

HOUSE BILL No. 5955

November 13, 2014, Introduced by Reps. MacMaster and Franz and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 59, 68, 169, 179, 534, and 570 (MCL 168.59, 168.68, 168.169, 168.179, 168.534, and 168.570), section 169 as amended by 1990 PA 7, section 534 as amended by 1988 PA 116, and section 570 as amended by 1985 PA 160, and by adding sections 52a, 54a, 56a, 162a, 164a, and 166a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 52A. AT ITS FALL STATE CONVENTION, EACH POLITICAL PARTY
2 MAY NOMINATE A CANDIDATE FOR THE OFFICE OF GOVERNOR.

3 SEC. 54A. NOT MORE THAN 24 HOURS AFTER THE CONCLUSION OF THE
4 FALL STATE CONVENTION, THE STATE CENTRAL COMMITTEE OF EACH
5 POLITICAL PARTY SHALL CANVASS THE PROCEEDINGS FROM THE CONVENTION

1 AND DETERMINE THE NOMINEE OF THE CONVENTION FOR THE OFFICE OF
 2 GOVERNOR. NOT MORE THAN 1 BUSINESS DAY AFTER THE CONCLUSION OF
 3 THE CONVENTION, THE CHAIRPERSON AND SECRETARY OF THE STATE
 4 CENTRAL COMMITTEE SHALL FORWARD TO THE SECRETARY OF STATE A
 5 TYPEWRITTEN OR PRINTED LIST OF THE NAME AND RESIDENCE, INCLUDING
 6 STREET ADDRESS IF KNOWN, OF THE CANDIDATE NOMINATED AT THE STATE
 7 CONVENTION. THE SECRETARY OF STATE SHALL FORWARD A COPY OF A LIST
 8 RECEIVED UNDER THIS SECTION TO THE BOARD OF ELECTION
 9 COMMISSIONERS OF EACH COUNTY, IN CARE OF THE COUNTY CLERK AT THE
 10 COUNTY SEAT.

11 SEC. 56A. AN INDIVIDUAL WHO HAS BEEN CERTIFIED BY THE STATE
 12 CENTRAL COMMITTEE OF ANY POLITICAL PARTY AS NOMINATED FOR THE
 13 OFFICE OF GOVERNOR MAY WITHDRAW BY FILING A WRITTEN NOTICE OF
 14 WITHDRAWAL WITH THE SECRETARY OF STATE OR HIS OR HER AUTHORIZED
 15 AGENT AND A COPY WITH THE CHAIRPERSON AND THE SECRETARY OF THE
 16 STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY NOT LATER THAN 4
 17 P.M., EASTERN STANDARD TIME, OF THE FOURTH BUSINESS DAY FOLLOWING
 18 THE CONCLUSION OF THE CONVENTION AT WHICH THE INDIVIDUAL WAS
 19 NOMINATED.

20 Sec. 59. ~~When the~~ **IF A** candidate of a political party, after
 21 having been nominated to the office of governor, ~~shall die,~~
 22 ~~withdraw as provided in section 58 of this act, remove~~ **DIES,**
 23 **WITHDRAWS, MOVES** from ~~the~~ **THIS** state, or ~~become~~ **BECOMES**
 24 disqualified for any reason, the state central committee of ~~such~~
 25 **THAT POLITICAL** party shall meet forthwith and by a majority vote
 26 of the members thereof shall select a candidate to fill the
 27 vacancy. ~~thereby caused.~~ The name of the candidate ~~so~~ selected

1 shall be immediately certified by the ~~chairman~~ **CHAIRPERSON** and
 2 the secretary of ~~said~~ **THE** committee to the secretary of state and
 3 to the board of election commissioners for each county, ~~whose~~
 4 duty it is to prepare the official ballots. ~~and said~~ **THE** board
 5 shall cause to be printed or placed upon ~~such~~ **THE** ballots in the
 6 proper place the name of the candidate ~~so~~ selected and certified
 7 to fill ~~such~~ **THE** vacancy.

8 Sec. 68. The votes cast for any candidate for the office of
 9 governor or lieutenant governor at any ~~primary or~~ election shall
 10 ~~be~~ **ARE** subject to recount as provided in chapter ~~33 of this~~
 11 ~~act.~~ **XXXVIII**.

12 **SEC. 162A. AT ITS FALL STATE CONVENTION, EACH POLITICAL**
 13 **PARTY MAY NOMINATE A CANDIDATE FOR EACH OF THE OFFICES OF STATE**
 14 **SENATOR AND STATE REPRESENTATIVE.**

15 **SEC. 164A. NOT MORE THAN 24 HOURS AFTER THE CONCLUSION OF**
 16 **THE FALL STATE CONVENTION, THE STATE CENTRAL COMMITTEE OF EACH**
 17 **POLITICAL PARTY SHALL CANVASS THE PROCEEDINGS FROM THE CONVENTION**
 18 **AND DETERMINE THE NOMINEES OF THE CONVENTION FOR EACH OF THE**
 19 **OFFICES OF STATE SENATOR AND STATE REPRESENTATIVE. NOT MORE THAN**
 20 **1 BUSINESS DAY AFTER THE CONCLUSION OF THE CONVENTION, THE**
 21 **CHAIRPERSON AND SECRETARY OF THE STATE CENTRAL COMMITTEE SHALL**
 22 **FORWARD TO THE SECRETARY OF STATE A TYPEWRITTEN OR PRINTED LIST**
 23 **OF THE NAMES AND RESIDENCES, INCLUDING STREET ADDRESS IF KNOWN,**
 24 **OF THE CANDIDATES NOMINATED AT THE STATE CONVENTION. THE**
 25 **SECRETARY OF STATE SHALL FORWARD A COPY OF A LIST RECEIVED UNDER**
 26 **THIS SECTION TO THE BOARD OF ELECTION COMMISSIONERS OF EACH**
 27 **COUNTY, IN CARE OF THE COUNTY CLERK AT THE COUNTY SEAT.**

1 SEC. 166A. AN INDIVIDUAL WHO HAS BEEN CERTIFIED BY THE STATE
 2 CENTRAL COMMITTEE OF ANY POLITICAL PARTY AS NOMINATED FOR THE
 3 OFFICE OF STATE SENATOR OR STATE REPRESENTATIVE MAY WITHDRAW BY
 4 FILING A WRITTEN NOTICE OF WITHDRAWAL WITH THE SECRETARY OF STATE
 5 OR HIS OR HER AUTHORIZED AGENT AND A COPY WITH THE CHAIRPERSON
 6 AND THE SECRETARY OF THE STATE CENTRAL COMMITTEE OF THE POLITICAL
 7 PARTY NOT LATER THAN 4 P.M., EASTERN STANDARD TIME, OF THE FOURTH
 8 BUSINESS DAY FOLLOWING THE CONCLUSION OF THE CONVENTION AT WHICH
 9 THE INDIVIDUAL WAS NOMINATED.

10 Sec. 169. ~~When the~~ **IF A** candidate of a political party,
 11 after having been nominated to the office of state senator or
 12 representative, ~~shall die, be certified by a state convention for~~
 13 ~~a statewide office, withdraw~~ **DIES, WITHDRAWS** from the district,
 14 ~~become~~ **BECOMES** physically unfit, or ~~become~~ **BECOMES** disqualified
 15 for any reason, the members residing within ~~said~~ **THAT** senatorial
 16 or representative district of the county executive committees of
 17 ~~such~~ **THAT** candidate's political party for the counties comprising
 18 ~~said~~ **THE** senatorial or representative district shall meet at a
 19 time and place designated by the chairperson of the state central
 20 committee of ~~such~~ **THE** political party and notice of ~~such~~ **THE**
 21 meeting shall be sent to all ~~such~~ members of the county executive
 22 committees. The meeting shall be conducted by the secretary of
 23 the state central committee or his or her duly authorized agent,
 24 but ~~said~~ **THE** secretary or agent shall not be privileged to vote
 25 at ~~such~~ **THE** meeting. A candidate to fill the vacancy shall be
 26 selected by a majority vote of the committee members present and
 27 voting. ~~÷ Provided, That if such~~ **IF A** vacancy occurs in a

1 senatorial or representative district wholly within 1 county, a
 2 candidate to fill the vacancy shall be selected by the county
 3 executive committee of the county by a majority vote thereof. The
 4 name of the candidate ~~so~~-selected shall be certified immediately
 5 by the chairperson and the secretary of ~~said~~-**THE** committee to the
 6 secretary of state in those districts comprising 2 or more
 7 counties and to the county clerk in those districts contained
 8 within 1 county. The certification shall be sent in any case to
 9 the board of election commissioners for each county ~~,~~-whose duty
 10 it is to prepare the official ballots. ~~,~~-and ~~said~~-**THE** board shall
 11 cause to be printed or placed upon ~~such~~-**THE** ballots, in the
 12 proper place, the name of the candidate ~~so~~-selected and certified
 13 to fill ~~such~~-**THE** vacancy.

14 Sec. 179. The votes cast for any candidate for the office of
 15 state senator or representative at any ~~primary or~~-election shall
 16 ~~be~~-**ARE** subject to recount as provided in chapter ~~33 of this~~
 17 ~~act~~-**XXXVIII**.

18 Sec. 534. A general primary of all political parties except
 19 as provided in sections 532 and 685 shall be held in every
 20 election precinct in this state on the Tuesday after the first
 21 Monday in August before every general November election, at which
 22 time the qualified and registered voters of each political party
 23 may vote for party candidates for the office of ~~governor,~~-United
 24 States senator, representative in congress, ~~state senator,~~
 25 ~~representative in the legislature,~~-county executive, prosecuting
 26 attorney, sheriff, county clerk, county treasurer, register of
 27 deeds, county auditor, drain commissioner, public works

1 commissioner, county road commissioner, county mine inspector,
2 surveyor, and candidates for office in townships. A nomination
3 for an office shall be made only if the official is to be elected
4 at the next succeeding general November election.

5 Sec. 570. Paper ballots shall be numbered consecutively and
6 identified by use of the words "official primary ballot" on the
7 upper right hand corner upon the front of the ballot with a
8 perforated line across the corner and underneath the number and
9 identification so that the corner with the number and
10 identification may be torn off. The detachable corner stub shall
11 serve for the several party tickets and the ballot number shall
12 be printed upon the stub on 1 side only. A political party
13 designation shall not appear upon a ballot corner so numbered and
14 identified. After the ballots are trimmed and wrapped in sealed
15 packages, they shall be distributed for use at the primary
16 election in the same manner as is now provided by law for the
17 distribution of ballots to be used at general elections. Ballots
18 shall be prepared in **A FORM PRESCRIBED BY THE SECRETARY OF STATE**
19 **BASED UPON THE VOTING EQUIPMENT BEING USED IN EACH COUNTY.**
20 ~~substantially the following form:~~

21 _____ OFFICIAL PRIMARY BALLOT
22 _____ No.
23 _____ OFFICIAL PRIMARY ELECTION BALLOT
24 ~~Primary election to be held 19.....~~
25 ~~in the county of~~
26 _____ party.
27 _____ (Vignette)

1 ~~— You cannot split your ticket. If you vote for candidates on~~
2 ~~more than 1 party ticket, your ballot will be rejected.~~
3 ~~— Make a cross or a check mark in the square to the left of~~
4 ~~not more than the number of names for each office as may be~~
5 ~~indicated under the title of each office.~~

6 _____
7 ~~State. Legislative.~~

8 _____
9 ~~Governor. State Senator.~~
10 ~~.....District.~~

11 ~~— Vote for not more than one. — Vote for not more than one.~~

12 _____
13 ~~[] 1 John Doe [] 7 John Doe~~

14 _____
15 ~~[] 2 Richard Roe [] 8 Richard Roe~~

16 _____
17 ~~[] []~~

18 _____
19 ~~Congressional. Representative in State~~
20 ~~Legislature.~~

21 ~~United States Senator..... District.~~

22 ~~— Vote for not more than one. — Vote for not more than one.~~

23 _____
24 ~~[] 3 John Doe [] 9 John Doe~~

25 _____
26 ~~[] 4 Richard Roe [] 10 Richard Roe~~

27 _____
28 ~~[] []~~

29 _____
30 ~~Representative in Congress. County.~~

31 ~~..... District. Prosecuting Attorney.~~

1 ~~Vote for not more than one. Vote for not more than one.~~

2 _____

3 ~~[] 5 John Doe [] 11 John Doe~~

4 _____

5 ~~[] 6 Richard Roe [] 12 Richard Roe~~

6 _____

7 ~~[] []~~

8 _____

9 Enacting section 1. Sections 52 to 58 and 162 to 168 of the
10 Michigan election law, 1954 PA 116, MCL 168.52 to 168.58 and
11 168.162 to 168.168, are repealed.