

In last week's opinion I discussed how the Bureau of Elections had not been informing voters before the upcoming August 5 primary about the choices we will have in the November 4 general election. I explained why giving us that information to help us decide how to vote in our own best interests would help the Bureau “preserve the purity of elections”, as [Article II, Section 4 of our state Constitution](#) requires. ([I told the Bureau all this again today](#), since they still haven't acted.)

And I said there was language in state law which lets the Secretary of State make elections work For the People by ordering that information like this be put up at every precinct in Michigan. It's in subsection (1) of [Section 668a of the Election Code](#), Chapter 168 of the [Michigan Compiled Laws](#). (That's why the section is often referred to as MCL 168.668a, by the way.)

- (1) The secretary of state shall furnish to each county clerk at state expense for each precinct 2 voter information displays that contain in not less than 18-point type the following information:
 - (a) The hours that the polls will be open.
 - (b) Voting instructions.
 - (c) Information on an individual's right to obtain a provisional ballot and instructions on how to vote a provisional ballot.
 - (d) Information on the identification requirements that apply to voters who register by mail.
 - (e) Instructions on how to contact the appropriate election official about alleged voting rights violations.
 - (f) Information on the federal and state laws that prohibit fraud and misrepresentation.
 - (g) Information on how to challenge another voter as unqualified to vote.
 - (h) Other information that the secretary of state considers necessary.**

(Emphasis mine.) The county clerks provide these displays to city, township, and village clerks. The local clerks add a sample ballot for each precinct, and pass them on to the pollworkers (“election inspectors”) to post “in conspicuous places”.

I told the Bureau again today why information about the nominees of alternative or “non-primary” parties is necessary for all strategic voters, of any party or none – and arguably necessary for the Bureau as well. I don't know if the Secretary of State will agree that what is necessary for us is necessary for her to give us – but if she does, she clearly has the authority to act. If she disagrees, this falls under subsection (3) of [MCL 168.744](#), which bans any material (except the displays) that “directly or indirectly makes reference to an election, a candidate, or a ballot question” from being posted, displayed, or distributed at the polling place, in a hallway leading to or from it, or within 100 feet of an entrance on election day. So it's important to identify what other information might qualify as necessary to someone who wants to run elections For the People.

One thing I'd say voters need to know is that their polling places have enough voting equipment. (Especially given the 2-minute time limit on our right to be in the voting booth in [MCL 168.786](#)!) Subsection (2) of [MCL 168.796a](#) requires at least one voting station for every 300 registered voters in a precinct. But over the 780 minutes (13 hours) from 7am poll-opening to 8pm poll-closing, that's only 2.6 minutes each – assuming a steady stream of voters all day, with no rush-hour peaks. That's not really enough for a full ballot with lots of choices, as I pointed out in my 2012 campaign for Calhoun County Clerk. Later that election year, the Bureau did a [similar analysis](#) and concluded that, for a one-page ballot taking on average ten minutes to vote, one station per 80 to 100 voters was necessary “to avoid a **disorderly** election day” (emphasis in original).

It would be easy to create a Voter Capacity Report to fill in during the analysis required by [MCL 168.796a\(2\)](#). Local clerks could fill it in and distribute to precincts with the information display. Or the county clerk could get station counts from the local clerks and prepare a single report comparing capacities in all precincts across the county. Take the number of voters registered in the precinct, divide by the number of voting stations made available for the precinct, and you know how many voters each station will have to handle; divide that into 780 minutes and you know how long each voter can spend voting.

What if you don't like any of the candidates on the ballot for an office, and want to write someone in? Subsection (1) of [MCL 168.737a](#) says your vote won't count unless the person you write in filed a Declaration of Intent by 4pm two Fridays before election day. Each precinct gets a list of declared write-in candidates, so pollworkers know which write-in votes not to count. Posting that list would save both voters and pollworkers time and trouble, by cutting down on spelling errors and variations on names. But they won't post it – or even show it to you. (Instead, they'll send you to ask your local clerk's office . . . and clerks may or may not be at polling places on election day, but they're likely to be busy anyway.) Why not? The Secretary of State's office claims posting the write-in list is banned because that would be **campaigning** for write-ins within the 100-foot limit of [MCL 168.744\(3\)](#). If posting that list were campaigning, posting a sample ballot would be campaigning for all the candidates on it. Neither list is campaigning; both are necessary information, and should be posted. That's my opinion. . . .