STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 30, 2018

REVIEW OF NOMINATING PETITION

Paul Clements
Candidate for U.S. Congress, 6th District

NUMBER OF VALID SIGNATURES REQUIRED: 1,000 signatures.

TOTAL FILING: 1,346 signatures.

RESULT OF FACE REVIEW: 1,148 valid signatures; 198 invalid signatures.

Total number of signatures filed:		1,346
Heading errors (omission of candidate's street address, missing or incorrect electoral district number, etc.):	-	114
Signer address or jurisdiction errors (incomplete or incorrect address or jurisdiction, dual jurisdiction entry, jurisdiction not located in the electoral district):	-	35
Signer date errors (date omitted, dated after circulator, or date of birth provided):	-	24
Signature errors (signature omitted):	-	19
Circulator errors (failure of out-of-state circulator to check box indicating agreement to accept service of process):	-	6
Face valid signatures:	=	1,148

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE: Andrew Davis filed a challenge against Mr. Clements's nominating petition, challenging 417 signatures.

ANALYSIS OF CHALLENGE/RESPONSE: After processing both the challenge and Mr. Clements's response, 157 additional signatures were determined to be invalid.

Total number of signatures filed:		1,346
Signatures discounted under face review:	-	198
Signatures discounted under challenge (signer not registered to vote; signer wrote incorrect jurisdiction of registration; duplicate signatures):	-	157
Valid signatures after challenge:	=	991

The majority of signatures invalidated for writing an "incorrect jurisdiction of registration" were disqualified because the signer wrote the name of the city or township in which he or she is registered to vote, and: (1) The jurisdiction named could refer to a city or township which share

the same name, and (2) When indicating whether the jurisdiction was a city or township, the signer checked the wrong box. Under MCL 168.552a(1),

> Notwithstanding any other provision of this act to the contrary, a petition or signature is not invalid solely because the designation of city or township has not been made on the petition form if a city and an adjoining township have the same name.

In other words, the statute provides a limited safe harbor for signers who write the names of jurisdictions that could be either a city or township, yet fail to check either the city or township box, or who make a check in both boxes. In both of these scenarios, "the designation of city or township has not been made[.]"

However, where the designation of city or township has been made incorrectly and the city and township share the same name, the safe harbor of MCL 168.552a(1) does not apply. In this limited circumstance, the signature is invalid. For example, with respect to the 6th Congressional District, this could occur in the following jurisdictions if the signer selected the wrong box to indicate whether he or she was registered to vote in the city or township:

Kalamazoo (city), Kalamazoo Township
New Buffalo (city), New Buffalo Township
Saugatuck (city), Saugatuck Township
South Haven (city), South Haven Township
St. Joseph (city), St. Joseph Charter Township
Sturgis (city), Sturgis Township

Note: Signatures were invalidated due to the selection of the wrong box *only if* a city and township shared the same name.

FINAL RESULT: 991 valid signatures.

STAFF RECOMMENDATION: Determine petition insufficient.