

**SUBSTITUTE FOR
SENATE BILL NO. 814**

A bill to amend 1996 PA 463, entitled

"An act to establish guidelines for the decennial adoption of redistricting plans for the senate and house of representatives; to provide original jurisdiction to the supreme court to review redistricting plans enacted by the legislature for compliance with those guidelines; and to provide a procedure for the supreme court to use to redistrict the senate and house of representatives under certain circumstances,"

by amending section 2 (MCL 4.262) and by adding section 1a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1A. (1) IN ORDER TO CONTINUE THE PRIOR PRACTICE AND
2 NOT TO CHANGE OR ALTER THE HISTORIC METHOD BY WHICH STATE LEGIS-
3 LATIVE DISTRICTS ARE DETERMINED, THE SENATE AND HOUSE OF REPRE-
4 SENTATIVES DISTRICT BOUNDARIES SHALL BE DETERMINED BY USING POPU-
5 LATION DATA FROM THE UNITED STATES BUREAU OF THE CENSUS IDENTICAL
6 TO THOSE FROM THE ACTUAL ENUMERATION CONDUCTED BY THE UNITED
7 STATES BUREAU OF THE CENSUS FOR THE APPORTIONMENT OF THE
8 REPRESENTATIVES OF THE UNITED STATES HOUSE OF REPRESENTATIVES IN

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1 THE UNITED STATES DECENNIAL CENSUS, EXCEPT THAT THE APPORTIONMENT
2 DATA FOR REDISTRICTING SHALL NOT INCLUDE ANY POPULATION THAT IS
3 NOT ALLOCATED TO SPECIFIC CENSUS BLOCKS WITHIN THIS STATE, SUCH
4 AS AMERICANS RESIDING OVERSEAS, EVEN IF THAT POPULATION WAS
5 LEGALLY INCLUDED IN THE APPORTIONMENT DATA OF THIS STATE FOR THE
6 PURPOSE OF ALLOCATING SEATS AMONG THE STATES. DISTRICT BOUNDA-
7 RIES SHALL NOT BE DETERMINED BY USING CENSUS BUREAU POPULATION
8 COUNTS DERIVED FROM ANY OTHER MEANS, INCLUDING, BUT NOT LIMITED
9 TO, THE USE OF STATISTICAL SAMPLING TO ADD OR SUBTRACT POPULATION
10 BY INFERENCE. OTHER GOVERNMENTAL CENSUS FIGURES OF TOTAL POPULA-
11 TION MAY BE USED IF TAKEN SUBSEQUENT TO THE LAST DECENNIAL UNITED
12 STATES CENSUS AND THE UNITED STATES CENSUS FIGURES ARE NOT ADE-
13 QUATE FOR THE PURPOSES OF THIS ACT. A CONTRACT MAY BE ENTERED
14 INTO WITH THE UNITED STATES CENSUS BUREAU OR ANY OTHER GOVERNMEN-
15 TAL UNIT TO MAKE ANY SPECIAL CENSUS IF THE LATEST UNITED STATES
16 DECENNIAL CENSUS FIGURES ARE NOT ADEQUATE FOR THE PURPOSES OF
17 THIS ACT.

18 (2) SENATE AND HOUSE DISTRICTS SHALL NOT VIOLATE SECTION 2
19 OF TITLE I OF THE VOTING RIGHTS ACT OF 1965, PUBLIC LAW 89-110,
20 42 U.S.C. 1973.

21 Sec. 2. (1) THE SUPREME COURT SHALL HAVE ORIGINAL AND
22 EXCLUSIVE STATE JURISDICTION TO HEAR ALL CASES OR CONTROVERSIES
23 INVOLVING A REDISTRICTING PLAN UNDER THIS ACT. A CASE OR CONTRO-
24 VERSY INVOLVING A REDISTRICTING PLAN SHALL NOT BE HEARD OR
25 DECIDED BY THE STATE COURT OF APPEALS OR ANY STATE TRIAL COURT.

26 (2) IF AN APPLICATION OR PETITION FOR REVIEW HAS NOT BEEN
27 FILED UNDER SUBSECTION (3) OR SECTION 3, THE SUPREME COURT MAY,

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1 BUT IS NOT REQUIRED TO, HEAR ALL OR A PORTION OF THE PROCEDURES
2 DESCRIBED IN SECTION 4.

3 (3) Upon the application of an elector filed not later than
4 60 days after the adoption of the enactment of a redistricting
5 plan, the supreme court, exercising original STATE jurisdiction
6 provided under section 6 of article IV of the state constitution
7 of 1963, may review any plan enacted by the legislature, and may
8 modify that plan or remand that plan to a special master for fur-
9 ther action if the plan fails to comply with section 1.