

HOUSE BILL No. 5363

December 3, 1991, Introduced by Rep. Porreca and referred to the Committee on Towns and Counties.

A bill to amend the title of Act No. 160 of the Public Acts of 1974, entitled

"An act to provide for the adjustment of county boundaries; to provide for referendum thereon; and to prescribe the powers and duties of the secretary of state,"

being sections 45.101 and 45.102 of the Michigan Compiled Laws; and to add sections 3 and 4.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 160 of the Public Acts of
2 1974, being sections 45.101 and 45.102 of the Michigan Compiled
3 Laws, is amended and sections 3 and 4 are added to read as
4 follows:

5 TITLE

6 An act to provide for the adjustment of county boundaries;
7 TO PROVIDE FOR THE DIVISION OF COUNTIES; to provide for
- 8 ~~referendum thereon~~ REFERENDA ON SUCH ADJUSTMENTS AND DIVISIONS;

1 TO PROVIDE FOR CHARTER COMMISSIONS; and to prescribe the powers
2 and duties of ~~the secretary of state~~ CERTAIN STATE AND LOCAL
3 GOVERNMENTAL OFFICIALS AND ENTITIES.

4 SEC. 3. IF A PETITION SIGNED BY 10% OF THE REGISTERED ELEC-
5 TORS OF WAYNE COUNTY, OR 10,000 REGISTERED ELECTORS OF WAYNE
6 COUNTY, WHICHEVER IS LESS, REQUESTING THE ESTABLISHMENT OF A NEW
7 COUNTY, TO BE CALLED ERIE COUNTY, FROM THE TERRITORY WITHIN THE
8 BOUNDARIES OF WAYNE COUNTY AND SOUTH OF A LINE RUNNING ALONG THE
9 MIDLINE OF THE NORTH BRANCH OF THE ECORSE RIVER WEST TO VAN BORN
10 ROAD AND CONTINUING ALONG THE MIDLINE OF VAN BORN ROAD TO THE
11 WAYNE COUNTY BOUNDARY WITH WASHTENAW COUNTY, IS FILED WITH THE
12 COUNTY CLERK OF WAYNE COUNTY, THE QUESTION OF ESTABLISHING ERIE
13 COUNTY SHALL BE PLACED ON THE BALLOT AT THE NEXT GENERAL NOVEMBER
14 ELECTION TO BE HELD NOT LESS THAN 90 DAYS AFTER THE DATE THE
15 PETITION IS FILED. IF A MAJORITY OF THE ELECTORS RESIDING WITHIN
16 THE BOUNDARIES OF THE PROPOSED ERIE COUNTY VOTING ON THE QUESTION
17 AND A MAJORITY OF THE ELECTORS RESIDING WITHIN THE BALANCE OF
18 WAYNE COUNTY VOTING ON THE QUESTION APPROVE THE ESTABLISHMENT OF
19 ERIE COUNTY, ERIE COUNTY SHALL BE ESTABLISHED PURSUANT TO SECTION
20 4.

21 SEC. 4. (1) AT A NONPARTISAN SPECIAL ELECTION TO BE HELD 1
22 YEAR AFTER THE ELECTION PROVIDED FOR IN SECTION 3, A CHARTER COM-
23 MISSION OF 5 MEMBERS SHALL BE ELECTED AT LARGE BY ELECTORS RESID-
24 ING WITHIN THE BOUNDARIES OF THE PROPOSED ERIE COUNTY FOR TERMS
25 TO BEGIN ON THE JANUARY 1 IMMEDIATELY FOLLOWING THEIR ELECTION.
26 AFTER THE DECEMBER 31 IMMEDIATELY FOLLOWING THE ELECTION OF THE
27 CHARTER COMMISSION, MEMBERS OF THE COUNTY BOARD OF COMMISSIONERS

1 OF WAYNE COUNTY WHOSE DISTRICTS LIE WITHIN THE BOUNDARIES OF THE
2 PROPOSED ERIE COUNTY SHALL NO LONGER SERVE ON THE COUNTY BOARD OF
3 COMMISSIONERS OF WAYNE COUNTY. .

4 (2) THE CHARTER COMMISSION SHALL DO ALL OF THE FOLLOWING:

5 (A) ELECT A CHAIRPERSON AND VICE-CHAIRPERSON FROM AMONG ITS
6 MEMBERS.

7 (B) PROVIDE FOR THE EQUAL DIVISION OF THE ASSETS OF WAYNE
8 COUNTY.

9 (C) PROVIDE FOR THE DATE OF ESTABLISHMENT OF ERIE COUNTY.

10 (D) PROVIDE FOR ALL OTHER MATTERS NECESSARY OR DESIRABLE FOR
11 THE ESTABLISHMENT OF ERIE COUNTY.

12 (3) THE CHARTER COMMISSION MAY ADJUST THE BOUNDARIES OF ERIE
13 COUNTY PROVIDED FOR IN SECTION 3.