



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

MINUTES OF THE COMMITTEE
ON
ELECTIONS AND ETHICS

Thursday, October 26, 2017 10:30 a.m. Room 308 House Office Building

The House Standing Committee on Elections and Ethics was called to order by Chairman Miller.

Chairman Miller laid the committee at ease, the time being 10:30 a.m.

Chairman Miller called the committee back to order, the time being 10:38 a.m.

Members present: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.

Members absent/excused: None.

Representative Kesto moved to adopt the minutes of October 5, 2017. There being no objection, the motion prevailed by unanimous consent.

Chairman Miller recognized Representative Lilly who introduced and welcomed his guests and winners of his Summer Reading Program; Sadie, Zeb and Josie James from Spring Lake, to the committee.

Chairman Miller laid the following bill before the committee:

SB 290 (Robertson) Elections; recounts; recount fee; increase for certain recounts.

Representative Kesto offered the following amendments to SB 290:

1. Amend page 2, line 1, after "**THE**" by striking out "**PERCENTAGE DIFFERENTIAL**" and inserting "**NUMBER OF VOTES**".
2. Amend page 2, line 2, after "**THAN**" by inserting "**75 VOTES OR**".
3. Amend page 2, line 3, after "**RACE,**" by inserting "**WHICHEVER IS GREATER,**".
4. Amend page 2, line 20, after the second "**THE**" by striking out "**PERCENTAGE DIFFERENTIAL**" and inserting "**NUMBER OF VOTES**".
5. Amend page 2, line 22, after "**THAN**" by inserting "**75 VOTES OR**".
6. Amend page 2, line 23, after "**CANDIDATES,**" by inserting "**WHICHEVER IS GREATER,**".
7. Amend page 4, line 15, after "**THE**" by striking out "**PERCENTAGE DIFFERENTIAL**" and inserting "**NUMBER OF VOTES**".
8. Amend page 4, line 16, after "**THAN**" by inserting "**75 VOTES OR**".
9. Amend page 4, line 17, after "**RACE,**" by inserting "**WHICHEVER IS GREATER,**".

10. Amend page 5, line 7, after the second "**THE**" by striking out "**PERCENTAGE DIFFERENTIAL**" and inserting "**NUMBER OF VOTES**".
11. Amend page 5, line 9, after "**THAN**" by inserting "**75 VOTES OR**".
12. Amend page 5, line 10, after "**CANDIDATES,**" by inserting "**WHICHEVER IS GREATER,**".

Representative Kesto moved to adopt the amendments to the bill. The motion prevailed, the vote being 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.
Nays: None.
Pass: None.

Representative Lilly moved to report out SB 290 with recommendation, as amended, as substitute (H-1). The motion prevailed, the vote being 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.
Nays: None.
Pass: None.

Chairman Miller laid the following bill before the committee:

HB 5012 (Lilly) Elections; recounts; aggrieved candidate for purposes of recount; clarify.

Chris Jones, representing the Michigan Association of Counties, submitted a card in support of the bill, but did not wish to speak.

Representative Lilly moved to report out HB 5012 with recommendation. The motion prevailed, the vote being 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.
Nays: None.
Pass: None.

Chairman Miller laid the committee at ease, the time being 10:44 a.m.

Chairman Miller called the committee back to order, the time being 10:50 a.m.

Chairman Miller laid the following bill before the committee:

HB 4671 (Webber) Elections; election officials; certain county clerks conducting election administration duties for local governments, certain local clerks conducting election administration duties for other local

governments, and the bureau of elections handling the qualified voter file list maintenance; permit under certain circumstances.

Representative Calley offered the following amendments to HB 4671:

1. Amend page 3, following line 10, by inserting:
"(D) RECEIVING AFFIDAVITS OF IDENTITY AND NOMINATING PETITIONS OR FILING FEES FROM CANDIDATES FOR PUBLIC OFFICE."
2. Amend page 3, following line 22, by inserting:
"(E) RECEIVING AFFIDAVITS OF IDENTITY AND NOMINATING PETITIONS OR FILING FEES FROM CANDIDATES FOR PUBLIC OFFICE."

Representative Calley moved to adopt the amendments to the bill. The motion prevailed, the vote being 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.
Nays: None.
Pass: None.

Representative Webber offered the following amendments to HB 4671:

1. Amend page 2, line 24, after **"UNLESS"** by inserting **"AGREED TO BY THE ELECTED CLERK OR CLERKS AND"**.
2. Amend page 3, line 24, after **"UNLESS"** by inserting: **"AGREED TO BY THE ELECTED CLERKS AND"**

Representative Webber moved to adopt the amendments to the bill. The motion prevailed, the vote being 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.
Nays: None.
Pass: None.

Representative Webber moved to report out HB 4671 with recommendation, as amended, as substitute (H-1). The motion prevailed, the vote being 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Miller, Calley, Kesto, Garcia, Webber, Lilly, Guerra, Zemke, Moss.
Nays: None.
Pass: None.

Chairman Miller laid the committee at ease, the time being 10:54 a.m.
Vice-Chair Calley took the gavel and called the committee back to order, the time being 10:55 a.m.

Vice-Chair Calley laid the following bill before the committee:

HB 4946 (Miller) Campaign finance; public funding; use of public funding in a primary election by a candidate that is unopposed; prohibit.

Chairman Miller testified in support of the bill. Mike Batterbee, representing the Michigan Department of Secretary of State, came forward with a neutral position on the bill and to answer questions. Discussion followed.

There being no further business before the committee, Vice-Chair Calley adjourned the meeting, the time being 11:21 a.m.

Representative Aaron Miller, Chair_____

Melissa Weipert, Committee Clerk
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