



## CITY COUNCIL AGENDA ITEM

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December 2, 2016

To: Brian Kischnick, City Manager

From: M. Aileen Dickson, City Clerk  
Cheryl A. Stewart, Deputy City Clerk

Subject: November 8, 2016 Presidential Election Recount

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### History

Green Party Presidential Candidate Jill Stein has filed petitions and paid the deposits for recounts in Michigan, Wisconsin, and reportedly in Pennsylvania. The State of Pennsylvania's recount law only allows voters to initiate a recount. Voter-initiated recounts in Pennsylvania require three voters from every precinct in the state to file for the recount. Not enough voters filed for the recount in Pennsylvania, but the Stein campaign has filed a lawsuit challenging Pennsylvania's recount law. Even if recounts in Michigan and Wisconsin overturned the Presidential results in both states, a recount in Pennsylvania that caused the Presidential results to be overturned would still be needed to overturn the electoral college votes.

Last week, the State of Michigan and Oakland County began implementing a plan of action in anticipation of the Wednesday, November 30, 2016 filing by informing local city and township clerks to be prepared to fully participate in the recounting of the precincts and absentee counting boards. The City Clerk's Office immediately began coordinating delivery of the 62 precinct ballot containers (31 precincts and 31 absentee counting boards), with a total of over 43,000 ballots, as well as scheduling inspectors to assist with the recount.

The State Board of Canvassers determines the method of the recount for all state and federal offices, and they have opted for a "hand count" method recount. The Trump campaign filed a challenge on December 1<sup>st</sup> challenging Candidate Stine's filing. The State Board of Canvassers met on December 2, 2016, to hear and rule on the objection. The State Board of Canvassers deadlocked 2-2 to approve the objection; thus, causing the motion to fail. Another motion to have the recount be a machine recount also failed, 2-2. There is a two (2) business day waiting period required by law before starting the recount on December 6, 2016.

The recount begins on Tuesday, December 6, 2016, and will run through December 12, 2016. Delays caused by court challenges could stop the recount process throughout that time. The recount must be completed by December 12, 2016, to allow for the "safe harbor" deadline before the Electoral College is scheduled to meet on December 19, 2016. The "safe harbor" deadline is a six (6) day period requiring states to resolve all disputes before the electors meet. There may also be lawsuits filed that will challenge the December 12<sup>th</sup> deadline.



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Candidate Stein paid a deposit of \$125 per precinct for each recounted precinct, estimated at \$128,000 for Oakland County alone. Oakland County is responsible for any costs exceeding \$128,000, as well as refunding the costs for any precincts that are not recountable. Troy will not be required to pay for costs associated with the recount, except for City Clerk's Office staff time. The City Clerk will be present at the recount the entire time Troy is being recounted.

### Timeline of Recount Process

November 30, 2016	Deadline at 2:05 PM to file for recount.
December 1, 2016	Trump's campaign filed a challenge on Candidate Stein's filing.
December 2, 2016	State Board of Canvassers met to rule on the challenge. (The State Board of Canvassers deadlocked, so the recount will begin after a required two business day waiting period.)
December 5, 2016	Training for workers on recount process.
December 6, 2016	Recount begins.  Any court challenges will stop the recount process.
December 12, 2016	Recount expected to end.
December 13, 2016	Safe Harbor clock starts.
December 19, 2016	State electors are scheduled to meet in the State Senate Building.

Recount information and timelines have been changing by the day so far. The City Clerk's Office will provide updates as they are available.