

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

State

Division/Bureau/Office:

Elections & Campaign Finance

Name of person completing this form:

Alessa Boes

Phone number of person completing this form:

517-599-3410

E-mail of person completing this form:

BoesA@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Doug Novak

2. Rule Set Information

MOAHR assigned rule set number:

2024-19 ST

Title of proposed rule set:

Electronic Voting Systems

3. Purpose for the proposed rules and background:

To update the terminology to account for technological advances since the existing rules were promulgated in 1979. To account for the qualified voter file, electronic pollbooks, tabulators, Voter Assist Terminals (VATs), on-demand voting systems, and other parts of the existing technology used currently.

4. Summary of proposed rules:

The proposed revisions to the rules update the terminology to account for technological advances since the existing rules were promulgated in 1979; for example, the proposed revisions account for the qualified voter file, electronic pollbooks, tabulators, Voter Assist Terminals (VATs), on-demand voting systems, and other parts of the existing technology used currently.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Mining Journal on July 20, 2024.

The Lansing State Journal on July 21, 2024.

The St. Joseph Herald-Palladium on July 20, 2024.

6. Date of publication of rules and notice of public hearing in Michigan Register:

8/1/2024

7. Date, time, and location of public hearing:

8/16/2024 10:00 AM at Room 1100 of the Binsfeld Office Building , 201 Townsend St. Lansing, MI 48933

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1526>

9. List of the name and title of agency representative(s) who attended the public hearing:

Alessa Boes, Regulatory Attorney, Bureau of Elections, Department of State.
Jenny McInerney, Regulatory Attorney, Bureau of Elections, Department of State.
Adam Fracassi, Regulatory Manager, Bureau of Elections, Department of State.

10. Persons submitting comments of support:

None.

11. Persons submitting comments of opposition:

Sheree Ritchie, Pure Integrity for Michigan Elections.
Patrick Colbeck, Michigan Grassroots Alliance.
Jim DeSana, State of Michigan.
David Howell, Michigan Fair Elections/Pure Integrity for Michigan Elections.
Jim Runestad, Michigan Senate.

12. Persons submitting other comments:

None.

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

Agency Report to JCAR-Page 3

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1	Senator Jim Runestad, Michigan Senate, District 23.		Expresses concern about R 168.793(3)-(4) because it uses language that is similar to language in 2024 PA 74.	The agency reviewed R 168.793 and determined that it is not necessary to spell out the recount procedures in this rule set and instead it is more appropriate to reference the administrative rules governing recounts. Accordingly, the agency struck most of the content in R 168.793, leaving only reference to the recount administrative rules.	R 168.793

14.Date report completed:
9/11/2024