

SENATE BILL No. 812

October 14, 1999, Introduced by Senators HOFFMAN, SCHUETTE, MC COTTER and SIKKEMA and referred to the Committee on Reapportionment.

A bill to amend 1966 PA 261, entitled

"An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,"

by amending sections 4 and 8 (MCL 46.404 and 46.408).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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1 Sec. 4. In apportioning the county into commissioner dis-
2 tricts, the county apportionment commission shall ~~be governed~~
3 ~~by~~ USE ONLY the following guidelines: ~~in the stated order of~~
4 ~~importance.~~

5 (a) All districts shall be single-member districts and ~~as~~
6 ~~nearly of equal population as is practicable~~ HAVE A POPULATION
7 NOT EXCEEDING 105.95% AND NOT LESS THAN 94.05% OF THE IDEAL
8 DISTRICT SIZE UNLESS THE UNITED STATES SUPREME COURT ESTABLISHES

1 A DIFFERENT RANGE OF ALLOWABLE POPULATION DIVERGENCE FOR COUNTY
2 COMMISSIONER DISTRICTS. COMMISSIONER DISTRICT BOUNDARIES SHALL
3 BE DETERMINED BY USING POPULATION DATA FROM THE UNITED STATES
4 CENSUS 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 DISTRICT BOUNDARIES SHALL NOT BE DETERMINED BY USING CENSUS
9 BUREAU POPULATION COUNTS DERIVED FROM ANY OTHER MEANS, INCLUDING,
10 BUT NOT LIMITED TO, THE USE OF STATISTICAL SAMPLING TO ADD OR
11 SUBTRACT POPULATION BY INFERENCE. The latest official published
12 figures of the United States official census shall be used in
13 this determination, except that in cases requiring division of
14 official census units to meet the population standard, an actual
15 population count may be used to make ~~such~~ THE division. Other
16 governmental census figures of total population may be used if
17 taken subsequent to the last decennial United States census and
18 the United States census figures are not adequate for the pur-
19 poses of this act. The secretary of state shall furnish the
20 latest ~~official published~~ UNITED STATES OFFICIAL CENSUS figures
21 to the county apportionment commissions ~~forthwith upon this act~~
22 ~~taking effect, and~~ within 15 days after publication of
23 ~~subsequent United States official census~~ THE figures. A con-
24 tract may be entered into with the United States census bureau OR
25 ANY OTHER GOVERNMENTAL UNIT to make any special census if the
26 latest United States decennial census figures are not adequate
27 FOR THIS ACT.

1 (b) All districts shall be contiguous. AREAS THAT MEET ONLY
2 AT THE POINTS OF ADJOINING CORNERS ARE NOT CONTIGUOUS.

3 (c) All districts shall be as compact and ~~of~~ as nearly
4 square shape as is practicable, depending on the geography of the
5 county area involved. COMPACTNESS SHALL BE DETERMINED BY CIRCUM-
6 SCRIBING EACH DISTRICT WITHIN A CIRCLE OF MINIMUM AREA, NOT PART
7 OF THE GREAT LAKES AND NOT PART OF ANOTHER COUNTY, INSIDE THE
8 CIRCLE BUT NOT INSIDE THE DISTRICT.

9 (d) ~~No~~ A township or ANY part ~~thereof~~ OF A TOWNSHIP
10 shall NOT be combined with any city or ANY part ~~thereof~~ OF A
11 CITY for a single district, unless ~~such~~ THE combination is
12 needed to meet the population standard. IF IT IS NECESSARY TO
13 COMBINE A TOWNSHIP OR ANY PART OF A TOWNSHIP WITH ANY CITY OR ANY
14 PART OF A CITY TO MEET THE POPULATION STANDARD, THE FEWEST NUMBER
15 OF COMBINATIONS SHALL BE UTILIZED.

16 (e) Townships, villages, and cities shall be divided only if
17 necessary to meet the population standard. IF IT IS NECESSARY TO
18 BREAK TOWNSHIP, VILLAGE, AND CITY LINES TO MEET THE POPULATION
19 STANDARD, THE FEWEST NUMBER OF LINES SHALL BE BROKEN.

20 (f) Precincts shall be divided only if necessary to meet the
21 population standard. IF IT IS NECESSARY TO BREAK PRECINCT LINES
22 TO MEET THE POPULATION STANDARD, THE FEWEST NUMBER OF LINES SHALL
23 BE BROKEN.

24 (g) Residents of state institutions who cannot by law regis-
25 ter in the county as electors shall be excluded from any consid-
26 eration of representation.

1 (h) Districts shall not be drawn to effect partisan
2 political advantage.

3 (I) DISTRICTS SHALL NOT VIOLATE SECTION 2 OF TITLE I OF THE
4 VOTING RIGHTS ACT OF 1965, PUBLIC LAW 89-110, 42 U.S.C. 1973.

5 Sec. 8. Once an apportionment plan has been found
6 ~~constitutional and according to the provisions of~~ TO BE IN COM-
7 PLIANCE WITH this act and all appeals have been exhausted, or if
8 no appeal is taken, when the time for appeal has expired, that
9 plan shall be the official apportionment plan for the county
10 until the next United States official decennial census figures
11 are available.