



# Michigan Association of Municipal Clerks

## **MAMC Statement on SBs 401-404**

The Michigan Association of Municipal Clerks (MAMC) represents 1,200 local elections officials who are dedicated public servants working tirelessly to serve and stand up for voter rights and ballot access. Our members range from the state's largest municipalities to the smallest, communities with full-time clerks and part-time clerks, some with limited staff or no staff at all, and all with responsibilities outside of elections. Our clerks are the front line of elections ensuring that our voters have access to the ballot and can be assured that when they cast their ballots their vote will be counted.

Because of the unique nature of Michigan's decentralized elections, MAMC must consider the burdens we place on our election officials, regardless of size, resources, or staffing levels. Our election responsibilities are increasingly more complex with the fundamental changes to our processes because of Proposal 3 of 2018, Proposal 2 of 2022, and new implementation legislation. Elections administration is in the public spotlight more than ever, resulting in more criticism and scrutiny of the work we do. We are under tremendous pressure to be transparent and execute our responsibilities to perfection.

MAMC wholeheartedly supports the federal Voting Rights Act. Every clerk takes the oath of office, swearing to uphold the Constitution and laws of our country, state, and local jurisdiction. Ensuring access to the ballot box is a fundamental right of every citizen and is ingrained into each clerk's role.

In that same vein, we support codifying a Voting Rights Act in Michigan to enshrine the protections that minority voters have, to not only cast a ballot, but also elect candidates of their choosing. Minority voters must not face discrimination and racially motivated decisions that dilute their influence in the voting process.

In addition to enshrining a federal VRA law in Michigan, we support expansion of ballot access for language minorities. With Michigan's ethnic diversity, we must recognize that some populations and some communities should do more to ensure every citizen has access to the tools needed to cast an informed ballot.



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Although the current drafts of the proposed Michigan Voting Rights Act have come a long way to address some of the concerns that clerks across the state share, we need more time to refine these bills and narrow the immense scope. These bills will have a sweeping impact on both clerks and our local units of government. Clerks need flexibility to address shifts in voting patterns and make decisions that best serve their voters and their communities without fear that they will face lawsuits for making these ministerial decisions. We also support enhanced access and transparency to voting data and information to enable academic research in the public's interest.

Our voters have more protections and options to cast a ballot than ever before: 40 days of no-reason and permanent absentee ballot mail, 9 days of early voting, and election day in-person voting. Article II Section 4 of the Michigan Constitution guarantees every citizen has the fundamental right to vote. Additionally, Sec 4 stipulates that no person shall enact or use any law, rule, regulation, qualification, prerequisite, standard, practice, or procedure; engage in any harassing, threatening, or intimidating conduct; or use any means which has the intent or effect of denying, abridging, interfering with, or unreasonably burdening the fundamental right to vote. Furthermore, it is enshrined that any Michigan citizen has standing to bring an action for declaratory, injunctive, and monetary relief to enforce the rights created under our Constitution.

MAMC appreciates the efforts of the bill sponsors and other stakeholders and stands ready to work with decision makers to identify gaps in protections while balancing the burdens placed on our local clerks. Because of this, we respectfully ask that we narrow SB 401 to better mirror the federal VRA and fine-tune SBs 402-404 to address remaining implementational issues. Although these bills are well intentioned, they have the potential of paralyzing clerks from making necessary ministerial decisions in the best interests of their voters, in fear of soliciting costly lawsuits further damaging public trust in our electoral process.

MAMC is not attempting to obstruct this legislation, but please recognize that we are focused on the upcoming elections and the significant scrutiny that clerks across the state and country face. This year alone, we have three federal/state elections: a May special election in many communities, and a few of our members had two additional special elections (a primary and a general) to fill state House vacancies all while navigating the rollout of early voting. We are focused on ensuring that we continue to conduct our elections with the utmost integrity, amid all our new statutory responsibilities ensuring our voters' confidence that their votes will be counted.

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