

SUBSTITUTE FOR
SENATE BILL NO. 810
(As amended October 27, 1999)

A bill to provide for the redistricting of congressional districts; and to establish guidelines for the decennial adoption of a redistricting plan for congressional districts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) This act shall be known and may be cited as the
2 "congressional redistricting act".

3 (2) Not later than November 1, 2001, and every 10 years
4 thereafter, the legislature shall enact a redistricting plan for
5 congressional districts apportioned to Michigan. Except as oth-
6 erwise required by federal law for congressional districts in
7 this state, the redistricting plan shall be enacted using only
8 these guidelines in the following order of priority:

9 (a) The constitutional guideline is that each congressional
10 district shall achieve precise mathematical equality of
11 population in each district. In order to continue the prior

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1 practice and not to change or alter the historic method by which
2 congressional districts are determined, the district boundaries
3 shall be determined by using population data from the United
4 States bureau of the census identical to those from the actual
5 enumeration conducted by the United States bureau of the census
6 for the apportionment of the representatives of the United States
7 house of representatives in the United States decennial census,
8 except that the apportionment data for redistricting shall not
9 include any population that is not allocated to specific census
10 blocks within this state, such as Americans residing overseas,
11 even if that population was legally included in the apportionment
12 data of this state for the purpose of allocating seats among the
13 states. District boundaries shall not be determined by using
14 census bureau population counts derived from any other means,
15 including, but not limited to, the use of statistical sampling to
16 add or subtract population by inference. Other governmental
17 census figures of total population may be used if taken subse-
18 quent to the last decennial United States census and the United
19 States census figures are not adequate for the purposes of this
20 act. A contract may be entered into with the United States
21 census bureau or any other governmental unit to make any special
22 census if the latest United States decennial census figures are
23 not adequate for the purposes of this act.

24 (b) The federal statutory guidelines in no order of priority
25 are as follows:

26 (i) Each congressional district shall be entitled to elect a
27 single member.

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1 (ii) Each congressional district shall not violate section 2
2 of title I of the voting rights act of 1965, Public Law 89-110,
3 42 U.S.C. 1973.

4 (c) The secondary guidelines in no order of priority are as
5 follows:

6 (i) Each congressional district shall consist of areas of
7 convenient territory contiguous by land. Areas that meet only at
8 points of adjoining corners are not contiguous.

9 (ii) Congressional district lines shall preserve county
10 lines with the least cost to the principle of equality of popula-
11 tion provided in subdivision (a).

12 (iii) If it is necessary to break city or township lines to
13 achieve equality of population between congressional districts as
14 provided in subdivision (a), the number of people necessary to
15 achieve population equality shall be shifted between the 2 dis-
16 tricts affected by the shift.

17 (iv) Within a city or township to which there is apportioned
18 more than 1 congressional district, district lines shall be drawn
19 to achieve the maximum compactness possible.

20 (v) Compactness shall be determined by circumscribing each
21 district within a circle of minimum radius and measuring the
22 area, not part of the Great Lakes and not part of another state,
23 inside the circle but not inside the district.

24 (vi) If a discontinuous township island exists within an
25 incorporated city or discontinuous portions of townships are
26 split by an incorporated city, the splitting of the township

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1 shall not be considered a split if any of the following
2 circumstances exist:

3 (A) The city must be split to achieve equality of population
4 between congressional districts as provided in subdivision (a)
5 and it is practicable to keep the township together within 1
6 district.

7 (B) A township island is contained within a whole city and a
8 split of the city would be required to keep the township intact.

9 (C) The discontinuous portion of a township cannot be
10 included in the same district with another portion of the same
11 township without creating a noncontiguous district.

12 (vii) Each congressional district shall be numbered in a
13 regular series, beginning with congressional district 1 in the
14 northwest corner of the state and ending with the highest num-
15 bered district in the southeast corner of the state.

16 Sec. 5. If any portion of this act or the application of
17 this act to any person or circumstances is found to be invalid by
18 a court, the invalidity shall not affect the remaining portions
19 or applications of the act which can be given effect without the
20 invalid portion or application. The provisions of this act are
21 severable.