



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
ELECTIONS

Tuesday, December 8, 2015 10:30 a.m. Room 308 House Office Building

The House Standing Committee on Elections was called to order by the Chair, Representative Lisa Posthumus Lyons.

Members present: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell, Irwin, Hoadley.

Members absent/excused: None.

Representative Jacobsen moved to adopt the minutes from the Thursday, December 3, 2015, meeting.

The motion prevailed by unanimous consent.

The Chair placed the committee at ease, the time being 10:55 a.m.

The Chair called the meeting back to order, the time being 11:05 a.m.

The Chair laid the following bill before the committee:

SB 13 (Knollenberg) Elections; voting procedures; straight-ticket voting; eliminate.

Phil Lombard, from Ferndale, testified in opposition to the bill.

The following individuals submitted a card on SB 13 but did not wish to speak:

Bruce Timmons, representing himself, in opposition and submitted written testimony.

Paul Welday, representing Advance Michigan, in support.

Stephanie Johnson, representing Canton Township, in opposition.

Mary R. Clark, representing Delta Charter Township, in opposition.

David Bertram, representing Michigan State University, in opposition.

Kim Meltzer, Clerk for Clinton Township, submitted written testimony on SB 13.

Representative Heise moved to adopt the substitute (H-2) to SB 13.

The motion prevailed by a vote of 8-0-0.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Driskell, Irwin, Hoadley.

Nays: None.

Pass: None.

Representative Irwin moved to adopt the following amendments to SB 13 (H-2):

1. Amend page 4, line 15, after “Sec. 795c.” by striking out “(1)”.
2. Amend page 4, following line 27, by striking out all of subsection (2).

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

The Chair placed the committee at ease, the time being 11:20 a.m.

The Chair called the meeting back to order, the time being 11:29 a.m.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
“Enacting section 2. This amendatory act takes effect January 17, 2017.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4053 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4288 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.
Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.
Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4350 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.
Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.
Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4779 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.
Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.
Pass: None.

Representative Driskell moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4799 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:

“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4805 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:

“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4807 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Driskell moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:

“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4816 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Driskell moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:
"Enacting section 2. This amendatory act does not takes effect unless all of the following bills of the 98th Legislature are enacted into law:
(a) House Bill No. 4927.
(b) House Bill No. 4928.
(c) House Bill No. 4929."

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.
Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.
Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, following line 14, by inserting:
"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4800 of the 98th Legislature is enacted into law.
Enacting section 3. This amendatory act does not take effect unless House Joint Resolution AA of the 98th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.
Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.
Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:
"Sec. 697. At the general November election, the names of the several **PARTISAN** offices to be voted for **SHALL BE PLACED ON THE BALLOT FOLLOWING THE NAMES OF THE SEVERAL NONPARTISAN OFFICES LISTED IN SECTION 699 AND** shall be placed on the ballot substantially in the following order in the years in which elections for ~~such~~ **THOSE** offices are held: Electors of president and vice-president of the United States; governor and lieutenant governor; secretary of state; attorney general; United States senator; representative in congress; senator and representative in the state legislature; members of the state board of education; regents of the ~~university~~ **UNIVERSITY** of Michigan; trustees of Michigan ~~state university~~; **STATE UNIVERSITY**; governors of Wayne ~~state university~~; **STATE UNIVERSITY**; county executive; prosecuting attorney; sheriff; clerk; treasurer; register of deeds; auditor in counties electing an auditor; mine inspector in counties electing a

mine inspector; county road commissioners; drain commissioners; coroners; and surveyor. The following township officers shall be placed on the same ballot as above described in substantially the following order in the year in which elections for ~~such~~-**THOSE** offices are held: supervisor, clerk, treasurer, trustees, and constables.

Sec. 699. At any regular election, the names of the several nonpartisan offices to be voted for **SHALL BE PLACED ON THE BALLOT BEFORE THE NAMES OF THE SEVERAL PARTISAN OFFICES LISTED IN SECTION 697 AND** shall be placed on a separate portion of the ballot containing no party designation in the following order: justices of the supreme court, judges of the court of appeals, judges of the circuit court, judges of the probate court, judges of the district court, community college board of trustees member, intermediate school district board member, city officers, the following village officers in substantially the following order in the year in which elections for the offices are held: president, clerk, treasurer, and trustees, and in a year in which an election for the office is held, local school district board member, metropolitan district officer, and district library board member."

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Driskell moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:

"Enacting section 2. This amendatory act does not takes effect unless Senate Bill No. 60 of the 98th Legislature is enacted into law."

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 697. At the general November election, the names of the several offices to be voted for shall be placed on the ballot **WITHOUT ANY PARTISAN IDENTIFICATION** substantially in the following order in the years in which elections for ~~such~~-**THOSE** offices are held: Electors of president and vice-president of the United States; governor and lieutenant governor; secretary of state; attorney general; United States senator; representative in congress; senator and representative in the state legislature; members of the state board of education; regents of the ~~university~~ **UNIVERSITY** of Michigan; trustees of Michigan ~~state university~~;

STATE UNIVERSITY; governors of Wayne ~~state university~~; **STATE UNIVERSITY**; county executive; prosecuting attorney; sheriff; clerk; treasurer; register of deeds; auditor in counties electing an auditor; mine inspector in counties electing a mine inspector; county road commissioners; drain commissioners; coroners; and surveyor. The following township officers shall be placed on the same ballot as above described in substantially the following order in the year in which elections for ~~such~~ **THOSE** offices are held: supervisor, clerk, treasurer, trustees, and constables."

The motion did not prevail by a vote of 2-6-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto, Irwin.

Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 720a. At any polling place on election day, an elector who is an individual with a disability shall be permitted to go to the front of the voting line."

Chair Lyons ruled the amendment not germane.

Representative Irwin challenged the ruling of the Chair.

The ruling of the Chair was upheld by a vote of 5-3-0.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Nays: Representatives Driskell, Irwin, Hoadley.

Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 720a. At any polling place on election day, an elector who is 60 years of age or older shall be permitted to go to the front of the voting line."

Chair Lyons ruled the amendment not germane.

Representative Irwin challenged the ruling of the Chair.

The ruling of the Chair was upheld by a vote of 5-3-0.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Nays: Representatives Driskell, Irwin, Hoadley.

Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:

“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 4802 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Hoadley moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 14, by inserting:

“Enacting section 2. This amendatory act does not takes effect unless House Bill No. 5114 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Irwin moved to adopt the following amendment to SB 13 (H-2):

1. Amend page 8, line 12, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not takes effect unless House Bill No. 4131 of the 98th Legislature is enacted into law.”.

The motion did not prevail by a vote of 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Representatives Driskell, Irwin, Hoadley.

Nays: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Pass: None.

Representative Jacobsen moved to report SB 13 (H-2) with recommendation.

The motion prevailed by a vote of 5-2-1.

FAVORABLE ROLL CALL

Yeas: Representatives Lyons, Leutheuser, Heise, Jacobsen, Kesto.

Nays: Representatives Irwin, Hoadley.

Pass: Representative Driskell.

There being no further business before the committee, the Chair adjourned the meeting, the time being 12:00 noon

Representative Lisa Posthumus Lyons, Chair_____

Doug Simon, Committee Clerk

House Elections Committee, dsimon@house.mi.gov, (517) 373-8099