



MICHIGAN ASSOCIATION of COUNTY CLERKS

Welcome to Fall!

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Mecosta County

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Sandra Moore
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*MACC President Marcee Purcell
Mecosta County Clerk*

As I look out the window and see the leaves changing color and falling from the trees, I can't help but think yet another year has flashed before my eyes but, what a year it has been!

The 106th Annual Conference at The Park Place in Traverse City was a brilliant event! The venue, food, speakers, entertainment and company could not be beat. The highlight for me, of any clerks' conference, is the comradery amongst us. I couldn't be more honored to have been your President this last year.

The Angels of Action were thrilled with the collection of Peanut Butter and Jelly we raised for their program. They will be able to provide in-need kids with healthy food for several weekends thanks to your big hearts!

The last event during my reign will be the Fall Quarterly at The Holiday Inn in Big Rapids November 21-22, 2014. We will have a variety of speakers ranging from a handwriting expert [who actually investigated the Monroe County recall petition fraud!] to the requested Drain Commissioner/County Clerk relationship, State Archives, and ending with after-election thoughts from the Bureau ~ watch your email for this exciting announcement!

Wishing you a *smooth* November 4th General Election!

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Legislative Update



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Legislature on Fall Hiatus

The Legislature returned following Labor Day for a brief fall session and broke on October 2 until after the elections. They return to regular session on the Thursday following the election and are expected to complete work for this session the week of December 15.

Prior to the last update, there were several bills of interest that were introduced:

House Bill 5620, introduced by Rep. Stacy Irwin Oakes, would make it a misdemeanor to knowingly provide false voting information to a registered voter. False information includes, but is not limited to, the date or time of an election, the location of a voting or polling location and the registration status of a voter. The bill was referred to the House Committee on Elections and Ethics.

House Bill 5633, introduced by Rep. Sarah Roberts, would permit the electronic submission of voter registration applications provided the person intending to register has a valid state identification card. The bill was referred to the House Committee on Elections and Ethics.

House Bills 5634 and 5635, introduced by Rep. David Knezek, the bills amend the Michigan Election Code to provide that MOVE ballots postmarked before election day and received before the results are certified by the appropriate board of canvassers must be tabulated and added to the results if the ballot was submitted in compliance with the Act. Additionally, the bills would permit MOVE ballots to be submitted electronically to the appropriate local clerk. Current law permits ballots to be transmitted electronically to the voter, but stipulates the voted ballot must be returned by mail. The bills were referred to the House Committee on Elections and Ethics.

House Bill 5667, introduced by Rep. Lisa Lyons, amends the Michigan Election Code to stipulate that the Secretary of State shall allow a county clerk in consultation with his or her local clerks to select the electronic voting system used within the county provided the voting system is the same type as the uniform voting system and has been certified by the Board of State Canvassers. The bill was referred to the House Committee on Elections and Ethics.

House Bill 5693, introduced by Rep. David Knezek, would require all elections where a statewide office, judicial office or legislative office be conducted as a mail-in elections. The county clerk would have the option of converting a local election where a state candidate does not appear on the ballot to a mail-in election. ____

Senate Bill 1008, introduced by Sen. John Pappageorge, amends the Revised Judicature Act to provide that candidates for office have the same protection against slander, libel and defamation that he or she would have if they were not a candidate for elective office. The bill was referred to the Senate Committee on Government Operations.

House Committee Takes Testimony on Voting Equipment

The House Elections and Ethics Committee took testimony on legislation intended to ensure that any future voting equipment is selected by each county from for use by the jurisdictions within the respective county. It appears that the bill sponsor is intending to mirror the selection process that was used a decade ago when the current equipment was selected. The bill, House Bill 5667, was introduced by Rep. Lisa Lyon (R-Alto), who also chairs the committee. The bill prescribes that the Secretary of State shall permit the county clerk in consultation with the local clerks to select a voting system that is approved and certified as provided for

Legislative Update continued...

under MCL 168.795A. A number of county and local clerks packed the hearing room to speak in favor of the bill. Representatives from the Department spoke about the on-going process of exploring new equipment, the potential RFP and the status a taskforce that was created by Secretary Johnson, which 18 county and local clerks. The representatives indicated that Secretary Johnson has not taken a position on the bill. No one spoke in opposition to the legislation.

Senate Nixes County Gun Boards

Prior to recessing for the summer, the Senate passed legislation introduced by Sen. Mike Green (R-Mayville) abolishing county gun boards. In addition to eliminating gun boards, Senate Bill 789 made other changes to the CPL application process. As passed by the Senate, the bill dissolves each county gun board and transfers the duties and responsibilities to the county clerks and the Michigan State Police (MSP) effective July 1, 2015. Under the bill, each county clerk's responsibilities would remain largely the same with MSP assuming the investigative responsibility previously held by the respective county gun board. The county clerk would still take initial and renewal applications, mail appropriate and necessary correspondence or information regarding approval and denials of applications and suspensions, revocations and renewals of existing licenses. The MSP is charged with verifying an applicant's eligibility under the statute and report any statutory disqualifications to the county clerk who shall issue the license or denial letter based on the MSP report. Also, MSP would no longer be permitted to call an applicant in for a face-to-face meeting prior to issuing a license or be allowed to deny an application under discretionary provisions which allowed gun boards to deny licenses to individuals if there was a safety concern. Both provisions have been struck moving Michigan to a true "shall issue" statute.

Additionally, the circuit courts will take on a larger role. Under the existing law, the gun board could issue temporary licenses in some situations where they believe a person's safety is a risk. Under the bill, the circuit court assumes this role and could issue a temporary CPL at the time ed a PPO has been granted

and the court believes that the person's safety is at risk. Additionally, an applicant would now appeal a denial to the circuit court whereas under current law, the gun board heard initial appeals. Finally, the circuit court will be required to notify the appropriate county clerk of any decision where an applicant's CPL is ordered suspended or revoked. In these situations, the court would order the county clerk to issue the suspension or revocation notice and send notice of the action to the MSP.

Also, the bill would require that a reach applicant be issued a receipt which would serve as a temporary license if the license or notice of statutory disqualification is not issued within 45 days of having classifiable fingerprints taken. The receipt, along with a state identification card, would serve as a license until a decision is made. Clerks would now be required to send a renewal notice letter to each applicant by first-class mail between three and six-months before expirations.

The application fee remains at \$105, which includes \$15 for fingerprinting. Under the proposal, the clerk would collect \$90 at the time of application and the entity performing the fingerprinting services (which could include the clerk), would collect the additional \$15 for fingerprints. Of the fees collected \$26 remains with the county clerk and shall be deposited into the newly created concealed pistol licensing fund. The county clerk shall use the monies in the fund to administer the Act. Allowable expenditures include, but are not limited to, staffing, technology, office supplies and document storage and retrieval systems.

The bill passed the Senate by a vote of 24-13, with 24 of 26 Republicans voting for it. The bill was read in by the House and referred to the House Judiciary Committee, which is chaired by Rep. Kevin Cotter (R-Mount Pleasant). Hearings are expected this fall.

Annual Meeting Report

by Tim Snow
Kalamazoo County Clerk & Register of Deeds

Highlights from the Annual Meeting of the Michigan Association of County Clerks held on Tuesday, August 19, 2014:

- Scheduled events for 2015 are:
 - January 24 – 28, The United County Officers Conference, Lansing Crowne Plaza
 - April 24 – 25, Spring Quarterly, The “H” Hotel in Midland
 - August 23 – 26, Annual Conference, Boyne Highlands in Harbor Springs
 - November 20 – 21, Fall Quarterly, Lansing Radisson Hotel
 - (Silver Bells in the City is Friday, November 20)
- Sandy Moore will present information regarding the 2016 Summer Conference at the November quarterly meeting.
- There were 62 clerks representing 51 counties
- MACC PAC raised over \$2,000
- A resolution honoring retired Ottawa County Clerk/Register Dan Krueger was adopted.
- The Association approved submitting an Amicus Brief in support of Berrien County Clerk Sharon Tyler in her appeal regarding a recall election. The Legal Representation Committee (chaired by Lauri Braid) will make arrangements with an attorney to draft and submit the Brief.

2015 Officers of the Michigan Association of County Clerks



The 2015 officers were elected and sworn in at the banquet and will assume office on January 1, 2015.

Marney Kast, Hillsdale County Clerk, President
Cynthia Luczak, Bay County Clerk, 1st Vice President
Sandra Moore, Crawford County Clerk/Register, 2nd Vice President
Jodi Fetting, Tuscola County Clerk, 3rd Vice President
Dawn Olney, Benzie County Clerk, Secretary
Rebecca Griffin, Oceana County Clerk, Treasurer

Marc Kleiman, Menominee County Clerk/Register, District 1 Director
Karen Bluhm, Osceola County Clerk, District 2 Director
Laura Brandon-Maveal, Gladwin County Clerk, District 3 Director
Diana Bosworth, Eaton County Clerk/Register, District 4 Director
Theresa Spencer, Lapeer County Clerk, District 5 Director

Congratulations to the new officers of the Michigan Association of County Clerks!

Annual Conference was Great!

by Tim Snow

Kalamazoo County Clerk & Register of Deeds

The 106th Conference of the Michigan Association of County Clerks is history. President Marcee Purcell, First Vice President Marney Kast and the rest of the conference planning committees did a great job pulling together interesting speakers and activities for all.

Sunday, August 17

President Marcee greeted clerks from all over the State at her welcome reception at the Top of the Park, which provides beautiful views of the Traverse City area. Following the reception, dinner was held in the Dome, followed by a concert by the “Grand Traverse Show Chorus”, Traverse City’s Sweet Adelines group.

Monday, August 18

President Marcee called the conference to order right at 9 am – there was too much on the agenda not to start on time!

Judge Philip Rodgers and Lynne Stockwell from the 13th Circuit Court (Antrim, Grand Traverse & Leelanau Counties) gave an interesting presentation on their e-filing system for all court documents. Very few paper documents are filed in the 13th Circuit Court, as it is now mandatory for all attorneys to file their papers electronically.

Rich Harlow, Program Manager for P.A. 116 (Farmland Preservation Act) spoke about the Clerk’s role in the 116 process for those counties where the Clerk is a participant in the process.

The afternoon’s presenter was Nancy Ohle, who gave a lively presentation about communication with others in general and the public more specifically. The second part of the afternoon was spent talking about working with the media. Here are a few of Nancy’s thoughts regarding the media:

- Be friendly, but they are NOT your friend.
- Always prepare talking points for any type of interview.
- It’s OK to get back to the reporter if you need to get more information – rather than answering the question anyway.
- Ask the reporter to repeat their notes back to you. They might not, but it is a good way to make sure they have the facts you presented to them.

Tuesday, August 19

Renate Anderson from the State Court Administrator’s Office presented information on County Audits done in every Circuit Court.

David Handsor and Lee Ann Gasper from the Michigan Department of State distributed a notebook and discussed Abstracts regarding driver’s license issues in court cases.

Sally Williams from the Bureau of Elections offered good information regarding the new recall process and presented several types of recall languages that have been approved and denied throughout the State. Sally encouraged all counties to participate in the Post-Election Audit program. She noted that there will be an on-line submission for the audits in November, and there will be follow-up from the Bureau to those local clerks that had major issues in their audit. More webinars and other online information are coming via the e-Learning Center. Ideas for webinars are welcome.

The Association held its annual meeting in the afternoon (more details in another article), followed by a skit depicting several types of problem customers and staff members. Thanks, Marney for pulling this together!

Tuesday evening was the Conference Banquet, which featured the announcement of the 2014 County Clerk of the Year (more in another article) and the swearing in of the 2015 Board of Directors.

Annual Conference was Great! continued...

Transitions

Wednesday, August 20

Bill Zaagman gave his usual informative presentation on the status of legislation that affects MACC, as well as looking forward to the many changes in the Legislature expected in 2015.

Bureau of Elections Director Chris Thomas updated us on a number of issues in the Elections world. A few of his thoughts were:

- A major change in the way nominating petitions has occurred with the lawsuit filed by Congressman John Conyers – the court ruled that circulators do not have to be registered voters.
- The Michigan Democratic Party has introduced an online application process for AV ballots. Let the Bureau know if there are problems.
- The first e-Pollbook is free through the Bureau of Elections. Replacement laptops are the responsibility of the local unit.
- Words of caution were shared regarding test decks that are created by the vendors who printed the ballots. Local clerks should be doing their own test decks.
- The selection of a new voting system is progressing. There is \$20 million left in HAVA funds, but that is not enough to purchase a system for the State. Counties may want to budget some money for a possible purchase in 2016. Leasing of voting equipment may be an option.

And then, right on time, the conference was concluded and we went our separate ways for another year.

Many of the presentations and documents from the conference are (or soon will be) on the MACC website for those who were unable to attend the conference.

OTTAWA COUNTY

As was previously announced, Dan Krueger retired on June 30 after serving 36 ½ years as County Clerk and 1 ½ years as Register of Deeds.

Elections Director Justin Roebuck was appointed as County Clerk & Register of Deeds and took office June 30. Justin's e-mail is: jroebuck@miottawa.org.

MARQUETTE COUNTY

Peter Dishnow retired as Marquette County Clerk on July 1. Pete served as County Clerk for 3 years, having previously worked for the Bureau of Elections.

Chief Deputy Linda Talsma was appointed County Clerk and took office July 1. Linda's e-mail is: ltalsma@mqtc.org.

Welcome Justin and Linda!

ANNIVERSARIES

Through the end of 2014, there are three milestone anniversaries for County Clerks.

Lake County Clerk/Register Shelly Myers celebrated 15 years in office on September 17.

Van Buren County Clerk Tina Leary will celebrate 10 years in office on November 15.

Menominee County Clerk/Register Marc Kleiman will celebrate five years in office on October 20.

Congratulations to all!

Best Practices for an Election Year

As a new feature in the newsletter, it is appropriate to talk about the upcoming November 4 election. To help you plan and think about the possibility of doing things a little differently to be more efficient, here are a few things that might assist you:

- Prepare and publish joint publications for the Election Registration Notice and General Election Notice. Then bill each unit for their appropriate portion of the ad (perhaps per precinct). If schools are on the ballot, it would be possible to include them in the reimbursement for the number of precincts they have. This makes it convenient for your local clerks and less expensive for all – particularly if there is only one major newspaper in your county. Some also coordinate the Accuracy Test notice for all, and set the test for the same day and time throughout the County.
- Conduct a “mock election” two weeks prior to election day. If you transmit results by modem, this ensures that the phone lines are working properly and memory cards were programmed with the correct phone number. You can transmit zero results or results from the preliminary accuracy test to make sure that data is being received. If you coordinate the public accuracy tests to be on the same day, just keep your modems open for that entire day to give the locals the opportunity to send in results at their convenience. This will simulate election night as results will be transmitted randomly from among your communities.
- Develop an “After 5” list. Contact each city/township clerk and get updated cell phone and home phone numbers. This list is valuable if you cannot reach anyone at the city/township hall after hours on election night.
- Communicate with your media (print, television, radio, etc.) and provide them with your contact information for election night and who the primary point of contact will be.
- Think about your procedures in your office on election night. Are there ways to streamline it to

help your staff, local clerks and your canvassers? Talk to your canvassers to determine how they would like the precinct materials organized and communicate that to your locals. (*Editor’s note – this is a subject worth more discussion in the future.*)

- Kent County has a small number of people working on Election Night and does minimal review of materials prior to canvass. Local clerks drop off their envelopes and leave.
- Kalamazoo County has a larger number of staff (12-15) which reviews the pollbooks, checks for signatures, seal numbers, etc. The local clerks stay until that review is complete. In many cases, phone calls are made that night to chairpeople that have errors in their pollbooks.
- Now that every unit that uses the e-Pollbook needs to have a Receiving Board, is it necessary (or should it be necessary) for the Counties to do a review of election materials prior to the Board of Canvassers receiving them?
- Keep good communications going with your local clerks. While the majority probably look at their e-mail on a semi-regular basis, you may still need to fax or use “snail mail” on occasion. Several counties communicate only by e-mail now. The locals know that, and do a pretty good job of keeping up with communications. There are now very few areas of the State without e-mail availability.
- If you receive an AV application in error, fax or scan/e-mail the application to the local clerk immediately, then mail the original to the clerk. Remember that AV ballots need to be in the mail to the voter within 24 hours after receipt. We should help our locals and our voters as best we can.

Thanks to Kent, Oakland and Kalamazoo Counties for their thoughts on this subject.



Lauri Braid Named Clerk of The Year

A highlight of the annual conference was the announcement that Shiawassee County Clerk Lauri Braid was selected as the 2014 County Clerk of the Year. Last year's Clerk of the Year Elaine Richardson and Secretary of State Ruth Johnson presented Lauri with her award at the conference banquet.

Lauri has served as County Clerk since January 1, 2001 and has been active in MACC since that time. She served as President of MACC in 2012, having previously served as 1st, 2nd and 3rd Vice President. Currently, Lauri is Chair of the Council of Election Officials, a position she also held before, and serves on the Legislative Committee. Lauri is also Chair of the Legal Committee and serves on the Standardization & Review Committee. She also compiled all the laws of the State of Michigan that involve County Clerks. She has provided a CD containing that information to each Counties (so if you don't have one – contact Lauri).

Many congratulations to Lauri Braid as our 2014 County Clerk of the Year – a well deserved honor!

October MACC Birthdays

Marney Kast/Hillsdale	-	10/8
Patricia Truman/Alcona	-	10/16
Bonnie Friedrichs/Alpena	-	10/28

Congratulations to James Norlander, husband of Calhoun County Clerk/Register Anne Norlander on his appointment as 10th District Court Judge in Calhoun County. He will serve an unexpired term until the 2016 election, when he must run to fill the remaining 2 years of the term.

MACC-PAC Update

Keep up the good work, we're almost there!

We are pleased to announce that we've raised over \$5,100 this year for the MACC PAC! Our goal for 2014 was \$6,000 and we're almost there ~ only \$900 to go, we can still do it! Bring your checkbooks to the Fall Quarterly and help put us over the top. Great job everyone! Please make personal checks payable to MACC-PAC and mail to:

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