approve Proposal 02-1, this language will become part of the Michigan Election Law. In addition, the other amendments described in the proposal will take effect if it is approved.

Fiscal Impact

The combined fiscal impact of the provisions of Public Act 269 of 2001 could increase the administrative cost of elections for municipal and county clerks. The changes would lengthen the time voters spend at a polling place on election day. Some jurisdictions might choose to hire additional election inspectors in order to alleviate increased congestion within polling places. The salary of election inspectors is determined by municipal clerks and varies across the State. Much of the training of election inspectors is done by county clerks' offices. Additional costs could be incurred at the county level depending upon the increased number of election inspectors, the exact training requirements, the voting systems used, and other factors that vary by county.

Public Act 269 required the Secretary of State to request an appropriation to provide two election inspector training videos to every precinct. In Public Act 530 of 2002, a supplemental appropriation of \$80,000 was enacted for this purpose. If Proposal 02-1 is rejected, this funding may lapse or may be available for general expenditure by the Bureau of Elections.

Straight Party Ticket Voting

Voters in Michigan presently have several ways to vote in the partisan section of a general election ballot. These options are: 1) voting a straight party ticket; 2) splitting the ticket; and 3) making individual selections. Voting a straight party ticket means that an elector makes a single selection for all of the candidates of one political party. A voter also may split the ticket by voting a straight party ticket for one political party, and then voting for specific candidates of a different party. Alternatively, a voter may make individual selections for each office on the ballot.

Regardless of the method used to vote for political party candidates, every elector may vote in the nonpartisan section of the ballot and on ballot proposals.

If Proposal 02-1 is approved, all voters will make individual selections for the candidates running for each office on the ballot.

Referendum on Public Act 269

Under Article II, Section 9 of the State Constitution, "The people reserve to themselves...the power to approve or reject laws enacted by the legislature, called the referendum." To exercise the power of referendum, a person must file with the State petitions containing a sufficient number of registered voters' signatures. Once the power of referendum is properly invoked, the law that is subject to referendum cannot be effective unless it is approved by a majority of the electors voting on it at the next general election.

After Public Act 269 of 2001 was enacted, a group called "PRO-VOTERS!" began collecting petitions signatures to place the law on the November 5, 2002, ballot. In May 2002, the Board of State Canvassers certified that the group had met the requirement of collecting 151,356 valid signatures. As a result, the effectiveness of Public Act 269 was suspended until after the election.

According to the Constitution, if a majority of the electors voting on November 5 approve Proposal 02-1, Public Act 269 will take effect 10 days after the date of the official declaration of the vote. If the law is approved, the Legislature may subsequently amend it.

(A detailed description of the content and fiscal impact of Public Act 269 is contained in the Senate Fiscal Agency's Enrolled Summary of Senate Bill 173. The document is available on the Agency's website, and may be obtained from the Agency.)