Letter from the President

Clerks,

Some of you may know that I enjoy reading, and some of the books I have read are about leaders in the world and their thoughts. With that said, I sometimes think “how can I be a leader?” For some of us it is easy, we find our passion and go. So as you have time through the year, I know we are still very busy and that we wear many hats, but if you have time may I suggest reading some of the books available at your local Library or bookstores on leadership, management or general business. I say this because it may give you a fresh look on your job(s). I, like many others, get caught up in the same stuff day after day and forget to take a fresh breath and see what is around me, or have a fresh look at things. Are you still passionate about things in your life, not just your job, but things that make you happy?

Like many others, I give my time to other interests and organizations. We currently have an opening on the Board for a Township Representative to serve as the Director of Ways & Means. I joined the Board because I wanted to participate more in the Clerking world, and found it insightful, rewarding and reflective. I hope that you will consider using your time and talents for similar pursuits. If you are interested in applying for the vacancy, an application can be found on the MAMC website.

I hope to see you all at Free Education Day, Institute or one of the Master’s Classes, or at the June Conference!

Don’t forget to sign up for Free Education Day and the MAMC/MACC Legislative Reception! More details on page 6.
As the 96th Legislature drew to a close, a number of elections bills—discussed below—with broad impact to clerks were taken up and signed by the Governor. Last year was the second in the two-year Session which means that all bills not signed by the Governor died on December 31, and must be reintroduced during the 97th Legislature which convened on January 9th to swear in the members of the new session. The State House will see 28 new members—a quarter of the 110-member body. The Senate, not up for re-election in 2012, saw one vacancy as state Senator John Gleason departed the upper chamber after he was elected Genesee County Clerk. This drops the 38-member body to 37 members. Republicans hold a 26-11 seat advantage until a special election, called by Governor Snyder in May, to fill the vacancy occurs.

Governor Signs Omnibus Election Law

What started out as a short seven-page bill to move village elections from September to November ended up a 38-page omnibus election code bill used to address a variety of “loose ends” that various stakeholders wanted to get done during the last days of the 2011-2012 Legislative session.

Public Act 523 of 2012, which takes effect March 27, 2013, addresses the following issues:

• September Village Elections Eliminated
  Beginning in 2013, villages will no longer be permitted to hold September elections. Those currently with a September date, must hold their elections at the even-November election date moving forward. Under the existing provisions of MCL 168.644, the terms of sitting officers are automatically extended until November 2014. Terms are not permitted to be shortened, only extended.

• Education Offices Reordered on Ballot
  Two education offices are re-ordered on the non-partisan portion of the ballot. Now community college trustees and ISD board members will appear immediately following judges of the district court and before city officers appear.

• Citizenship Question, Part Deux
  As part of the changes included, applications to vote will be modified to add a statement where the voter affirms his or her United States citizenship by signing the application. The voter will not be required to check a box affirming citizenship, which was the approach sought in legislation vetoed by the Governor last year. Similar affirmative statements are incorporated into the absentee voter applications along with a new statement on citizenship added to the “warning” statements.

• Absentee Voters to Show ID
  Voters applying for an absentee ballot at the clerk’s office will be required to show ID under changes included in Public Act 523 of 2012 or sign the affidavit of identity. However, if a voter applies in-person without ID and does not present ID upon returning the ballot or returns the ballot by mail, the ballot shall be processed as a challenged ballot under MCL 168.727. The photo ID requirement does not apply to a voter who applies for an absentee ballot by mail. The change takes effect March 27, 2013.

• Citizens to Show ID when Registering to Vote In-Person
  Effective March 27, 2013, registering to vote in-person will require photo identification under changes to the Michigan Election Law. Under MCL 168.497C, a person registering to vote at a branch office or a clerk’s office will be required to show acceptable photo identification proving identity or sign an affidavit to that effect.

• Cities Can Opt to Even-November Elections
  Cities are now permitted to move their governing body elections to the even-year election date. Under prior law, cities were required to hold their elections on the odd-November date. The governing body of any city desiring to move to the even-November date must hold a hearing and adopt a resolution in compliance with MCL 168.642. Under MCL 168.321, a city is permitted to move its election by adopting a resolution in compliance with MCL 168.642 regardless of any charter provision to the contrary.

• Clerks Required to Track Voters without ID
  Effective March 27, 2013, local clerks are required to report to the county clerk, within 7 days following an election, the number of affidavits signed by voters under MCL 168.523(2). These are voters who did not present ID, but executed an affidavit of identity. County clerks will have an additional 7 days to compile a county-wide report and transmit it to the Secretary of State. This same provision was contained within legislation vetoed last year by the Governor over the citizenship language.

• Some MOVE Ballots to be Accepted Longer
  Clerks who miss the 45-day MOVE deadline will be...
ordered to accept those ballots after the Election Day deadline under a new provision. Under the change to MCL 168.759A, the Secretary of State is required to order local clerks to accept MOVE ballots for a total number of days equal to the number of days the 45-day deadline was missed. For example, if a local clerk sends MOVE ballots 40 days prior to the election, the Secretary of State is required to order the local clerk to accept MOVE ballots for an additional five days beyond the deadline. This provision was in response to a court settlement with the Department of Justice over the large number of clerks statewide who missed the MOVE deadline at the August primary.

- **Ballot Coaching Notice**
  The Secretary of State is required to develop a poster explaining ballot coaching and indicating that it is an illegal activity. The poster is required to be prominently displayed for a period of 45 days before each election at each residential care facility in the state. This same provision was contained within legislation vetoed last year by the Governor over the citizenship language.

All of the changes can be viewed at www.michiganlegislature.org. Click on “Public Act (Signed Bills)” which appears on the left column. Enter “523” in the appropriate box and be sure “2012” appears in the box below. Click on either the PDF or text icons appearing next to Public Act.

**Fast-moving Recall Reform Bills Signed**

A bi-partisan sponsored package of bills reforming the recall process moved swiftly through the Legislature and were signed by the Governor in late December. House Bills 6058 through 6063 were introduced on November 28, 2012 and several of the bills passed the House the following week. The Senate did not refer the bills to committee, instead holding them on the floor for full action the last week of Session. Ultimately, House Bills 6060 and 6063 were further modified by the Senate, the changes concurred in by the House and the bills were signed by the Governor on December 20, 2012. They are now Public Acts 417 & 418 of 2012. The bills take immediate effect.

The new Acts amend various sections of the Michigan Election Code pertaining to the recall of an elected official. The first major change to the process involves when a recall may begin. Prior to the new Acts being signed, existing law provided that a recall petition could not be filed against an office holder during the first six months of the term of office or during the last six months of the term of office. This provision remains, but only applies to an office that has a term of 2 years or less. For an office that has a term of more than 2 years, the new law prohibits the filing of a recall petition during the first year of the term of office or during the last year of the term of the office.

The next major change involves the process of approving or denying a recall petition. Under the new law, a parallel recall process is set up for state office holders. A recall petition for a state office (representative, senator, congressman, U.S. senator, governor, etc.) shall be submitted to the Board of State Canvassers instead of an appropriate county board of elections. The recall petition shall be submitted prior to circulating and the board of state canvassers shall approve or deny the recall petition between 10 and 20 days after filing. In addition to reviewing the petition for sufficient clarity, the board of state canvassers shall also review the recall petition to determine “factualness.” A determination by the Board of State Canvassers may be appealed to the Michigan Court of Appeals within 10 days after the determination. Signatures may not be obtained during the appeal process until a Court of Appeals determination is made or 40 days, whichever is soonest.

There are several similar changes to the local recall process as well. For local offices, the appropriate board of county election commissioners will also be charged with determining that each reason for the recall is stated both “factually” and clearly. Factualness is not defined nor does the new Act give guidance as to what it means beyond the plain definition. The board of election commissioners is still required to approve or deny a recall petition between 10 and 20 days after filing. An appeal of the board’s decision is filed with the circuit court within 10 days. Signatures may not be obtained during the appeal process until a circuit court determination is made or 40 days after the date of the appeal, whichever is sooner. Finally, signatures are now only valid for 60 days as opposed to 90.

Once a recall petition has been approved and any appeals have been resolved, a recall election is called. Under the new law, a recall election can only be held on the May or November election date of any year. A recall election is no longer a “question” of whether to recall the office holder or not. It is now an election with candidates opposing the office holder facing recall. If the office is a partisan office, the county (or local) party executive committee shall name the candidate who will appear on the ballot with the office holder facing recall. If the office is a partisan office, the county (or local) party executive committee shall name the candidate who will appear on the ballot with the office holder facing recall. Under the new provisions, the office holder facing recall shall have 10 days after the recall election is called to withdraw from the ballot. If this occurs, the county (or local) party executive committee shall name a replacement candidate to appear on the ballot. For non-partisan offices, candidates file with the appropriate filing official and paying a $100 non-refundable fee.

For those offices listed in MCL 168.959, the new law requires a “recall primary” to be held to determine which
Capitol Update continued

candidates will face the office holder on the “recall general.” The incumbent office holder will not face a primary and is the presumed nominee unless he or she withdraws within 10 days after the recall is scheduled. If the incumbent office holder withdraws, then a recall primary election to determine a nominee for that party shall be held.

For offices named in MCL 168.960, the new law bypasses the aforementioned “recall primary” and permits the county/local party to name candidates to appear on the recall election. Again, the incumbent office holder is the presumed nominee unless he or she withdraws within 10 days of the recall being called. If the incumbent office holder withdraws, the appropriate county/local executive committee or committees shall name a replacement.

For the recall of a governor, the recall election shall be conducted as a question, similar as it has been, but with a twist. The reasons for the recall shall be condensed into a 200 word statement of the reason or reasons for the recall.

Additionally, a governor facing a recall election may submit his or her own statement of 200 words or less explaining the justification of his or her conduct in office. In other words, there will be a 200 word statement calling for the recall and a 200 word rebuttal submitted by the Governor.

Finally, if the office holder resigns subsequent to a recall petition being filed, he or she may not be appointed to fill the vacancy he or she created. If the office holder resigns after an election has been called, the recall election or recall primary election shall not be held and the vacancy shall be filled according to state law.

Membership Reminder

Lisa Kay Hathaway, MMC
City of Grosse Pointe Woods
Membership Chair

MAMC Members:
It is time to renew! You should all have received a 2013 MAMC Membership Renewal Form in the mail by now, and they are due January 31st. A fillable form is also available on the MAMC website, www.michiganclerks.org.

The benefits of your membership include:
• Professional Education Programs including Free Education Day, summer conference, and Master classes available at members-only pricing
• Partnerships with Association of County Clerks, Michigan Licensed Beverage Association, and the State Bureau of Elections
• Legislative lobbying on important professional issues
• Web-based Forum to communicate with member Clerks
• Resource directory containing archived policies and documents from Clerks statewide
• Networking
• Members Only website page access

Don’t delay, sign up today!
2013 Clerk of the Year
Call for Nominations

The Michigan Association of Municipal Clerks (MAMC) Board of Directors has issued a call for nominations for the annual City, Township and Village Clerk of the Year awards. The Nomination deadline is March 5, 2013.

If you know of a clerk whom you believe has the professional and personal qualities to which all clerks should aspire, please nominate them in the appropriate category (city, township or village) for this award.

The Clerk of the Year Committee requires all nominees to complete and return a questionnaire to be reviewed by the nominating committees who, using the criteria below, select a maximum of five (5) candidates in each category for placement on the annual Clerk of the Year Ballot. The ballots are prepared and available to MAMC members throughout Michigan. The following criteria are evaluated for placement on the ballot and should be addressed by the nominating individual:

• Years of experience as a municipal clerk;
• Demonstrated greater-than-average performance in the position;
• Active in county, state and national associations;
• Demonstrated interest in improving their professional and personal skills, and in the advancement of the profession;
• A record of contributing to the improvement of their community and the respect of community leaders;
• Nominee must be a 2013 member of the MAMC.

The “nomination” form is available at www.michiganclerks.org you need not be a clerk to submit a nomination. Nominations will be accepted, and are encouraged from mayors, supervisors, presidents, managers, council members, board members, staff, etc. Receipt of the nomination is confirmed and if you do not hear from the Clerk of the Year Committee by the March 5th deadline, contact Sue Hillebrand at the number/email listed below.

Completed nomination forms must be postmarked, email, or fax receipted by Tuesday, March 5, 2013. Late submissions will not be considered. Please send completed nominations to the following address, or email to: shillebrand@twp.northville.mi.us or fax to: 248-348-9889.

Clerk of the Year NOMINATION
c/o Sue A. Hillebrand, Clerk
Northville Township
44405 Six Mile Road
Northville, MI 48168-9670
Phone: 248-662-0491

The 2013 awards will be presented at the MAMC Conference to be held in June in Frankenmuth.

Call for Nominations -
2013/2014 MAMC Board of Directors Positions

Looking for a fun and rewarding experience with a great association? Consider joining the MAMC Board of Directors. Complete an application from the MAMC Board Members page on our website at www.michiganclerks.org.

The following MAMC Board positions will be on the June 2013 ballot at the Conference in Frankenmuth:

• 3rd Vice President (City/Village) – one year term (Must have served at least two years as a MAMC Director)
• 2 City/Village Directors – each for a 2 year term
• 2 Township Directors – each for a 2 year term

To find out more about serving on the MAMC Board, please feel free to contact any current or past Board member. You may submit your application via mail, fax or email by February 28, 2013.

Submit your application:
Joel H. Hondorp
Byron Township Clerk
8085 Byron Center Avenue, SW
Byron Center, MI 49315
616-878-3980 (fax)
jjhondorp@byrontownship.org

Michigan Association of Municipal Clerks
Getting to the top of your game.
Continuing education is a must in the ever-changing clerk’s profession. MAMC is committed to offering Michigan clerks quality learning opportunities to enable you to stay current on legislation affecting your duties, to achieve your professional and personal goals and to acquire necessary skills to successfully address leadership challenges.

Free Education Day – Tuesday, February 12, 2013
Deb Dunbar, Director of Organizational Development at Indiana University, kicks off our 2013 education series at Free Education Day, Tuesday, February 12, 2013. Ms. Dunbar received rave reviews for her Master Academy session at MAMC’s 2012 Annual Conference. Popular demand brings her back to present two topics, Communication and Motivation & Engagement.

Please plan to attend this high-energy, motivational and informative day at the Lansing Center, 333 E. Michigan Ave., Lansing. Registration begins at 8:00 a.m., followed by Ms. Dunbar at 8:45 a.m. Lunch is from 11:30-1:00. A buffet will be available in the Lansing Center for $10.00. Bill Zaagman, MAMC’s legislative lobbyist, will provide an update on legislative initiatives in Lansing following Ms. Dunbar’s afternoon session.

The day concludes with a Legislative Reception at the Lansing Center, in the Riverstreet Pub. This is an opportunity to visit with Michigan’s elected representatives. Deadline for reservations is Friday, February 1, 2013. Visit www.michiganclerks.org for the registration form.

MAMC Master Academy – March 12-14, 2013
The Master Academy is an advanced continuing education program that changes every year based on the current educational needs and requests from MAMC members. One may choose to go to any one day or all three. This year we are proud to present:

Tuesday, March 12 - Maximize Your Influence, Your Relationships, and Your Life – Mary Jane Mapes
Wednesday, March 13 - Advanced Records Management – American Records Management Association
Thursday, March 14 - 2012 Election Best Practices – Michigan Bureau of Elections; and How Healthy is Your Team? How Healthy is Your Organization? Lewis Bender, PhD. Institute Director and Facilitator

Cost to members for each day is $150 and includes lunch. The Academy will once again be held in Mt. Pleasant at the Comfort Inn Hotel and Conference Center. Special lodging rate for attendees is $75 per night.


MAMC Basic Institute – March 17-22, 2013
The Institute is divided into three one-week sessions (one week each year) focusing on training that fulfills the IIMC certification requirements. Participation is mandatory for all sessions and attendance is monitored. Please do not register for this program unless you are able to attend every session. The sessions are non-sequential and one may begin the three-year cycle at anytime. When you register for the Institute, just indicate if you are attending the Institute for the first, second or third time.

Classes for 2013 include:
• Challenges and Solutions for Michigan Clerks
• Organizational Alternatives for Local Governments
• Technology in the Clerk’s Office
• Budgeting Basics
• Understanding and Observing the Legislative Process
• Making Meetings Effective
• The Clerk on Election Day
• Legal Update
• Agendas & Minutes
• Effective Communication

Cost to members is $600. The Institute will once again be held in Mt. Pleasant at the Comfort Inn Hotel and Conference Center. Special lodging rate for attendees is $75 per night.

### Financial Report for November 2012

#### Bank Statement
- **Beginning Balance**: $58,327.81
- **Deposits/Credits**: $50.00
- **Interest**: $6.72
- **Withdrawals**: $4,185.82
- **Ending Balance**:
  - Main Bank Account: $54,198.71
  - Investment Accounts: $52,359.50
- **Total Funds**: $106,558.21

### BUDGET 2013

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**Total Revenues**: $206,050.00

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**Total Expenses**: $24,350.00

**Conference**
- 3101 Speaker Fees: $4,000.00
- 3102 Lodging/Room Use Fees: $3,500.00
- 3103 Meals: $35,000.00
- 3104 Entertainment: $2,000.00
- 3105 Postage & Printing: $6,500.00

**Grand Total Expenses**: $206,050.00

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**Conference cont.**
- 3107 Golf Conf. Registrations: $800.00
- 3108 Project Management: $1,600.00
- 3109 Supplies/Miscellaneous: $1,500.00
- 3110 Conference Promotional: $6,000.00

**Total Expenses**: $60,900.00

**Education**
- 3201 Scholarships: $7,500.00
- 3202 Speakers: $4,000.00
- 3203 Meetings: $1,000.00
- 3204 Miscellaneous: $250.00
- 3205 Project Mgmt./Facilitator/Mileage: $8,575.00
- 3206 Meals: $8,500.00
- 3207 Printing/Copying/Postage: $600.00
- 3208 Student Materials: $1,275.00
- 3209 Travel for Speakers/Lodging: $150.00
- 3210 Clerking 101: $200.00
- 3211 Master Academy Classes: $2,700.00

**Total Expenses**: $34,750.00

**IIMC Expenses**
- 3301 Presidents Reimbursements: $550.00
- 3302 Conference Expenses: $1,600.00
- 3303 Contributions: $250.00
- 3305 Promotions: $1,000.00
- 3306 Miscellaneous: $100.00
- 3307 Region V: $150.00

**Total Expenses**: $3,650.00

**Legislative**
- 3401 Contributions to CEO: $20,800.00
- 3402 Meetings: $1,775.00

**Total Expenses**: $22,575.00

**Promo/Comm Expenses**
- 3501 Newsletter Printing/postage: $100.00
- 3502 Membership Dues printing/postage: $1,500.00
- 3503 Promotional: $1,000.00
- 3504 Membership Notices: $2,000.00
- 3506 Miscellaneous: $150.00
- 3507 Web Page: $1,000.00
- 3508 Clerks of the Year: $500.00

**Total Expenses**: $6,250.00

**Institute Expenses**
- 3601 Project Management: $15,000.00
- 3602 Facilitator: $5,000.00
- 3603 Speakers: $4,000.00
- 3604 Travel for Speakers & Staff: $525.00
- 3605 CMU/Sponsorship & Endorsement: $2,500.00
- 3606 MAMC Administrative-Treas/Staff: $250.00
- 3607 Printing/Copying/Postage: $4,500.00
- 3608 Student/Staff Materials: $2,500.00
- 3609 Student Certificates/Engraving: $800.00
- 3610 Meals/Lodging for Speakers/Staff: $18,500.00

**Total Expenses**: $53,575.00

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**Financial Report and 2013 Budget**

Betty Kennedy, MMC
Village of North Branch
Treasurer

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Financial Report for November 2012

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<tr>
<td>3008</td>
<td>Credit Card Fees/Misc</td>
<td>$200.00</td>
</tr>
<tr>
<td>3009</td>
<td>Attorney Fees</td>
<td>$500.00</td>
</tr>
</tbody>
</table>

**Total Expenses**: $24,350.00

**Conference**
- 3101 Speaker Fees: $4,000.00
- 3102 Lodging/Room Use Fees: $3,500.00
- 3103 Meals: $35,000.00
- 3104 Entertainment: $2,000.00
- 3105 Postage & Printing: $6,500.00

**Grand Total Expenses**: $206,050.00
MAMC 2013
Annual Conference Update

Sarah Bydalek, CMC
City of Walker
Conference Chair

Judy Bigney, MMC
Algoma Township
Conference Co-Chair

The 2013 Summer Conference will soon be here. Clerking 101 and Master’s Class are Tuesday, June 18th and Conference is June 19th through 21st, 2013 at Bavarian Inn Lodge, Frankenmuth, MI. Watch your inbox for a "Clerking Feud Survey." Please answer the questions and submit, so we can prepare our game. The Conference Committee and Education Committee is working hard to make this a great experience.

Event Calendar

2013

January 31
Membership Renewals Due

February 12
Free Education Day
Lansing Center

March 5
2013 Clerk of the Year Nominations Due

March 12 - 14
MAMC Master Academy
Comfort Inn Hotel and Conference Center
Mount Pleasant

March 17 - 22
MMCI Institute
Comfort Inn Hotel and Conference Center
Mount Pleasant

May 19 - 23
International Institute of Municipal Clerks
Annual Conference
Atlantic City, New Jersey

June 18
Clerking 101 or Masters Class
Bavarian Inn
Frankenmuth

June 19 - 21
MAMC Annual Conference
Bavarian Inn
Frankenmuth