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CHANGE INDEPENDENT, CONGRESSIONAL CANDIDATE PETITION REQUIREMENTS

House Bill 6003 as introduced
Sponsor: Rep. Michael Bishop

House Bill 6004 as introduced
Sponsor: Rep. Ken Bradstreet

First Analysis (10-4-00)
Committee: Constitutional Law and Ethics

THE APPARENT PROBLEM:

Public Act 218 of 1999 (enrolled House Bill 5060) changed petition signature requirements for a number of state elective offices by tying them to a sliding scale based on the population of the election district in question. The petition signature requirements were made uniform for all candidates through a chart that was added to the Michigan Election Law under Section 544f. However, two types of candidates weren't included in Public Act 218: partisan candidates for Congressional office and independent candidates without partisan political party affiliation.

Currently, nominating petitions for political party Congressional candidates and qualifying petitions for independent candidates for elective office must be signed by a certain number of signatures as specified in the Michigan Election Law. Nominating petitions for a political party's candidate for United States senator or representative must be signed by a number of qualified and registered electors living in the state that equals at least one percent and not more than two percent of the number of votes cast by the party for secretary of state at the last general November election in which the secretary of state was elected. A qualifying petition for an office other than a statewide elective office must be signed by a number of qualified and registered electors of the district represented by that office that is equal to two percent of the number of votes cast for all gubernatorial candidates in the district at the last election in which a governor was elected (though the law requires a minimum of 15 signatures, even if that number does not represent the required minimum two percent of gubernatorial votes.) A qualifying petition for a statewide elective office must be signed by a number of electors equal to at least one percent but not more than two percent of the total number of votes cast for all candidates for governor at the last election at which a governor was elected.

Legislation has been introduced to include these two kinds of candidates under the new petition signature requirements of Public Act 218 of 1999.

THE CONTENT OF THE BILLS:

The bills would amend the Michigan Election Law to delete the current signature requirements for nominating petitions for Congressional candidates (House Bill 6003, MCL 168.93 and 168.133) and for qualifying petitions (House Bill 6004, MCL 168.590b). Instead, both bills would require that the number of signatures on nominating or qualifying petitions be as determined by Section 544f of the law (MCL 168.544f), which provides a chart that determines the number of signatures of qualified and registered electors necessary for nominating or qualifying petitions based on the population of the district according to the most recent federal census.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bills would have no fiscal implications. (10-2-00)

ARGUMENTS:

For:

The bills would correct an oversight that occurred when legislation was enacted last year that, among other things, standardized petition signature requirements for statewide officers (governor, secretary of state, attorney general), state legislators, and judgeships by tying the number of signatures required to a chart based on federal census information. Prior to Public Act 218 of 1999, petition requirements for partisan offices were based on the number of votes cast

for each party's candidate for secretary of state, and so requirements for candidates of different parties could vary widely, depending on the relative strength of the party's showing in the secretary of state's election.

The 1999 amendment to the Michigan election law standardized petition requirements for candidates for state offices, and the bill would do the same for Congressional candidates and for independent candidates.

POSITIONS:

The Department of State supports the bill. (10-3-00)

Analyst: S. Ekstrom

#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.