

SFA

BILL ANALYSIS

Senate Fiscal Agency

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Senate Bill 238

Sponsor: Senator John F. Kelly

Committee: Local Government and Veterans

Date Completed: 3-15-89

SUMMARY OF SENATE BILL 238 as introduced 3-9-89:

The bill would amend the home rule cities Act to require that a special election be held in June 1989 in a city with a population over 1 million, on the question of amending the city charter to allow the city to be apportioned into single member neighborhood election districts. The bill also would:

- Specify language for the ballot question on apportionment.
- Permit a city council by resolution to direct the city clerk also to place on the ballot the question of having on the city council both at-large and neighborhood district members.
- Provide for the abolition of an existing city council, if the question of apportioning the city into neighborhood election districts were approved by the voters.
- Require a city planning commission to draw up an apportionment plan.
- Set requirements for city council candidates and establish provisions for nominating petitions and vacation of a city council office.

Special Election

On January 1, 1989, the city clerk of a city with a population of more than 1 million would be required to direct that the question of amending the city charter to allow the city to be apportioned into single member neighborhood election districts be placed before the electors at a special election to be held on the first Tuesday in June 1989.

The ballot would have to be prepared by the city clerk in accordance with the general election laws, and would have to contain the following language: "Shall the city charter be amended to provide for the election of 9 city council members from single member districts?"

The city council by resolution could direct the city clerk also to include on that ballot the question of dividing the council into members representing single member neighborhood districts and at-large districts. The bill specifies the following language: "Shall the city charter be amended to provide for the election of 9 city council members, 5 of whom shall be elected from single member neighborhood districts and 4 of whom shall be elected at large?"

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Apportionment Plan

If a ballot question, as provided in the bill, were approved by a majority of the electors, the city council provided by charter would be abolished on January 1, 1990. The city planning commission would have to meet 30 days after approval of the ballot question as the apportionment commission in order to draw an apportionment plan. The city planning commission would be required to follow the same statutory procedures as established for a county charter apportionment commission pursuant to Public Act 293 of 1966, which provides for the establishment of charter counties.

The city planning commission would have to provide for equal representation for each neighborhood election district, which would have to be as nearly equal in population as was practicable. The latest official published figures of the United States decennial census would have to be used in this determination, unless otherwise provided by law.

In drawing up an apportionment plan, the city planning commission would have to follow the lines used for planning sectors and subcommunities, as provided by the city master plan and charter. In subsequent reapportionments, the council member plan would have to make only incremental changes to the neighborhood election district boundaries as needed to accommodate population change requirements. Each neighborhood election district would have to be designated by name and number.

City Council

If the electors approved the apportionment question, nominating petitions for city council members would have to be filed 30 days before the primary election scheduled for city offices in 1989. Each candidate for city council would have to be a resident of the neighborhood election district that he or she sought to represent.

A city council member's office would be vacated if the member moved his or her residence outside of the district that the member represented.

MCL 117.3 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

Senate Bill 238 would mandate the city of Detroit to hold a special election to amend the city charter. Since this special election would be a State mandate, the estimated \$850,000 cost associated with the election would be a State responsibility.

Fiscal Analyst: G. Olson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.